

EAST HERTS COUNCIL

LOCAL JOINT PANEL – 18 MARCH 2009

REPORT BY THE SECRETARY OF THE STAFF SIDE

7A. ALL STAFF EMAIL FACILITY – FAILURE TO RESOLVE MATTER

WARD(S) AFFECTED: None

“ D” RECOMMENDATION – that (A) the following recommendation recorded in minute 14 of the Local Joint Panel meeting of 17 September 2008 be referred back to the Human Resources Committee for their consideration: “the use of the “all staff global” emails be reinstated on the basis that this be used for disseminating information for the business benefit of the Council and common good of all staff and in other circumstances, staff should use the intranet facility”; and

(B) the Local Joint Panel reaffirm their commitment to resolving matters in dispute in accordance with the present Local Joint Panel constitution and the UNISON recognition agreement;

1.0 Purpose/Summary of Report

1.1 To agree the correct process for resolving matters referred to the Local Joint Panel, when there is failure to agree between the Staff Side and CMT.

2.0 Contribution to the Council’s Corporate Priorities/Objectives

2.1 Deliver customer focused services by maintaining and developing a well managed and publicly accountable organisation.

3.0 Background

3.1 A report was submitted by the Staff Side to the Local Joint Panel meeting of 17 September 2008 on the “All Staff Email Facility”. The outcome of the discussions was the following recommendation:

RECOMMENDED – that (A) the use of the “all staff global”

emails be reinstated on the basis that this be used for disseminating information for the business benefit of the Council and common good of all staff and in other circumstances, staff should use the intranet facility;

(B) the Head of Business Support Services be requested to keep the matter under review and to report back in 12 months on usage of the “All Email” facility; and

(C) no amendments to the email policy be made without full consultation with the Secretary to the Staff Side.

3.2 The issue had previously been raised informally by the Staff Side in accordance with the agreed protocol and the UNISON recognition agreement, with Human Resources and then formally with CMT, who confirmed their original decision to withdraw the facility from staff. The matter was then debated by Local Joint Panel Members who, in accordance with the constitution, made the above recommendation to the Human Resources Committee who should have resolved the matter.

3.3 The Human Resources Committee however, instead of resolving the matter, referred it back to CMT, who reaffirmed their previous decision, without taking into account the recommendation of elected Council Members. The matter therefore went full circle.

4.0 Report

4.1 The Staff Side is concerned that the role of the Local Joint Panel was undermined on this occasion and that there is a risk that the process for negotiating and consultation with the Staff Side may become devalued and damaged if this practice is repeated in the future.

4.2 There is little point in the Staff Side submitting items for discussion and negotiation, if the issue is going to be referred back to the body responsible for making the decision in the first instance.

4.3 The whole purpose of the Local Joint Panel is to negotiate and reach agreement on all issues pertaining to the matters set out under clause 7.4 of the recognition agreement. These include working practices, staff amenities and any other item which both sides agree to refer. The All Staff Email Facility was an item which was agreed by the Staff side and Employers Side Secretaries should be referred.

4.4 Although it has been agreed that the Terms of Reference of The Local Joint Panel should be reviewed, the Recognition Agreement cannot be amended without the agreement of both sides. The Staff Side is happy to review both but at the moment and until it is agreed to amend them, the current constitution and agreement must stand.

5.0 Consultation

5.1 Not applicable.

6.0 Legal Implications

6.1 None

7.0 Financial Implications

7.1 None

8.0 Human Resource Implications

8.1 As detailed in the report.

9.0 Risk Management Implications

9.1 None

Background Papers

None

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