

JOINT CONSULTATIVE FORUM

At a Meeting of the Joint Consultative Forum held in Meeting Room 3, Council Offices, Garshake Road, Dumbarton on Friday, 11 December 2009 at 2.00 p.m.

Present: Councillors Jim Finn and George Black; Denise McLafferty and Tom Morrison (UNISON); Hugh Toole and Jacqueline McMonagle (UNITE); Neil Casey (T&GWU); Martin Doran (GMB) and Stewart Paterson (EIS).

Attending: Terry Lanagan, Executive Director of Educational Services; Anne Ritchie, Interim Executive Director of Social Work and Health; Tricia O'Neill, Head of Human Resources and Organisational Development; Alan Douglas, Manager of Legal Services; Paul McGowan, Pay Modernisation Projects Manager; Linda McAlister, Senior Human Resources Officer and Nuala Borthwick, Committee Officer.

Apologies: Apologies for absence were submitted on behalf of Councillors Margaret Bootland, David McBride, Ronnie McColl, Jim McElhill, John Miller and Margaret Ferris, Alex McEwen, Brian Courtney, Charlie McDonald, John Kennedy (UCATT); Duncan Borland (GMB) and Brian Courtney (UNITE).

APPOINTMENT OF CHAIR AND VICE CHAIR

Having heard Mr Douglas and in the absence of the Chair and Vice Chair, the Forum noted that there was a requirement for a nomination of Chair of the Forum. Following a request for nominations from the Trade Union side, it was agreed that Stewart Paterson be nominated as Chair of the Forum. Accordingly Mr Paterson assumed the Chair.

DECLARATIONS OF INTEREST

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

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Joint Consultative Forum (JCF) held on 24 September 2009 were submitted and approved as a correct record.

TRADES UNION RECOGNITION AND FACILITIES AGREEMENT

A report was submitted by the Head of Human Resources and Organisational Development providing information on the development of the proposed Trades Union Recognition and Facilities Agreement which was jointly developed by management and trades union representatives and outlines mutually agreed arrangements.

Following discussion, the Forum agreed:-

- (1) that the proposed Trades Union Recognition and Facilities Agreement be referred to the Employee Liaison Group to resolve the outstanding issue of unpaid time off for trades union activities and duties;
- (2) that provided a consensus is reached, the proposed Agreement be submitted to the Corporate and Efficient Governance Committee for approval; and
- (3) that should the issue remain unresolved, the Agreement be re-submitted to the next meeting of the JCF for further discussion.

LIFELONG LEARNING - DRAFT PRINCIPLES AGREEMENT

With reference to the Minutes of Meeting of the Joint Consultative Forum held on 24 September 2009 (Page 2197 refers), the Forum was reminded of the decision that a report on a Draft Principles Agreement be submitted to the Forum.

The Head of Human Resources and Organisational Development provided an update on this matter. The Forum noted that a report on the issue would be provided to the meeting of the JCF scheduled to be held in March 2010.

DISCIPLINE AND GRIEVANCE INFORMATION

A report was submitted by the Head of Human Resources and Organisational Development providing information on discipline and grievance appeals held at departmental level (stage 2) during the period 1 July 2009 and 30 September 2009.

After discussion and having heard the Head of Human Resources and Organisational Development and the Senior Personnel Officer in further explanation and in answer to Members' questions, the Forum agreed:-

- (1) to note that of the grievances lodged at departmental level (stage 2) during the period, two remained unresolved although initial meetings had been held in both cases; and
- (2) otherwise to note the contents of the report.

MINUTES OF DEPARTMENTAL JOINT CONSULTATIVE COMMITTEES AND DEPARTMENTAL HEALTH AND SAFETY MEETINGS

A report was submitted by the Head of Human Resources and Organisational Development providing the minutes from Departmental Joint Consultative Committees (JCCs) and Health & Safety meetings for the period from 24 September 2009 until committee paper deadline for the meeting of 11 December 2009 including any outstanding minutes.

