

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.

30

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

MINUTES OF A MEETING OF THE
SAFETY COMMITTEE HELD IN ROOM 27,
WALLFIELDS, HERTFORD ON THURSDAY
22 APRIL 2010, AT 2.00 PM

PRESENT:

Simon Drinkwater (Chairman).
Peter Dickinson, Helen Farrell, Jenny
Francis, Chris Gibson, Sue Gray, Graham
Mully.

ALSO IN ATTENDANCE:

Peter Mannings

42 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Roy
Crow, Paul Thomas and Steve Whinnett.

43 MINUTES - 28 JANUARY 2010

The minutes of the meeting held on 28 January 2010
were agreed as a correct record.

44 MATTERS ARISING

It was noted that no unaccompanied out of hours work
had taken place without the prior consent of the Director
of Internal Services.

45 HEALTH AND SAFETY POLICY REVIEW/UPDATES

Peter Dickinson advised that the Health and Safety Policy
was in the final stages of being pulled together and had
almost been completed. He commented that the policy
was now a more straightforward document with links to
more detailed information.

Graham Mully commended the policy to the Safety
Committee, he stressed that the document should be
ready for use by September 2010.

46 HEALTH AND SAFETY AUDIT PROGRAMME

The Safety Committee was advised that the preparation of a Health and Safety Audit was in its final stages. Officers were working on the templates and testing would be carried out with services in May. In response to a query from Graham Mully, it was confirmed that reports would be submitted to the Safety Committee via Simon Drinkwater.

47 SAFETY VOLUNTEERS

Graham Mully advised that he had submitted a report to CMT in respect of the recruitment of Safety Volunteers. As the recruitment of volunteers was still an issue in several services, Simon Drinkwater undertook to raise the issue again at CMT.

SD

Peter Dickinson and Graham Mully confirmed that services had been approached directly for safety volunteers. An advert in the weekly vacancies bulletin could be considered.

48 TRAINING REQUIREMENTS

Peter Dickinson advised that Officers had been in touch with Hertfordshire Fire and Rescue in respect of training for fire marshals. He stressed that current levels of training were in need of updating and Officers were making enquiries to address this issue.

Peter Dickinson reported that manual handling training also needed updating. He stressed that there were some good DVDs on the topic, which often proved more helpful than hiring an external trainer. In response to a comment from Helen Farrell, Peter Dickinson agreed that including one such DVD in Officer inductions would be a good idea.

Graham Mully reported that the participants in the March Safety Liaison Officer (SLO) Training had all passed the

training at level 2. The Safety Committee was advised that another session will soon be held for Display Screen Equipment (DSE) assessors.

49 VISITS TO MEMBERS' PROPERTIES

Graham Mully advised that this issue had been raised with Alan Madin and Jeff Hughes. He reminded the Safety Committee of the concerns that had been raised relating to Officer safety when attending Members' houses.

Graham Mully suggested that he could send a copy of the home working policy to Members. He undertook to send a draft on an e-mail on this issue to Simon Drinkwater. Simon Drinkwater undertook to liaise with Jeff Hughes.

GM/SD

Peter Dickinson commented that there was no legal requirement for Officers to inspect Members' properties for health and safety as they were not employees of the Authority. However, we have a duty of care to employees visiting Members' homes. The Authority needs to remind Members about the working environment for our staff, i.e. housekeeping and smoke free.

50 MEMBER TRAINING

The Safety Committee was advised that a recent Member training event had been successful. The 7 Members that attended were given an overview of the importance of considering Health and Safety when taking decisions. Officers had been concerned that no Executive Members had attended as well as no representatives of the Local Joint Panel.

Officers would arrange another session to give Members another opportunity to attend. A session would also be arranged for Officers who write reports, to draw attention to the importance of referring to the risks associated with the decisions covered by a report.

Graham Mully referred to a leaflet that provided a précis of Members' responsibilities in respect of Health and Safety. He undertook to circulate this to Members.

GM

51 ACCIDENT AND INCIDENT REPORTS

Peter Dickinson commented that there had been five accidents involving Officers between 28 January 2010 and 22 April 2010. He reported that the incidents included an onset of feeling faint, a non reportable head injury and 2 contact injuries. A member of public had also suffered bruising following a trip at Castle Hall.

52 FEEDBACK FROM SAFETY LIAISON OFFICERS

Peter Dickinson reported that SLOs had requested feedback in respect of the actions Officers should take in the event of a repeat of the recent severe weather. Graham Mully commented that SLOs had sought guidance on when Officers should or should not drive on business in the event of severe weather.

Peter Dickinson highlighted the importance of clarity around the messages being issued by management. He stressed that there had been no consistency in the message given out by Heads of Service.

Graham Mully undertook to suggest amendment to the Driving at Work Policy, and submit to CMT for discussion.

GM

Helen Farrell commented that Human Resources (HR) could be a central point of contact in future. Simon Drinkwater advised that, due to the severe weather, Officers had been pulled off doing site visits and Cliff Cardoza had suspended refuse collections.

53 METHODS OF REPORTING COMPLIANCE TO THE COMMITTEE

Graham Mully advised that 10 out of 14 service areas had undertaken risk assessments and work station risk

assessments had been completed for 60% of the workforce. He commented that he hoped that all services would have completed assessments by the summer 2010 with work station assessments completed by the end of spring 2011.

The Safety Committee was advised that a fire drill had been held at Buntingford Depot and Charringtons House had an impromptu evacuation when the fire alarm had been activated. Graham Mully reiterated the need for more fire marshals.

54 ITEMS FROM TRADE UNION

It was noted that generic risk assessments were required for Charringtons House.

55 ANY OTHER BUSINESS

Graham Mully advised that he was drafting a report for CMT in respect of the Cautionary Persons Register. He commented that he was also working on the policy.

PM

Peter Mannings was requested to ensure that Audit Reports were a standing item on the Safety Committee Agenda.

56 DATE OF NEXT MEETING

Thursday 8 July 2010, in the Conference Room, Bishop's Stortford at 2.00 pm.

The meeting closed at 2.50 pm

Chairman
Date

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