



**MEETING** : LOCAL JOINT PANEL  
**VENUE** : WAYTEMORE ROOM, COUNCIL OFFICES, THE  
CAUSEWAY, BISHOP'S STORTFORD  
**DATE** : THURSDAY 16 SEPTEMBER 2010  
**TIME** : 2.30 PM

**MEMBERS OF THE COMMITTEE**

**EMPLOYER'S SIDE:**

Councillors M Wood (Chairman), M R Alexander, A P Jackson and  
S Rutland-Barsby

*Substitutes:*

Conservative

L O Haysey and J O Ranger

Liberal Democrat:

**STAFF SIDE - UNISON**

Mr C Clowes, Mrs J Sharp, Mr P Stevens and Mr A Stevenson

*(Substitutes: Ms F Brown and Ms Hazel Summerfield )*

*(Note: Substitution arrangements must be notified by the absent Member  
to Democratic Services 24 hours before the meeting)*

**CONTACT OFFICER: LORRAINE BLACKBURN  
01279 502172**

## PERSONAL AND PREJUDICIAL INTERESTS

1. A Member with a personal interest in any business of the Council who attends a meeting of the Authority at which the business is considered must, with certain specified exemptions (see section 5 below), disclose to that meeting the existence and nature of that interest prior to the commencement of it being considered or when the interest becomes apparent.
2. Members should decide whether or not they have a personal interest in any matter under discussion at a meeting. If a Member decides they have a personal interest then they must also consider whether that personal interest is also prejudicial.
3. A personal interest is either an interest, as prescribed, that you must register under relevant regulations or it is an interest that is not registrable but where the well-being or financial position of you, members of your family, or people with whom you have a close association, is likely to be affected by the business of the Council more than it would affect the majority of inhabitants of the ward(s) affected by the decision.
4. Members with personal interests, having declared the nature of that personal interest, can remain in the meeting, speak and vote on the matter unless the personal interest is also a prejudicial interest.
5. An exemption to declaring a personal interest applies when the interest arises solely from a Member's membership of or position of general control or management on:
  - any other body to which they have been appointed or nominated by the authority
  - any other body exercising functions of a public nature (e.g another local authority)

In these exceptional cases, provided a Member does not have a prejudicial interest, they only need to declare their interest if they speak. If a Member does not want to speak to the meeting, they may still vote on the matter without making a declaration.

6. A personal interest will also be a prejudicial interest in a matter if all of the following conditions are met:
  - the matter does not fall within one of the exempt categories of decisions
  - the matter affects your financial interests or relates to a licensing or regulatory matter
  - a member of the public, who knows the relevant facts, would reasonably think your personal interest is so significant that it is likely to prejudice your judgement of the public interest.
  
7. Exempt categories of decisions are:
  - setting council tax
  - any ceremonial honour given to Members
  - an allowance, payment or indemnity for Members
  - statutory sick pay
  - school meals or school transport and travelling expenses: if you are a parent or guardian of a child in full-time education or you are a parent governor, unless it relates particularly to the school your child attends
  - housing; if you hold a tenancy or lease with the Council, as long as the matter does not relate to your particular tenancy or lease.
  
8. If you have a prejudicial interest in a matter being discussed at a meeting, you must declare that interest and its nature as soon as the interest becomes apparent to you.
  
9. If you have declared a personal and prejudicial interest, you must leave the room, unless members of the public are allowed to make representations, give evidence or answer questions about the matter, by statutory right or otherwise. If that is the case, you can also attend the meeting for that purpose. However, you must immediately leave the room once you have finished or when the meeting decides that you have finished (if that is earlier). You cannot remain in the public gallery to observe proceedings.

## AGENDA

1. Apologies

To receive apologies for absence.

2. Minutes (Pages 5 - 12)

To confirm the Minutes of the meeting held on 29 July 2010.

3. Declarations of Interest

To receive any member's Declarations of Interest and Party Whip arrangements.