Having heard the Head of Human Resources and Organisational Development and the Manager of Legal Services in further explanation of the report and in answer to Members' questions, the Forum agreed:-

- (1) to note that Scottish Government guidelines in relation to swine flu recommended paper towels within toilets in schools and that there is ongoing discussion as to whether these require to be provided centrally or from schools' delegated budgets;
- (2) that Mr Paterson would investigate the issue and report back to the Forum;
and
- (3) otherwise to note the contents of the report.

SICKNESS ABSENCE REPORTING – QUARTER 2 (2009/2010)

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 (July, August and September) of 2009/10.

Having heard the Head of Human Resources and Organisational Development in further explanation of the report, the Forum agreed:-

- (1) to note that there were some minor improvements in the current levels of sickness absence on attendance levels to date, but this did not take into account the higher levels of sickness absence during the winter months; and
- (2) otherwise to note the contents of the report.

STATUTORY PATERNITY LEAVE AND PAY

A report was submitted by the Head of Human Resources and Organisational Development providing an update on an amendment to the current arrangements for Paternity Pay and Leave to ensure legislative criteria is met to enable the Council to claim back the Statutory Paternity Pay (SPP) element.

Having heard the Senior HR Officer in further explanation of the report, the Forum agreed:-

- (1) to note the proposed amendments to reflect legislative criteria for statutory Paternity Pay and Leave as undernoted:-
 - (a) Paternity leave must be taken within 56 days (amended from 6 months); and
 - (b) Paternity leave must be taken in 2 consecutive weeks (amended from separate weeks); and
- (2) to note that the amendments do not have any detrimental effect on employees paternity pay.

REVISED POLICIES AND PROCEDURES FOR DISCIPLINE, GRIEVANCE, DIGNITY AT WORK AND PERFORMANCE MANAGEMENT

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

- (a) providing an update on the reviews of the Discipline, Grievance and Dignity at Work Policies and Procedures; and
- (b) advising of the development of a new Performance Management Policy and Procedure which follows ACAS (Advisory, Conciliation and Arbitration Service) recommendations.

Having heard the Head of Human Resources and Organisational Development in further explanation of the report and in answer to Members' questions, the Forum agreed:-

- (1) to note that the Policies and Procedures were subject to further discussions at the Employee Liaison Group to resolve a number of outstanding issues;
- (2) that provided a consensus is reached, the Policies be submitted to the meeting of the Corporate and Efficient Governance Committee for approval in January 2010; and
- (3) that should there be unresolved issues in relation to the Policies, then they be re-submitted to the next meeting of the JCF for further discussion.

TRADES UNION ISSUES

Having heard Ms McLafferty, the Forum agreed that two additional Trades Union issues be considered by the Forum as undernoted.

Vehicle Tracking System

The Forum heard from Mr Toale who advised of concerns with the introduction of a vehicle tracking system pilot for Council vehicles given the considerable cost of such an exercise to the Council.

After discussion, the Forum agreed that the Head of Human Resources and Organisational Development would raise the concerns with the Executive Director of Housing, Economic and Environmental Development.

Use of Casual Workers

Ms McLafferty raised the concerns of the Trades Unions in relation to the use of casual workers within Leisure Services.

It was noted that these concerns were in relation to the use of casual workers:-

- (a) to cover annual leave and sickness absence to avoid incurring costs of overtime payments to employees; and
- (b) the health and safety risks to the general public given the rigorous training provided to Leisure Services staff.

Following discussion, it was agreed that should the issue remain unresolved at a local level then it be raised with the Executive Director of Housing, Environmental and Economic Development.

Excess Travel

Having heard Ms McLafferty, the Forum noted that there were concerns over the car mileage rate of 35.1p paid for excess travel for employees who use their own car.

Following discussion, the Forum agreed that the Head of Human Resources would investigate the trades' union side's proposal that the Policy be reviewed to increase the mileage rate to 40p per mile for excess travel and report back to a future meeting of the Forum.

