

MINUTES OF A MEETING OF THE
LOCAL JOINT PANEL HELD IN ROOM
27, COUNCIL OFFICES, WALLFIELDS,
HERTFORD ON THURSDAY,
20 JANUARY 2005 AT 10.30 AM

PRESENT: Employer's Side

Councillor M G Carver (Chairman).
Councillors H G S Banks, N C Poulton, M Wood.

Staff Side (UNISON)

Robert Ball, Peter Otway, Jane Sharp,
Andy Stevenson.

ALSO PRESENT:

Councillor J O Ranger

OFFICERS IN ATTENDANCE:

Rachel Stopard	- Executive Director
Lorraine Blackburn	- Committee Secretary
Keith Neat	- Head of Human Resources
Bernard Perry	- Assistant Director (Human Resources)

16 APOLOGIES

Apologies for absence were received from Chris Cooper.

17 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Councillor Ranger to the meeting and explained that he had agreed that an item in relation to pension arrangements could be considered as an Urgent Item on the grounds that the Council's comments were required by 20 February 2005.

RECOMMENDED ITEM

ACTION

18 BISHOP'S STORTFORD STAFF CAR PARKING ARRANGEMENTS

The Staff Side submitted a report on staff car parking arrangements in Bishop's Stortford.

The Staff Side presented the Chairman with a petition with a 100 signatures protesting against the decision to make staff use Grange Paddocks Car Park.

The Staff Side explained the background in relation to questionnaires asking staff to identify their preferred car park and the results of the exercise. Most of the Bishop's Stortford staff had requested parking at The Causeway – a short stay car park. This was subsequently not acceptable to the Employers in terms of the number of requests and the requirement to apply for an amendment to the Parking Places Order for staff to use the short stay town centre car parks.

The Staff Side referred to the Council's Car parking policy and the inconsistencies in relation to its application ie to Jackson Square and other local areas and by other users. Clarification was sought on the Council's car parking policy and why the Council could not allocate season tickets to staff.

Following a staff consultation exercise by the Staff Side, a number of concerns had been highlighted:-

- ***Personal safety:***
(remoteness of the car park, poor lighting, lack of security, staff vulnerability, length of time to get to the car park 15-20 minutes each way);
- ***Childcare arrangements/domestic commitments:***
(the fine balance between work and home life, accepting a job which fitted with domestic commitments, working additional hours which

would impact on the flexi system and which would impact on child minding arrangements and school collection times);

- ***Security of Car:***
(vandalism, lack of CCTV, no patrols);

- ***Equality Issues:***
(parity with staff at Wallfields and discrimination in relation to their parking arrangements);

- ***Medical conditions:***
(such as back problems, sciatica, advanced pregnancy);

- ***Staff working outside the office/attending meetings:***
(staff in and out of the office during the day, arrangements for files, laptops and other equipment).

The Staff Side commented that of the 151 staff at Bishop's Stortford, 112 were women (74%) and 49% worked part-time. At Wallfields there were 188 staff, 105 were women (56%) and 30% of these worked part-time.

The Staff Side commented that the Council could be vulnerable to claims of indirect sex discrimination or claims of unequal treatment for part-time employees in that the majority of staff at Bishop's Stortford were women and a large number worked part-time.

The Staff Side commented that the decision to use Grange Paddocks was a fundamental change in working patterns and an increase in the working week. UNISON felt that the proposal was unacceptable to staff and 80% were prepared to take some sort of action in protest. The Staff Side commented that the Town Centre car parks could be used if the Council

was prepared to amend the Parking Places Order.

The Staff Side commented on the number of season tickets allocated which could have been allocated to staff . The Staff Side expressed concern at the enforced extension of the working week to accommodate this change in working pattern.

The Staff Side commented that sickness absence rates would increase as a result of using Grange Paddocks since staff who would normally struggle in when “under the weather” would now take time off because they would not feel well enough to cope with the walk.

The Executive Director confirmed that it was a “lose, lose” situation for the Employer, in that if staff were treated differently through the allocation of spaces then others would be alienated. She explained that very few businesses in Bishop’s Stortford could offer parking outside their door and that the pressure on car parks would increase as a result of decriminalisation of parking and the growth of Bishop’s Stortford. The Council was not in a position to “guarantee” town centre parking for staff.