4. Chairman's Announcements

5. Reports for the Secretary to the Staff Side

(A) Revised Terms and Conditions (Verbal Response)

6. Health and Safety at Work Act

7. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

MINUTES OF A MEETING OF THE  
LOCAL JOINT PANEL HELD IN THE  
WAYTEMORE ROOM, COUNCIL OFFICES,  
THE CAUSEWAY, BISHOP'S STORTFORD  
ON THURSDAY 29 JULY 2010, AT 10.00  
AM

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PRESENT:        **Employer's Side**

Councillor M Wood (Chairman)  
Councillors M R Alexander, A P Jackson and  
S Rutland-Barsby.

**Staff Side (UNISON)**

Mr C Clowes, Mrs B Dodkins, Mrs J Sharp  
and Mr P Stevens.

ALSO PRESENT:

Councillors D A A Peek and P A Ruffles.

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Committee Secretary
Claire Burton	- Human Resources Officer
Alan Madin	- Director of Internal Services
Tinu Olowe	- Interim Head of People and Organisational Services

1        APOLOGIES

An apology for absence was received from Andy Stevenson.  
It was noted that Brenda Dodkins was acting as substitute for  
Andy Stevenson.

2        CHAIRMAN'S ANNOUCEMENTS

The Chairman welcomed Paul Stevens the new Acting Secretary of UNISON and Brenda Dodkins to the meeting.

### RESOLVED ITEMS

#### 3 MINUTES

RESOLVED – that the Minutes of the meeting held on 17 June 2010 be approved and signed by the Chairman as a correct record.

#### 4 DECLARATIONS OF INTEREST

Jane Sharp declared a Personal Interest in the Standby and Out of Hours Call Out Policy by virtue of the fact that she was a Standby Officer.

#### 5 SAFETY COMMITTEE: MINUTES

RESOLVED – that the Minutes of the meeting held on 8 July 2010 be received.

#### 6 STANDBY AND OUT OF HOURS CALL OUT POLICY

The Secretary to the Employer's Side submitted a report on a new Standby and Out of Hours Call Out Policy to establish consistency across the Council, especially for those staff directly affected and working within Planning and Building Control and Environmental Health Officers. Staff had been consulted and their concerns were set out in the report now submitted. A copy of the Standby Duty and Out of Hours Call Out Policy was attached to the report now submitted.

The implications of the new policy meant that Officers in Environmental Health and the Standby Team would be paid more per annum and on average, the Building Control Officers would be paid approximately the same. Extra costs to Health and Housing would need to be found from existing salary budgets. Two Members of staff would be affected by the removal of a telephone line rental payment, as mobile phones

had been provided.

The Secretary to the Employer's Side stated that the new policy had been approved by Corporate Management Team and once approved by the Local Joint Panel and Human Resources Committee, would be included in the new contracts to be issued as part of the Terms and Conditions review.

In response to a query from Councillor J O Ranger regarding the payment of overtime, the Secretary to the Employer's Side confirmed that this was paid to the nearest 15 minutes.

In response to a query from Unison on how often Officers were called out, the Secretary to the Employer's Side explained that Environmental Health Officers were called out more than anyone i.e. at least once a week whereas each Building Control Officer might only be called out a few times a year.

The Panel supported the new Standby and Out of Hours Call Out Policy, attached to the report now submitted.

RESOLVED – that Human Resources Committee be recommended to approve the new Standby and Out of Hours Call Out Policy.

## 7 REVIEW OF TERMS AND CONDITIONS

The Acting Secretary to the Staff Side submitted a report regarding the on going consultation in relation to changes to terms and conditions. The consultation period ended on 23 July 2010 and of Unison's new proposals in order to reach a collective agreement.

It was noted that there had been some areas of agreement, but there were concerns on the part of Unison, that there had been a lack of any meaningful concession on the part of the Employer's Side. Unison noted that changes to terms and conditions might be accepted where it could be shown to be necessary because of the financial circumstances of the

Council, but that this needed to be linked with a need to safeguard services and avoid compulsory redundancies. Unison was of the view the five-year Medium Term Financial Plan (MTFP) was robust enough to withstand a reduction in Government Grant. It was noted that there was still a lack of clarity on some issues.

