

JOINT CONSULTATIVE FORUM

At a Meeting of the Joint Consultative Forum held in Meeting Room 3, Council Offices, Garshake Road, Dumbarton on Friday, 16 December 2011 at 2.10 p.m.

Present: Councillors George Black and David McBride; Stewart Paterson (EIS); Duncan Borland and Billy McEwan (GMB); Alex McEwan (SSTA); Tracey Dalling, Denise McLafferty, Tom Morrison, Peter O'Neill and Margaret Wood (UNISON); and Karen Ferguson, Jackaleen McMonagle and James O'Connell (UNITE).

Attending: David Amos, Interim Executive Director of Corporate Services; Elaine Melrose, Executive Director of Housing, Environmental and Economic Development; Tricia O'Neill, Head of Human Resources and Organisational Development; Linda McAllister, Section Head, Employment Policy and Practice; Nigel Ettles, Principal Solicitor; and Scott Kelly, Committee Officer, Legal, Democratic and Regulatory Services.

Apologies: Apologies for absence were intimated on behalf of Councillors Jonathan McColl, John Millar and Lawrence O'Neill; Terry Lanagan, Executive Director of Educational Services; John Kennedy (UCATT); Karen Dunlop, Margaret Ferris and Bill Keady (UNISON); and Charlie McDonald (UNITE).

Councillor George Black in the Chair

CHAIR'S REMARKS

Before commencing with the business of the meeting, Councillor Black, Chair, welcomed all those present and in particular those who were attending the Forum for the first time.

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in any of the items of business on the agenda.

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Joint Consultative Forum held on 22 September 2011 were submitted and approved as a correct record.

In addition, the following points were noted:-

- (1) Having heard the Head of Human Resources and Organisational Development in relation to a point raised under the heading 'Minutes of Previous Meeting' (Page XXX refers), the Forum noted that recently ACAS had facilitated workshops aimed at improving partnership working between Management and the Trades Unions;
- (2) In relation to a point raised by Councillor Black, Chair, under the heading 'Minutes of Previous Meeting' (Page XXX refers) concerning excess travel costs, and after hearing the Head of Human Resources and Organisational Development in response, the Forum noted:-
 - (a) that this matter had been discussed recently at the Employee Liaison Group (ELG);
 - (b) that discussions with the Trades Unions were ongoing; and
 - (c) that the matter would be discussed at a future meeting of the Corporate Management Team (CMT);
- (3) In relation to a point raised by Councillor Black, Chair, under the heading 'Minutes of Previous Meeting' (Page XXX refers) concerning outstanding Community Health and Care Partnership Joint Consultative Committee minutes, the Forum agreed:-
 - (a) to note that these minutes had now been made available electronically; and
 - (b) to note that the Head of Human Resources and Organisational Development would raise with the Director of the CHCP, Ms McLafferty's concerns in relation to effective representation for Social Work staff within the CHCP and the arrangements for joint consultation with Trades Unions;
- (4) Following discussion in relation to a point raised by Councillor Black, Chair, under the heading 'Protecting Vulnerable Groups Scheme - Update' (Pages XXX refer), the Forum noted:-
 - (a) that a report in relation to this matter had been considered recently by the Corporate and Efficient Governance Committee and that it had been agreed that the Council should pay PVG Scheme costs for all members of staff; and
 - (b) that this decision had been welcomed by the Trades Unions;