The Executive Director commented that it was unreasonable for the Staff Side to expect the Council to find 100 short stay car spaces in Bishop’s Stortford. It was felt that there would be little support from the public in terms of any action proposed by the staff. Concerns about time could be addressed via flexible working and liaison with line managers. She confirmed that a pilot study of a broader approach to flexible working was underway.

The Chairman commented that the Employers would not agree to a special Parking Places Order but confirmed a commitment to flexibility. He commented that short stay car parks in the town centre should be for shoppers. It was acknowledged that the area was going through a period of change and this change had

to be accommodated.

A Member commented that the multi-storey would close on 1 March 2005. It was unfortunate that the park and ride facility had been badly received by staff and of plans to extend the park and ride facility to accommodate Saturday working. He referred to the fact that the number 510 bus serviced Bishop's Stortford and stopped outside of Grange Paddocks.

References were made to the Park and Ride facility at Cambridge which had undergone a period of change.

The Assistant Director (Human Resources) confirmed that provision of parking was not a condition of service but an implied condition. The Council was still providing free car parking to staff and has not broken this implied condition.

The Chairman commented that given the changes facing Bishop's Stortford in relation to decriminalisation and employment growth, no guarantees could be given. He commented that the area was going through a transient period which would have to be addressed.

The Staff Side asked for concessions and sought :-

- **additional time to make up for the extended working day (and the impact this would have on child care arrangements);**
- **assurances that negotiations would progress with the developers to allow staff back into the Town Centre following redevelopment; and**
- **the amendment of the Parking Places Order to allow staff use of the current short stay car parks.**

It was requested that a vote be taken on each of the recommendations in the report. Recommendation (A)

recommendations in the report. Recommendation (A), that East Herts Council provide Bishop's Stortford staff with town centre car parking close to Council Offices to ensure the health, safety and welfare of all staff was supported by a majority of votes. Recommendations (B), parity with Wallfields Staff with regard to terms of conditions of employment and (C), to ensure that staff can meet their current work/home commitments were not supported – there being an equality of votes (the Chairman did not have a casting vote).

RECOMMENDATION – that East Herts Council provide Bishop's Stortford staff with Town Centre Car Parking close to the Council offices to ensure the health, safety and welfare of all staff.

RESOLVED ITEMS

19 MINUTES

RESOLVED- that the Minutes of the meeting held on 11 October 2004 be confirmed as a correct record and signed by the Chairman.

20 GREEN PAPER: FACING THE FUTURE – PROPOSITIONS FOR AN AFFORDABLE AND SUSTAINABLE LOCAL GOVERNMENT PENSION SCHEME

Councillor J O Ranger commented that the Local Government Employers Organisation had been asked for the views from all employers participating in the Local Government Pension Scheme on the Green Paper "Facing the Future principles and propositions for an affordable and sustainable local government pension scheme". Comments were required by 20 February 2005.

He explained that as people were living longer and drawing their pension for a longer period, revisions to the current

pension arrangements were necessary to ensure that the pension scheme had sufficient funds for its members.

The Green Paper suggested:-

- an increase in contributions from the employer of 14% and raising employees contributions between 7-8% or whether it was considered appropriate to reduce benefits’;
- whether a benefits scheme for employees should be kept or the introduction of a defined contributions scheme and whether this should be based on a final salary;
- whether a two tier form of ill health retirement should be introduced; and
- whether a move should be made to direct compensation for severance rather than using the pension scheme for compensation.

Councillor J O Ranger explained the arrangements which would come into effect from 1 April 2005 in terms of retirement ages and that more changes were planned which would come into effect from 2006.

It was noted that the Inland Revenue was aiming to be flexible and encouraged additional pension arrangements.

He commented that if employers wanted to keep the final salary arrangements, this would need to be funded by employers contributing 14% and employees contributing between 7-8%.

Banding arrangements linked to average earnings and those employees on low pay were discussed . It was suggested that in the medium and low pay areas, the public sector was ahead of the private sector. However in the middle and higher salary scales, the public sector was

behind the private sector.

The Head of Human Resources commented that increases in employee contributions could result in requests for larger pay awards. He confirmed that notices would be distributed shortly explaining the changes to pension arrangements in April.