The Acting Secretary to the Staff Side stated that there had been movement on both sides since the report had been written and he asked that the status quo should be maintained to enable further discussions to take place, with the aim of reaching a collective agreement. He asked that the staff consultations be postponed, so that Unison could discuss the proposal with its Members, in the hope that an agreement could be reached regarding percentages, capping and around performance related pay. The Acting Secretary to the Staff Side was concerned that the staff "sacking" interviews might prejudice discussions with the Employer's Side and suggested that it would be a positive gesture to postpone the interviews.

Councillor A P Jackson was refreshed with the input from the Staff Side and was pleased with the opportunity to move forward. He hoped that Unison would put forward a positive proposition to the Staff, rather than being neutral. He felt that the interviews with staff could not be delayed whilst further discussions were taking place and did not support a suspension of the process.

Unison felt that postponing the process by a couple of weeks would not be detrimental and stated that as a Branch, Officers had not had a chance to discuss matters yet, e.g. the capping and that this needed to be considered in detail. It was noted that the Government had imposed a three year pay freeze, added to that the 5% would be reduced to 2% and this resulted in a six year pay freeze which was not considered acceptable and would not be supported. Unison stated that the principle of "everyone sharing the pain" was fundamentally flawed in that savings needed to be achieved in the least painful way and with the help and support of staff. Unison stated that the Officers had attempted in the Spring of 2009 to identify savings. Unison said that staff were flexible, but that Unison need to take a step back from what was happening for



2 or three weeks, to see if a collective agreement could be reached.

The Director of Internal Service welcomed the opportunity to reach an agreement set out in a letter to the Employer's Side from Unison. He did not wish to interfere in calling a halt to the processes which were now on going in terms of 350 staff. The Director of Internal Services explained that these meetings were 1:1 consultation meetings and that dismissal meetings would not be held until October. He felt that between now and October was plenty of time for Unison to complete their discussions. He stated that the Employer's Side would call a halt as soon as a collective agreement had been reached. He strongly recommended that the current consultation process continue.

Councillor J O Ranger welcomed the fact that each side was approaching the matter sensibly. He clarified the situation in relation to the pay freeze and that this depended upon what might happen at a local level. He felt that consultations currently ongoing could not be delayed, in order to have further discussions and that a two week timescale to delay matters in order to hold discussions with Unison Members, was not realistic. The Interim Head of People and Organisational Services confirmed that the interviews with staff were "consultation" interviews and were not to "sack" staff as stated by the Unison.

Councillor J O Ranger queried the car lease scheme and whether Unison was "happy" with it. Unison explained that the Employer's Side had included the car lease scheme as a package during the terms and conditions review. It had not been considered as a separate issue. Unison suggested that if this was separated, then perhaps a collective agreement might be reached as the car lease scheme affected far fewer Members of Staff and could be easier to achieve.

The Director of Internal Services stated that car lease scheme was a package of proposals to achieve savings. Some parts of the package would have affected some groups of members disproportionately and to take out the car lease issue would disbenefit a proportion of staff, hence they were linked.

Unison stated that the intention of the review of terms of conditions was promoted as a modernisation process and about reviewing the practicalities to achieve cost savings. Unison referred to previous discussions with the Employer's Side regarding savings which had been identified of around £500,000 but these had not been accepted by the Employer's Side. Unison stated that the Government sought to protect pensioners from hardship and that everyone "sharing the pain" was "fundamentally flawed".

Councillor A P Jackson welcomed the proposal to continue discussions.

The Acting Secretary to the Staff Side stated that promises could not be made about a collective agreement and that it depended on the wishes of its Members. He appreciated the logistics of the processes to be followed stating that how staff might perceive the Employer's Sides' actions by continuing on with the process might be negative.

The Panel welcomed the proposal to reach a collective agreement.

RESOLVED – that the Local Joint Panel welcomed the progress made and urged senior managers and Unison to continue negotiations with a view to reaching a position whereby Unison are able to recommend a collective agreement from Members.

The meeting closed at 10.55 am

Chairman .....

Date .....

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