

Time commenced	:	10.40am
Time Adjourned	:	12.25pm
Time Recommenced	:	1.15pm
Time Finished	:	2.00pm

CORPORATE JOINT COMMITTEE 5 JUNE 2003

Present: **Employer's Side**

Councillor M Carr (in the Chair)
 Ms S Scott (Chief Personnel Officer)
 Mr A Flowers (Corporate Personnel Adviser)
 Mr D Parnham (Corporate Personnel)
 Mr M Foote (Director of Corporate Services)
 Ms B Stewart (Travel Plan Coordinator)
 Ms A Webster (Equalities Adviser)

Trade Unions' Side

Mr S Fogell (UNISON)
 Ms M Greenshields (UNISON)
 Ms A Howitt (UNISON)
 Ms K Parker (UNISON)
 Mr A Franik (UNISON)
 Mr I Jennison (NUT)
 Mr N Pheasant (UNISON)
 Mr D Wilkinson (NASUWT)
 Mr J Pass (AMICUS)
 Mr D Todd (AMICUS)
 Mr M Gilbert (GMB)
 Mr R Morgan (GMB/MPO)
 Mr J Swain (T&GWU)
 Mr D Gardener (GMB/MPO)

Apologies: Mr C Carruth (UNISON)
 Ms Y Burrell (UNISON)
 Mr M Fox (UNISON)
 Mr B Seagrave (UNISON)
 Mr J McCallum (T&GWU)
 Mr R Heath (UNISON)

01/03 Late Items Introduced by the Chair

The Chair advised the Committee that the Council Cabinet had recently decided that future JCC meetings would be chaired by Chief Officers and not by elected members.

The Trade Unions' Side were not happy with this decision and asked that the Council Cabinet reconsider their decision as it reduced the status of the JCCs and reduced the Trade Unions contact with Council Cabinet members.

Moz Greenshields asked the rationale behind this decision and advised that when the administration changed to a Cabinet, the Trade Unions' Side were advised that they would not lose contact with the Council Cabinet member and this was the Trade Union's opportunity to influence the Cabinet. The Chair advised that he was not aware of the rationale for this decision and would respond at the next meeting. The Trade Unions' Side asked that these concerns be taken back to Council Cabinet, as there was a potential for worsening industrial relations and the partnership of the Trade Unions and the Council would be affected.

MC

Simon Fogell advised that this decision had the potential of dragging out a lot of issues, as the Trade Unions' Side would still want to make sure that they spoke to the relevant Council Cabinet member. This decision would mean that the Trade Unions' Side would have more access to the opposition groups through Overview and Scrutiny and this was surely not good for the Council Cabinet.

The Chair advised that although it had been decided that the Council Cabinet member would not Chair the JCC, there was no proposal to remove a Council Cabinet member from this Committee.

02/03 MINUTES OF THE MEETING HELD ON 6 MARCH 2003

The minutes of the meeting held on 6 March 2003 were agreed as a true record.

03/03 Matters Arising

1. Group Schools PFI Bid (Minute No: 73/02 refers)

Adrian Flowers advised that he did write to Theresa Knight requesting that the Trade Unions received all press releases. The Trade Unions' Side responded that they were now receiving all press releases.

2. Failure to Consult (Minute No: 82/02 refers)

Education closure of Allen Park School

All Trade Unions were extremely concerned that there had not been any consultation regarding the closure of Allen Park School.

Adrian Flowers responded that there had not been a deliberate attempt to exclude the Trade Unions from the consultation process. There had been an error with the circulation list and this had been rectified. In support of the Council's approach to meaningful consultation Adrian Flowers referred to the arrangements that were put in place to deal with the closure of Village School.

PFI submission for Libraries/ Museums/ Central Advice.

Adrian Flowers advised that the special meeting had not taken place.

3. On Street Parking Charges (Minute No: 83/02 refers)

The Trade Unions' Side advised that some housing associations had introduced limited parking which meant that staff had to park on the street and pay, other Authorities issue cards for staff delivering essential services.