The Staff Side asked whether the employers could contribute more without recourse to its Members for more contributions .

RESOLVED – that UNISON review the key points in the paper presented and give comments on the questionnaire to the Assistant Director (Human Resources) by 7 February 2005.

21 HEALTH AND SAFETY COMMITTEE: MINUTES OF THE MEETINGS HELD ON 27 SEPTEMBER AND 9 DECEMBER 2004

The Panel received the minutes of the Health and Safety Committee meetings held on 27 September and 9 December, 2004. Arising from the minutes:

Minute 420 – Cautionary Persons

Clarification was sought on the issue of the Cautionary Persons' database and how this was administered. The Assistant Director (Human Resources) explained that there was a strict procedure in place should an incident be reported and before an individual was included on the register. The Executive Director agreed to clarify the position to all Members of staff via the Core Brief.

ED (HPS)

Minute 473 – Health and Safety Welfare Policies

Clarification was sought as to the policies' hard copy availability. The Assistant Director (Human Resources) undertook to ensure that "hard" copies were available,

AHR

accessible and suitably date referenced.

22 EMPLOYEE CONSULTATION

The Staff Side submitted a report concerning the new Information and Consultation of Employees (ICE) which would come into force on 6 April 2005 and which gave employees rights to be informed and consulted about matters affecting their everyday working life. The new regulations stressed that consultation should involve managers actively seeking and then taking account of the view of employees before make a decision.

Staff Side commented that although the recently revised committee report format provided for the consultation processes to be reflected, very often no further details were provided.

The progress made by the Employers' side in improving methods of communication was recognised. However, it was felt that further improvements could be made. The recent review of admin/clerical staff and a focus group, selected by managers was cited as an example whereby that groups' comments were not taken account of at a Directors Board meeting and no reasons were given for discarding these views. This was not acceptable under new regulations and documents published by ACAS.

ACAS commented that the difficulties workplaces faced in maintaining effective consultative structures, often stemmed from low commitment or "tokenism" by managers in their approach to consultation. The definitions of "consultation" and information" were explained. The Staff Side stress the need for managers to provide sufficient, timely information to enable employees to make a contribution and this involved obtaining their feedback and suggestions. Further, where the outcome of management decisions did not match input from employees, managers must now explain their rationale for making the decision.

The Staff Side suggested that a working group should be established to review the Council's policy and procedure

on communication and consultation and examine in detail the new ICE Regulations.

The Executive Director commented that matters were on going to close the “feed-back loop” and that there were many consultative mechanisms now in place. The 2nd MORI staff survey acknowledged the progress made on this issue. She commented on the Staff Panel initiatives and Team Briefs/Update which were now in place.

It was noted that Staff Panels had been established to review specific issues and it was the intention of the Employers side to provide the right “tool” for the particular task. She explained that Core Brief had been running for 18 months and expressed concern at the level of feedback from staff. As such, the Executive Director felt that the Employers were complying with the spirit of the new regulations and this was affirmed by the Assistant Director (Human Resources).

The Staff Side commented that comments on the admin/clerical review by the Staff Panel were not representative of all staff and that the consultation should have included comments from staff represented by an elected body such as UNISON. As such there was a distinction between consultation and representation. She urged the Employers’ side to review the current system of consultation.

It was accepted that the Staff Panel was not the representative body and that it was a question of matching the “tools” to the task. The Chairman commented that he was satisfied with the improvements in the consultation processes now in place and confirmed that there should be a balanced approach to methods of consultation to ensure there was compliance with the Act.

The Employers side confirmed that in the light of the consultation processes now in place they could not support the recommendation to include Employee Consultation Feedback as a standard item on agenda reports.

ACTION

The Staff Side stressed that if consultation was carried out then this should be reflected in the report and if this was contrary to employee input then the rationale for making the decision should be explained.

The Executive Director gave an assurance that if staff had been consulted then outcomes would be reported. The Employers side were happy that consultation and negotiation had improved but were happy to review the matter.

ED(HPS)

RESOLVED – that the consultation processes now in place be reviewed to ensure that they were in compliance with the new regulations and that the Employers' side comment at the next meeting of the next meeting of the Local Joint Panel.

The meeting closed at 12.30 pm