

MINUTES OF A MEETING OF THE
 LOCAL JOINT PANEL HELD IN THE
 WAYTEMORE ROOM, COUNCIL OFFICES,
 THE CAUSEWAY, BISHOP'S STORTFORD
 ON THURSDAY 16 SEPTEMBER 2010, AT
 2.30 PM

PRESENT: **Employer's Side**

Councillor M Wood (Chairman)
 Councillors M R Alexander, L O Haysey and
 J O Ranger

Staff Side (UNISON)

Mr C Clowes, Mrs J Sharp and Mr P Stevens

ALSO PRESENT:

Councillor D A A Peek

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Committee Secretary
Tinu Olowe	- Interim Head of People and Organisational Services

8 MINUTES

RESOLVED - that the Minutes of the meeting held on
 29 July 2010 be approved and signed by the Chairman
 as a correct record.

9 APOLOGIES

Apologies were submitted from Claire Burton, Alan Madin,
 Councillors A P Jackson and S Rutland-Barsby, and Andy
 Stevenson. It was noted that Councillor L O Haysey was

substituting for Councillor A P Jackson and Councillor J O Ranger for Councillor S Rutland-Barsby.

10 CHAIRMAN'S ANNOUNCEMENT

The Chairman stated that he had agreed to accept two urgent items of business in relation to Terms of Conditions Review and Staffing Implications of the Emergency Budget Proposals.

11 REPORTS FOR THE SECRETARY TO THE STAFF SIDE
(VERBAL UPDATE)

The Acting Secretary to the Staff Side provided a verbal report stating that of the 103 votes cast, 33 had approved the revised Terms and Conditions proposals and 70 had rejected them. As such, there was a failure to reach a collective agreement. The Acting Secretary stated that Unison members had sought clarification on a number of changes e.g. in relation to the essential / casual car allowances, which could not be answered, and as such Staff were uncertain about how the scheme would work.

Unison stated that representatives had tried to be as neutral as possible in presenting the proposals, but there was too much uncertainty about how issues, such as the proposed attendance criteria, would work. There was a lot of distrust because the details of the scheme were not known, and Members were not prepared to accept a further 1% on that basis. Unison stated that their members were also aware that they would not be able to exercise a right to appeal or to take the matter to an Employment Tribunal if necessary and wished to reserve their rights.

The Panel received and noted the update.

RESOLVED – that the update be noted.

12 URGENT BUSINESS: REPORTS BY SECRETARY TO THE
EMPLOYER'S SIDE AND BY THE SECRETARY TO THE
STAFF SIDE

The Chairman reminded the Panel that he had agreed to accept two items of Urgent Business onto the agenda in order to prevent any undue delay in facilitating the business and the services of the Council.

(A) Terms and Conditions Review (Report by Secretary to the Employer's Side)

The Interim Head of People and Organisational Services explained that the report circulated as a supplementary item of business, had been superseded by the results of the recent ballot. The purpose of the report, had been to provide the Panel with an update in relation to the revised Terms and Conditions but that a collective agreement had not been reached.

Unison officers explained that there were issues and uncertainty about essential / casual car user arrangements. Within some job descriptions, staff had been told that they needed a car to do their job and yet were not eligible for an essential user allowance under the new proposals. Unison therefore felt that staff should not be required to bring their car to work on a daily basis. Unison Officers stated that Staff needed to know whether they needed to bring their car to work or not. Unison sought clarification that Staff could use public transport if necessary and whether staff would be disciplined as casual users, if they did not make their car available for work use.

The Interim Head of People and Organisational Services stated that staff needed to undertake their duties as required by their contract. If using public transport, this was an option if feasible. She stated that it was important that Officers were able to fulfil the requirements of their post. If staff travelled 2000 business miles they would be entitled to an essential car user allowance. If not they would receive a casual car allowance. She stated that Essential Car User allowances would be reviewed annually. She accepted that there would be exceptions, including mobility issues, and that these matters would be discussed with Line Managers.