- (5) After discussion and having heard the Head of Human Resources and Organisational Development in relation to an item under the heading 'Trades Unions Issues' concerning 'Notification of claim for Employment Support Allowance for staff on long term sick leave' (Page XXX refers), the Forum agreed:-
- (a) to note that staff on long term sick leave would be provided with information in respect of their entitlement to Employment Support Allowance;
 - (b) to note that the Human Resources and Payroll sections were presently considering the best means of providing this information;
 - (c) to note that the Trades Unions had requested that the Welfare Rights section also be involved in discussions on providing information to staff; and
 - (d) to note that the Trades Unions had requested that they be consulted on the information which is provided to staff;
- (6) In relation to a point raised by Ms McLafferty in relation to an item under the heading 'Trades Unions Issues' concerning 'Paid lunch breaks' (Pages XXX refer), the Forum agreed:-
- (a) to note that the Trades Unions were in the process of discussing proposals to move from paid lunch breaks to unpaid lunch breaks with the departments of the Council in which this was an issue;
 - (b) to note that the Trades Unions had expressed thanks to Mr Henry Sweeney, Human Resources Officer, for his assistance in relation to this matter; and
 - (c) that this matter should be a standing item of business for future meetings of the Forum; and
- (7) In relation to a point raised by the Head of Human Resources and Organisational Development under the heading 'Trades Unions Issues' concerning 'Single Status' (Page XXX refers), after discussion, the Forum agreed:-
- (a) to note that the matter of employees who would still be in detriment in March 2012 as a result of the Council's Single Status Agreement had been discussed at the ELG recently; and
 - (b) to note that the Head of Human Resources and Organisational Development would arrange to hold a meeting with the Trades Unions in this regard and that up-to-date information on the numbers of staff who were in detriment would be provided within the next week.

IMPLEMENTATION OF THE ATTENDANCE MANAGEMENT POLICY AND PROPOSED REVIEW OF THE POLICY

With reference to the Minutes of Meeting of the Forum held on 22 September 2011 (Page XXX refers), a report was submitted by the Head of Human Resources and Organisational Development providing information relating to the implementation of the Attendance Management Policy and the planned review of the Policy.

After discussion and having heard the Head of Human Resources and Organisational Development, the Forum agreed to note the contents of the report and the actions which would be undertaken to review the Attendance Management Policy.

STRESS MANAGEMENT POLICY

With reference to the agenda for this meeting of the Forum which was issued on 5 December 2011, after discussion and having heard the Head of Human Resources and Organisational Development, the Forum agreed:-

- (1) to note that no report on this item had been submitted to this meeting due to consideration still being given to comments by stakeholders;
- (2) to note that a final draft of the Stress Management Policy would be forwarded to Trades Unions in January 2012 for discussion at the ELG;
- (3) to note that it was anticipated that the policy would be submitted for approval to the meeting of the Corporate and Efficient Governance Committee to be held in March 2012; and
- (4) to note that an update on the policy would be provided at the next meeting of the Forum.

STANDING ITEM OF BUSINESS – SHARED SERVICES

After discussion, the Forum agreed:-

- (1) to remove Shared Services as a standing item of business, in view of the Council's recent decision to withdraw from the Clyde Valley Shared Services Group; and
- (2) to note that the Council would be investigating other proposals for joint working with suitable partners; and
- (3) that when there was any significant development in the proposals described in (2) above, Shared Services should be made a standing item of business for future meetings of the Forum.

DISCIPLINE, GRIEVANCE AND DIGNITY AT WORK INFORMATION

A report was submitted by the Head of Human Resources and Organisational Development:-

- (a) providing information on disciplinary, grievance and dignity at work cases which were live as at 30 September 2011 (end of Quarter 2); and
- (b) providing a summary of cases concluded during this period.

After discussion and having heard the Head of Human Resources and Organisational Development in further explanation and the Principal Solicitor in answer to a Member's question, the Forum agreed:-

- (1) to note that presently there were 4 appeals which required to be heard by the Appeals Committee;
- (2) to note that there had been a considerable reduction in the number of outstanding appeals and that this had been achieved in part through successful mediation;
- (3) to note the position in respect of a complaint which had been referred to an Employment Tribunal concerning accrued leave during maternity periods;
- (4) to note that Councillor Black, Chair, had invited Mr Billy McEwan to write to him in respect of an outstanding appeal which had been raised by a member of his Trade Union; and
- (5) otherwise to note the contents of the report and the action taken by Human Resources and Organisational Development to improve the discipline and grievance framework within the Council.