Dignity at Work Training

Having heard from Mr Morrison, the Forum noted that there were concerns that the Dignity at Work Training was being rolled out to staff based on a policy that had not yet been agreed by the Trades Union side.

Following discussion and having heard from the Head of Human Resources and Organisational Development and the Senior Personnel Officer in answer to Members' questions, the Forum agreed:-

- (1) that the current training for Dignity at Work was based on the current Policy and would change when the new Policy was agreed with the trades unions side;
- (2) to note that joint training on the new and revised policy would be undertaken by HR staff and trades unions and would be rolled out in March 2010; and
- (3) that the mechanism which employees would require to go through in relation to Dignity at Work would be included in the new Policy.

Childcare Charges for Employees

The Forum heard from Ms McLafferty in relation to the Trades Union side's concerns in relation to:-

- (a) the increase in childcare charges for employees in the absence of a consultation process and an Equality Impact Assessment; and
- (b) the decrease in flexibility for both employees of the Council and the management of childcare establishments with the removal of hourly rates being replaced with a charge per session (where parents required 3 hours or less in an Early Education and Childcare Centre)

Note:- During consideration of the above item, Ms McLafferty declared a financial interest in the Trades Union issue 'Childcare Charges for Employees' and took part in the discussions.

Following discussion and having heard the Head of Human Resources and Organisational Development and the Manager of Legal Services, the Forum agreed:-

- (1) to note the concerns of the Trades Union side in relation to increased childcare charges for employees;
- (2) to note that the impact of increased charges on employees did not provide a requirement for an Equality Impact Assessment as it did not impact on a minority group;
- (3) to note that given the significant shortfall faced by the Council, there was a need to review the charging policy for childcare and out of school care as the current arrangements provided inadequate income given the cost of the service; and

- (4) to note that the Council had secured a Childcare Voucher Scheme Provider to administer the tax free Childcare Voucher Scheme and issue vouchers on behalf of the employee to an authorised Child Carer/Organisation. It was acknowledged that this scheme had the potential for significant savings for staff on the cost of childcare and that the scheme would be widely publicised across the Council.

STANDING ITEMS OF BUSINESS

The Forum agreed to note the current position on the following:-

- (i) Best Value
- (ii) Lifelong Learning
- (iii) Pay Claims
- (iv) Single Status
- (v) Sunscreen Safety
- (vi) Transfer of Housing Stock
- (vii) Training and Development

Budget Planning

In relation to a point raised by Ms McLafferty concerning budget option savings, the Forum noted that the Executive Director of Corporate Services had made a commitment to discuss all budget savings options with the Trades Unions at the earliest possible opportunity.

Clyde Valley Shared Services

In relation to a point raised by Councillor Finn, the Forum noted that there were concerns that larger Councils would be the preferred option for the provision of shared services given the small size of West Dunbartonshire Council.

Health and Safety

In relation to a point raised by Mr Doran concerning a specific Stage 3 Appeals Hearing on the issue of time off for health and safety training, the Forum agreed that the matter be explored as part of future discussions on the Council's Facilities Agreement.

Other Business

Having heard Ms O'Neill, the Forum noted that the Council's Scheme of Voluntary Early Retirement and Voluntary Severance remained open and was being communicated to employees through the Team Briefings process. It was further noted that the Trades Unions had concerns with the potential impact that this would have on the remaining workforce.

NOTE OF CONDOLENCE

Having heard Ms O'Neill, the Forum expressed their sadness at the sad passing of Mr Pat Whitelaw, a former Trades Union colleague and member of the Forum.

PROGRAMME OF FUTURE MEETINGS

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

Thursday, 25 March 2010 at 2.00 p.m.

Thursday, 24 June 2010 at 2.00 p.m.

Thursday, 23 September 2010 at 2.00 p.m.

Friday, 17 December 2010 at 2.00 p.m.

Following consideration of the suggestion that the location of meetings be alternated between Clydebank and Dumbarton, the Forum agreed that all future meetings be held in Dumbarton as most attendees were based at Garshake Road, Dumbarton.

The meeting closed at 3.22 p.m.