In response to a query from Councillor M R Alexander concerning the 2,000 essential car user allowance and guidelines for claiming allowances, the Secretary to the Employer's Side undertook to provide Members with further information on claiming mileage and the Council's Expenses Policy. The Secretary to the Employer's Side stated that Heads of Service were asked to review mileage of their staff and the policy was based on the claims made.

Unison referred to other Councils and the use of the word "desirable" in terms of the need to have their car at work on a daily basis

RESOLVED - that (A) the report be noted;

(B) the Secretary to the Employer's Side circulate further information on claiming mileage and the Expenses Policy to all Members of the Local Joint Panel. DIS

(B) Staff Implications of Emergency Budget proposals - Secretary to the Staff Side:

The Secretary of the Staff Side acknowledged that the Council must manage its business and that the purpose of discussion was to avoid unnecessary redundancies. He stressed the need for good communication to take place. The Secretary to the Staff Side referred to the report to Corporate Business Strategy on 24 August (MTFP) which considered a number of proposals to achieve savings and which had staffing implications. The Secretary to the Staff Side referred to the imminent meeting of Council on 29 September, when Members, (via Corporate Business Scrutiny and the Executive), would be asked to agree to savings which had staffing implications (set out in Essential Reference Paper "H" – Executive 7 September 2010). Unison was concerned that the report had not only identified what savings needed to be made, but had identified posts for deletion and the reduction of hours of staff within Democratic Services and Electoral service areas.

It was noted that the measures which had been identified in the report to the Executive, were measures which had been identified within the MTPF in the previous financial year which were not agreed at that time, but Members had asked that these should be brought forward at a later date, if necessary.

Unison acknowledged that savings needed to be achieved but was concerned that proper consultation had not taken place. It sought amendment to the recommendation contained within the Executive minutes of 7 September 2010, specifically that Members be asked to approve "in principle", the measures being put forward where there were staffing implications, rather than agreeing to measures in absolute terms. Unison was concerned that there had not been proper consultation on what was being sought and this was contrary to agreed policies and undermined the Council's redundancy policy.

The Secretary to the Employer's Side stated that the savings identified in Essential Reference Paper H had already been set out the previous MTFP, but remained subject to approval. She stated that, in any event, where there were staffing implications, the appropriate procedures would be followed in line in HR policies; this would include informal and formal consultation with appropriate staff and UNISON.

It was acknowledged that Local Joint Panel would normally report to Human Resources Committee. However, Unison felt that Council on 29 September 2010 should be asked to agree only items where the savings did not identify specific posts for deletion, to enable appropriate consultation to take place.

Upon a vote being taken, the Panel agreed that Council be asked:

RESOLVED - (A) to identify service areas where cuts to staff applied: DIS

(B) to delete posts which have already been identified as "vacant posts" subject to an appropriate business case; and

(C) where staff reductions have been identified, the Director of Internal Services be requested to provide a report on how these can be implemented and that this be brought back for further consideration by Members in the New Year, after full consultation had taken place.

13 HEALTH AND SAFETY AT WORK ACT

The Local Joint Panel was advised that compliance statistics were identical to the last meeting and that Heads of Service continued to be pressed. It was noted that 11 out of 14 services were up to date with Risk Assessments.

In response to a query from Councillor M R Alexander concerning health and safety requirements for Home Workers, Unison explained that Staff had to complete a series of forms including risk assessments and that employees were trusted to work in a safe environment. Online assessments would be used in the future.

The Local Joint Panel asked that the Health and Safety Officer provide Members with further information of the safety aspects for Home Workers including risk assessments, DSE and screen usage.

RESOLVED – that (A) the update be noted;

(B) the Health and Safety Officer provide Members with further information on the safety aspects of Home workers including risk assessments, DSE and Screen usage. DIS

The meeting closed at 4.05pm

Chairman
Date