SICKNESS ABSENCE REPORTING – QUARTER 2 (2011/2012)

A report was submitted by the Head of Human Resources and Organisational Development advising on the levels of employee sickness absence for the second Quarter 2011/2012 (July, August and September 2011).

After discussion and having heard the Interim Executive Director of Corporate Services and the Head of Human Resources and Organisational Development, the Forum agreed:-

- (1) to note the targets agreed for West Dunbartonshire Council for 2011/12: Local Government Employees – 10.5 FTE days lost; and Teachers – 7.0 FTE days lost;
- (2) to note that Human Resources and Organisational Development would work with the Trades Unions to inform employees of the benefits of involving Occupational Health; and

- (3) otherwise to note the contents of the report.

MINUTES OF DEPARTMENTAL JOINT CONSULTATIVE COMMITTEES, DEPARTMENTAL HEALTH AND SAFETY MEETINGS AND EMPLOYEE LIAISON GROUP

A report was submitted by the Head of Human Resources and Organisational Development providing the minutes from Departmental Joint Consultative Committees (JCCs), Health and Safety meetings and Employee Liaison Group (ELG) meetings for the period from 22 September 2011 to 21 November 2011 including any outstanding minutes from the previous reporting period.

After discussion and having heard the Executive Director of Housing, Environmental and Economic Development in answer to a Member's question, the Forum agreed:-

- (1) to note that it had been agreed recently that health and safety matters in the Housing, Environment and Economic Development Department should be discussed outwith the Department's Joint Consultative Committee meetings;
- (2) to note that the Head of Human Resources and Organisational Development had thanked the Trades Unions for their involvement in the recent ACAS-facilitated workshops; and
- (3) otherwise to note the contents of the report.

TRADES UNIONS ISSUES

The Forum noted that the Trades Unions had not intimated in advance of the meeting any matters which they wished to raise.

Canteen Facility in Council Offices, Garshake Road, Dumbarton

The Forum heard Ms McLafferty who advised of a proposal for a non-profit making canteen facility to be established in the Council Offices, Garshake Road, Dumbarton.

After discussion and having heard the Principal Solicitor in answer to a Member's question, the Committee agreed that the Interim Executive Director of Corporate Services should: (i) refer this proposal for consideration at a future meeting of the CMT; and (ii) provide an update on this matter at the next meeting of the Forum.

Risk Assessments relating to industrial action on 30 November 2011

The Forum heard Mr Morrison who expressed concern that risk assessments had not been carried out in relation to the staffing of Council premises which had been open on 30 November 2011, a day of industrial action.

After discussion, and having heard the Head of Human Resources and Organisational Development, the Forum agreed to note that Management would discuss this matter with the Trades Unions with a view to producing a good-practice document which would assist in preparing for any future industrial action.

Business Day

The Forum heard Mr Morrison who expressed the view that the Council's democratic processes were being undermined by the holding of Business Day meetings which met in private, were not minuted and at which decisions were taken without proper scrutiny.

After discussion, the Forum agreed:-

- (1) to note that no decisions were taken at Business Day meetings and that these meetings were an opportunity for all elected members to receive information and discuss strategy; and
- (2) to note that Councillor Black, Chair, had offered, following the next meeting of the Business Day, to report to Mr Morrison on the matters which had been discussed at the Business Day.

PROGRAMME OF FUTURE MEETINGS

The Forum agreed the undernoted dates and times for future meetings of the JCF:-

Thursday, 22 March 2012 at 2.00 p.m.

Thursday, 21 June 2012 at 2.00 p.m.

Thursday, 20 September 2012 at 2.00 p.m.

Thursday, 13 December 2012 at 2.00 p.m.

COMPLIMENTS OF THE SEASON

Councillor Black, Chair, wished everyone a Happy Christmas.

The meeting closed at 3.25 p.m.