

MINUTES OF A MEETING OF THE
LOCAL JOINT PANEL HELD IN THE
WAYTEMORE ROOM, COUNCIL OFFICES,
THE CAUSEWAY, BISHOP'S STORTFORD
ON TUESDAY 6 APRIL 2010, AT 10.00 AM

PRESENT:

Employer's Side

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

Staff Side

Chris Cooper, Patrick Newman and Oliver
Rawlings (substitute for Chris Clowes)

ALSO PRESENT:

Councillors D A A Peek and J O Ranger

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

RESOLVED

27 MINUTES

RESOLVED – that the Minutes of the meeting held on 8 February 2010 be approved and signed by the Chairman as a correct record.

28 SAFETY COMMITTEE: MINUTES OF THE MEETING HELD
ON 28 JANUARY 2010

RESOLVED – that the Minutes of the meeting held on 28 January 2010 be received.

29 REPORT BY SECRETARIES TO THE EMPLOYER'S
(VERBAL UPDATE) SIDE AND FROM THE STAFF SIDE

The Director of Internal Services submitted a report advising the Panel that UNISON had advised that they were not prepared to enter into a collective agreement on the proposed changes to terms and conditions. The Director of Internal Services commented that in the absence of a collective agreement, all the proposed changes to terms and conditions as previously agreed by Human Resources Committee on 8 February 2010 would be implemented by imposition.

The Director advised that at the previous meeting there had been extensive dialogue between the parties and a compromise had been proposed which had been accepted by the HR Committee. The Director commented that it was regrettable that Unison had not been able to obtain its Members' agreement to that compromise. He assured the Panel that even beyond the 11th hour, there was still an opportunity to reach a collective agreement to avoid the stress for staff of dismissal and re-engagement. He stated that the need for savings from terms and conditions had been reinforced by the recent pronouncements from the Government and that the political parties were competing in their determination to achieve cuts and public finances had not improved.

The Interim Secretary to the Staff Side stated that UNISON Members had been consulted and were aware of what was happening in the economy. He stated that Staff had not been convinced by management, that the Council was in a difficult position. He referred to a recent "expensive" redundancy which would cost the Council £150,000 adding that Unison had no problem with the Chief Executive deciding that she

wanted to work part time but that this would be a cost to the Council and the pension scheme.

The Interim Secretary to the Staff Side referred to the number of senior members of staff who have sought to take advantage of and acquire lease cars including the staff member leading negotiations. The Interim Secretary stated that if Staff were convinced that the Council was in financial difficulties, then they would have shared the problem. They had not been convinced that the Council's financial difficulties were such that there was a need to agree to collective agreement.

The Director of Internal Services stated that he was surprised by the comments in relation to the car lease scheme, a moratorium on access to the scheme had been suggested by the management side at the start of negotiations but this had not been acceptable to UNISON. The Director took exception to the reference made by UNISON concerning a staff member leading the negotiations and the car lease arrangements. He stated that no preferential treatment had been given to any one since the negotiations had commenced but neither was it reasonable to discriminate against an individual because of their role in negotiations. The Director could not understand how staff were not convinced of the need to enter into the collective agreement.

Councillor A P Jackson commented that at the national level all political parties had made it very clear that there would be significant cuts in public spending. It was likely that County Councils would be protected but that District Councils would bear the greatest pressures from Central Government and reduced income streams. Councillor Jackson added that he preferred to place the Council in a better position for the future, than take risks in 12 months. He stated that if a collective agreement was not entered into that it would place members of staff in a more difficult position. He was disappointed that UNISON had not found a way forward. At the moment there was the opportunity to manage the Council's "destiny".

The Interim Secretary advised that at the UNISON's Annual General Meeting, members acknowledged that pay bargaining would be difficult within the next few years. He stated that at the AGM, UNISON did not recommend either way and that members of staff made up their own minds. He added that UNISON could only take the views of its Members and that they had not been convinced about the state of the Council's finances. It was not UNISON's job to "persuade its members". UNISON could only feed back information and that if it was members' view to say "no" then the answer was "no".

Councillor A P Jackson commented that he did not want the Council to be in a desperate financial state before something was done and referred to the need to address matters within the medium term financial plan. He added that the Council still needed to feel the full outcomes from Westminster.

UNISON acknowledged the uncertainty and stated that when there was some clarity around public sector finances, then decisions could be taken at a local level. UNISON members would better accept the position once it was clarified. He suggested that any decision should be deferred for six months until there was further information.

The Director of Internal Services stated that the Council would have liked to have entered into a Collective Agreement and added that alternative options would not create a barrier to Collective Agreement being struck at any time. He stated that the full process would take six months to conclude.

The Interim Secretary stated that to phase out the car scheme would have been significant in terms of remuneration and there was a reasonable prospect of the car scheme being phased out. He added that the proposal to reduce the 5% award had been progressed and included as part of a "package" and that was how staff members reviewed proposals i.e. as a collective package.

Councillor J O Ranger commented that elsewhere many

redundancy plans were very “frightening”. He added that he would be sad to see this happen unnecessarily.

The Interim Secretary reiterated that its members needed to be convinced of the extreme circumstances and of the need for a 3-4 year pay freeze. It was noted that it would be nil percent this year but the Government were saying 1%. He stated that in the negotiations, the commitment to no redundancies was not going forward and that if this was progressed then things might have been different.

Councillor A P Jackson commented that the Council at the moment had an opportunity to manage its own future. He added that whichever political party won the election, things would get more difficult.

Councillor S Rutland-Barsby commented on the need to be organised to avoid unnecessary redundancies as the Council did not know what was on the horizon.

The Interim Secretary stated that staff were not “in denial” about what was going to happen. The Staff Side had suggested areas which the Council could review and which would not involve redundancies. He commented that there were 30 members of staff who by April 2014, would have reached normal retirement age and not replacing them would not incur the Council any cost. This would also enable the Council to look at its staffing structures and to evaluate whether there was a need to replace any individuals. These suggestions were not in the MTFP. He appreciated that the Council had a policy about non discrimination about age. The Staff Side added that there were opportunities to look at its cost base and avoid a pay freeze.

Councillor M Wood commented that deeply saddened by events. He added that the Council had worked with Staff for many years and that this was an unfortunate impasse. He hoped that at the 11th hour a compromise could be reached adding that the effect on staff will not be good and of the impact this would have on Council Tax payers. He hoped that a compromise could be reached.

The Chairman commented that the processes to be followed would not take effect until January 2011.

The Director of Internal Services stated that staff will be faced with termination and re-engagement as there was a clear message that a collective agreement could not be reached. He hoped that a compromise could be reached at whatever point during the process.

Councillor A P Jackson urged the Staff Side to go back to its Members explaining what would happen. The Staff Side commented that the issue and process had already been fully explained at the AGM.

RESOLVED – that (A) the rejection of the collective agreement by UNSION be noted; and

(B) to note that the proposed changes to terms and conditions as previously agreed by Human Resources Committee be now implemented.

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DATE OF NEXT MEETING

RESOLVED – that the next meeting of the Local Joint Panel will be held on 17 June 2010 in the Council Chamber, Wallfields, Pegs Lane, Hertford.

The meeting closed at 11.40 am

Chairman
Date