The Trade Unions' also advised that exemptions needed to be put in place for Health Service workers as Environmental Services were not providing their services effectively and not meeting demands for customers.

Adrian Flowers advised that this was not easy to respond to and service problems needed to be investigated.

Sue Scott commented that this issue would be raised at the Chief Officers Group to identify which staff were affected.

SS

4. Budget Update (Minute No: 84/02 refers)

Dave Wilkinson commented on the individual school budgets and advised that contrary to what had been said, Derby had done well and there should not be any problems in Derby Schools. Any redundancies were not down to budget. He did advise that there would be a possibility of day strikes against staff reductions in School.

In Derbyshire, 15 Section 188 notices had been issued but Schools were making use of retirement, voluntary redundancy and redeployment packages and no dismissal notices had been issued.

Ian Jennison commented that Derby had in fact issued three Section 188 notices and two dismissals.

The main issue seemed to be the LEA's unwillingness to use resources at Schools to avoid redundancies, there seemed to be a desire to promote dispute. Dave Wilkinson commented that many teachers would leave if they were offered a redundancy package, as their jobs were stressful.

Employers Side Items

04/03 Private Finance Initiative Bids – Progress Report

a) Joint Service Centre PFI bid.

Michael Foote advised on the progress of the joint PFI bid. At the end of last year all Local Authorities were invited by Central Government under the PFI banner to create joint service centres, working in partnership with other bodies in the locality such as Health.

Authorities had a short period of time to complete the bids as they had to be in by 31 December. The City Council decided that although the time was short, they would go ahead and make the bid which meant there was no time for consultation with Trade Unions, Council Cabinet, Overview and Scrutiny or other members of the Council.

The City Council learned at the beginning of April that their bid had not been successful. The Department of Culture, Media and Sport decided to receive their own bids to see if credits could be achieved to build a new Central Library, the results would be announced in the next couple of months.

Moz Greenshields commented that the Trade Unions had been and continued to be critical of the lack of consultations and that lessons must be learned from these situations. She stated that any PFI Bid should not include transfer of staff to a private contractor for any service, for example, cleaning and catering.

The Chair stated that because of the short time given by the Government, there had been no time for consultation.

Michael Foote advised that the Library bid depended on how details developed, one issue would be how to utilise the old Library and Museum, all issues were being looked into. This was the only way forward, to enable Derby to get a new Central Library.

The Trade Unions' Side asked where this new building would be situated. Michael Foote advised that originally the

Full Street site had been considered but this was not an option now.

Moz Greenshields asked whether a Project Board had been established for this bid.

Michael Foote responded that a Project Board would be established once the bid had passed the first stage.

b) Group Schools PFI Bid

Michael Foote advised the Committee that 12 potential contractors had come forward, six of which passed the basic criteria and would be invited to visit Schools. The next stage would be the evaluation of the six bids, which would take place during June and July and then be reduced down to three. These three would then be invited to negotiate through another process, which would leave two bids remaining. The final decision would then be taken.

Dave Wilkinson advised that at the Teachers Conference there was unanimous opposition to the PFI Schemes. Many people working in Schools that were operating under PFI, had experienced great difficulties.

The Education Overview and Scrutiny Commission expressed concern over who would be controlling the PFI projects. The Trade Unions' Side asked that the Council consider if this was what they wanted for the future of the city and it was not too late to put a stop to the PFI Scheme.

Mel Gilbert asked if Schools had been earmarked for the next round of PFI Bids. Dave Parnham advised that this has not been looked into.

Nirmal Pheasant asked who would be monitoring Health and Safety issues and would the third party be competent. Michael Foote advised that this would be dealt with under detailed documentation. Moz Greenshields advised that this issue had been raised at the Project Board and wanted to meet with people to discuss employee practices, as wider

implications of Health and Safety issues existed and there were a number of employment questions. The Chair advised that he would take concerns back to Councillor Les Allen. MC

04/03 Black Employees Support Network

The Committee considered a report of the Director of Policy, advising them of the establishment of a Departmental Network and the re-establishment of the Corporate Black Employee Support Network and the outcome of the Network's first meeting.

Tariq Iqbal, Assistant Equalities Adviser, advised the Committee that minority employees within the Council had been sent details. The first meeting had taken place on the 15 April to discuss the purpose of the Network and elect representatives to the Corporate Group, 40 employees attended the meeting. Dave Wilkinson commented that this Network was welcomed, in that there were situations in Schools where black teachers and non-teachers were threatened. He asked if this information had been circulated to Schools. Tariq responded that midday supervisors had received the information on the Support Network but was not sure about Teachers and was looking into this. TI

Resolved to note the report.

06/03 Travel Plan Strategy

The Committee considered a report of the Director of Development and Cultural Services and Director of Policy, advising of the progress being made with the Travel Plan Strategy and sought the Trade Unions' views on their involvement in the Class Groups.

Resolved to note the report.

07/03 Regulation of Investigatory Powers Act 2000- RIPA- Policy

The Committee considered a report of the Director of Corporate Services and Director of Policy about the regulation of Investigatory Powers Act, which came into force in September 2000. Its purpose was to control the way in which public bodies such as the Council, using regulatory and other law enforcement functions to do covert investigations into the areas in which each has jurisdiction. The Council's IPA applies widely but for Local Government it covered only two issues:

- Using directed surveillance
- Using a covert human intelligence source

The Committee were advised that the Trade Unions had been consulted through the working party and the Councils level of compliance had already been checked. The Trade Unions only concern was how this would be implemented.

Resolved to approve the RIPA Policy.

08/03 Leave and Time Off Policies and Procedures

The Committee considered a report of the Director of Policy, detailing the leave and time off policies and procedures for:

- Bereavement Leave
- Death in Service
- Return to work after sickness
- Adoption Leave
- Parental Leave
- Paternity Leave
- Caring for Dependents
- Right to Request Flexible Working

Death In Service

Nirmal Pheasant asked that 2.4 of the Policy and Procedures be amended to read:

“The Corporate Occupational Health, Safety and Welfare team will inform and provide information and assistance to the Health and Safety Representative...”

Adrian Flowers advised that another point would be added to each Policy and Procedure as follows:

“School governing bodies are strongly urged to adopt this policy for non teaching staff within their delegated budgets.”

Nirmal Pheasant asked that we monitor acceptance of these policies through School governing bodies. Dave Parnham advised that the Council would like to improve and devise ways to monitor implementation of policies. Nirmal Pheasant suggested a tick box of policies that were adopted by Schools. The Trade Unions’ Side raised concern there is a lack of knowledge from School Governors as to the work involved and a reminder of their duties and responsibilities should be distributed to all Governors.

Dave Parnham had spoken with Tony Bridge about how to

implement Corporate Policy into Schools. Dave Wilkinson suggested that at the New Governors Conference the same principle was adopted for LEA Policies as Corporate Policies.

Resolved to approve the Policies and Procedures.

09/03 Trade Union Learner Representatives

The Committee considered a report of the Director of Policy, advising the Statutory Rights of Trade Union Learner Representatives- ULRs- and the need to agree with the Unions a framework that sets out their role and functions within the Council.

Adrian Flowers advised that the work for this would be done through the Conditions of Service Working Party. The Trade Unions' Side advised that the response from employees where this had been implemented had been well received.

Resolved:

- 1. To refer the issue of ULRs to the Conditions of Service Working Party to establish a framework for their role and function within the Council.**
- 2. To refer the recommendations of the Conditions of Service and Working Party to a future meeting of the Committee.**

10/03 Redeployment Cases 20 February 2003 to 20 May 2003

The Committee considered a report of the Directory of Policy detailing the redeployment cases from 20 February 2003 to 20 May 2003. Adrian Flowers stated that currently there were 46 people on the register compared with 78 for the same time last year.

Dave Wilkinson requested that Teachers be included in the redeployment figures. Adrian Flowers advised that he would investigate this and report back at the next meeting.

AF

11/03 Disabled Employees Network

The Committee considered a report of the Directory of Policy, outlining the plans for setting up a Disabled Employees Network.

Ann Webster, Equalities Adviser advised that the Council needed to encourage people to provide information to Departmental Personnel Officers and advise that information does not get passed onto Managers if asked to keep confidential.

Simon Fogell suggested using an annual article in Gold Rush and

Ann Webster suggested that posters could be used. Moz Greenshields welcomed the report, as there needed to be some support to people who were not identified as being disabled. The Trade Unions' Side asked if disabled people had been asked to provide information on access issues. Ann Webster advised that this would be carried out, as the Network would be used for many different things.

Dave Wilkinson advised that he would advertise this in the Education Newsletter. The Trade Unions' Side also suggested that a site on the Intranet and Internet about the Disabled Peoples

Network would be helpful because not everyone could get to meetings.

Trade Unions' Side Items

12/03 Travel Plan

The Trade Unions' Side again expressed their disapproval of the lack of consultation with regards to the Travel Plan. Dave Wilkinson's concern was that a School by School approach be avoided as this could involve one School being treated less favourably than another.

Adrian Flowers felt that it was inappropriate to make any decisions now but the sensible way forward would be to get a small working group to look at this issue. A meeting had been arranged for 19 June 2003 to discuss school travel plans to which the teacher unions had been invited.

Dave Wilkinson said that if there were potential changes to Terms and Conditions there would have to be a Corporate Policy.

The Trade Unions' Side had asked for any savings made on the Travel Plan be invested in annual leave for employees. This proposal was put forward a year or so ago and the Trade Unions' Side asked that this is looked at now.

Sue Scott advised that this was a one off situation last year and was not a continuous process. Mel Gilbert advised that savings on terms and conditions were nothing to do with The Travel Plan and annual leave still needed to be a priority.

Adrian Flowers stated that the Terms and Conditions were a sensitive issue and the Trade Unions could be involved with task groups if they wished. In any event there would be full consultation with the unions if any proposals impacted on terms and conditions of service. Adrian Flowers agreed that John Swain would give a corporate response for the Trade Unions at the meeting.

Trade
Unions

13/03 Political Structure

The Committee received details of the new political structure of the Council. The Trade Unions' Side advised that not all manual workers had access to email and they may not have seen copies of the new political structure.

The Chair commented that Managers should disseminate information down to their employees. The Trade Unions' Side advised that this was not always happening. The Trade Unions' Side asked that this information be included in all Departmental Newsletters and on Agendas for team briefings.

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14/03 Conditions of Service Working Policy

Dave Wilkinson asked if a member from the Conditions of Service Working Party could attend the Teachers Conditions of Service Working Party and vice versa.

Adrian Flowers suggested that this should be rejected on the basis that each working party worked differently, and covered different employment groups. This was one of the main reasons for having two separate Working Parties. Dave Wilkinson commented that this reciprocal arrangement would enable a link to what goes on over the whole Council. If this was not agreed, he suggested that papers for the Conditions of Service Working Party be forwarded to him. The Chair advised that this would be considered and a decision given at the next meeting.

15/03 Job Evaluation

The Trade Unions' Side advised that they needed additional facilities for job evaluation purposes. Sue Scott advised that an office had been found on the upper floor of the Market Hall. The Trade Unions' Side should advise if any other facilities were needed, such as filing cabinets and desks. The Trade Unions' Side advised that they still had not got facilities for trade union representatives involved in job evaluation interviews. Currently the evaluators could not perform the evaluations effectively or professionally. Sue Scott commented that she would make enquiries and report back to the Committee at the next meeting.

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The Trade Unions' Side expressed concern over the time needed from Trade Union representatives and members and an emphasis should be put on this and suggest that temporary or permanent secondments were made to the Job Evaluation Team, or that a pool of trained people be available.

Sue Scott asked for any issues with regards to Trade Union representatives being available to attend meetings be forwarded to

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representatives being available to attend meetings be forwarded to her.

MINUTES END