



Derby City Council

PERSONNEL COMMITTEE
16 March 2017

ITEM 7

Report of the Director of Governance and
Monitoring Officer

Corporate Joint Committee and Joint Consultative Committee Meetings

SUMMARY

1.1 Following the departmental restructure across the Council it has been recognised that the current arrangements for the Corporate Joint Committee (CJC) and the departmental Joint Consultative Committee (JCC) meetings require review. The proposed changes aim to achieve the following:

- More accurately reflect the Senior Management restructure.
- Maximise efficiency in terms of diary management.
- Offer clarity as to when meetings will be.
- Optimise facility time.

RECOMMENDATION

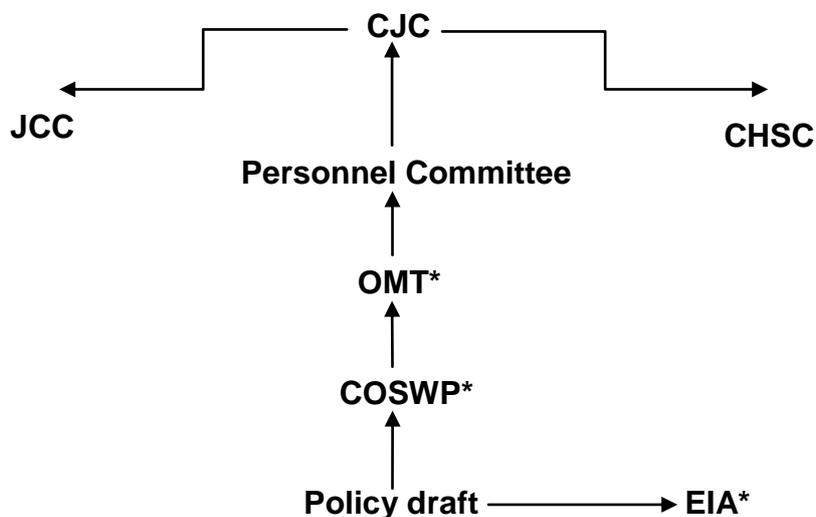
- 2.1 To note the rationale for the changed format of CJC and JCC meetings, for all meetings to run on the same day, once a quarter.
- 2.2 To note the new principles for the Council and Trade Union working relationships.

REASONS FOR RECOMMENDATION

- 3.1 The overarching Council structure has been reconfigured to meet the challenges that the current internal and external environment present. The proposed changes to CJC and JCC constitutions are intended to reflect the need for flexibility, agility and faster decision making.
- 3.2 Similarly holding the CJC and JCCs on the same day will ensure decision making is more impactful and proposed changes are implemented throughout the organisation consistently with fewer delays.
- 3.3 The proposed principles for working together underpin the Council's agenda for change and also recognise the commitments made in the Employment Charter.

SUPPORTING INFORMATION

Currently the constitution and decision making framework is as follows:



*Equality Impact Assessment

*Organisational Management Team (has now replaced DMT in HR policy approval process)

*Conditions of Service Working Party

The appendices below set out the proposed changes.

- 4.1 Appendix 2 rationale for proposed changes to the CJC and JCCs.
- 4.2 Appendix 3 Derby City Council and the Trade Unions – Working together to improve employee relations

OTHER OPTIONS CONSIDERED

- 5.1 Keep the existing CJC and JCC arrangements in place. This has been considered, but is not felt to be the option that would best support both employee relations, and a more productive approach to consultation.

This report has been approved by the following officers:

<p>Legal officer Financial officer Human Resources officer Estates/Property officer Service Director(s) Other(s)</p>	<p>David Cox, Head of HR</p>
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Background papers:	None
List of appendices:	Appendix 1 Implications Appendix 2 rationale for proposed changes to the CJC and JCCs. Appendix 3 Derby City Council and the Trade Unions – Working together to improve employee relations

IMPLICATIONS

Financial and Value for Money

- 1.1 Improving efficiency – maximising the opportunity to hold the meetings on the same day with relevant Members, Officers and Trade Unions should lead to more efficient ways of managing Council business and strengthening the decision making process.

Legal

- 2.1 The Council continues to meet its obligations under TULCRA, the Trade Union and Labour Relations (Consolidation) Act 1992. The proposals also comply with the Trade Union Act 2016, the Act received royal assent in May 2016 and is being phased in throughout 2016/17.

Personnel

- 3.1 As described in the report.

IT

- 4.1 None arising directly from this report.

Equalities Impact

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- 5.1 The proposals streamline the corporate consultation and negotiation framework and maintain Trade Union representation on behalf of employees.

Health and Safety

- 6.1 None arising directly from this report.

Environmental Sustainability

- 7.1 None arising directly from this report.

Property and Asset Management

- 8.1 None arising directly from the report.

Risk Management and Safeguarding

- 9.1 The proposals comply with the Governance Department's Business Plan 2016/17, specifically point 6:

Review the employee relations framework, to ensure compliance with legislation and support the delivery of Council business. Engagement with Elected Members, Officers and Trade Unions. Develop an Employee Relations Framework which is compliant with related legislation and is fit for purpose.

Objective GHR6b

Review of constitution for negotiation and consultation frameworks i.e. CJC, JCC

Corporate objectives and priorities for change

In the Council Plan 2016/19 it is stated that the Council aims to be modern, Flexible and resilient. Incorporated into the plan are five building blocks. The building blocks underpin the Delivering Differently programme. This proposal complies specifically with building block 5:

Policy and Strategy

- Core strategies
- Political systems
- Performance and accountability

Sets the direction for the organisation, including the way that we will change, innovate and set our priorities.

Rationale for change to Corporate Joint Committee (CJC) and Joint Consultative Committee (JCC)

1.1 The new constitution

The CJC Constitution should be a common sense document which formally records the Employer's recognition of the three Trade Unions; it also provides a template for all meetings. The constitution supports and encourages the spirit and intent of good employee relations and offers a commitment that the Leader, key Cabinet Members, the Chief Executive and Strategic Directors will attend (or send appropriate substitutes in exceptional circumstances).

2.1 At the present time there are four JCCs, which meet on different days and times,

The JCCs are:

- Adults and Health JCC
- Children and Young People JCC
- Communities and Place JCC
- Organisation and Governance JCC

Following the Council restructure and the amalgamation of the Adults and Health and Children and Young People Directorates into People Services, it is proposed that the JCCs for these two Directorates are combined

3.1 Proposed format for the Corporate day of consultation

Currently the CJC meets quarterly. It is proposed that the meetings are fixed in advance annually

It is proposed that the format of the day of consultation should be as follows:

- The CJC meeting will be a corporate meeting to discuss key overarching issues for the Council, and ratify policies and procedures.
- Sufficient time will also be allocated to focus on each Directorate Joint Consultative Committee with the appropriate Directors attending the respective sessions to address developing issues and concerns, answer queries and update the Trade Unions on future plans.
- It is proposed to hold the CJC and the three departmental JCC's on one day, creating a focussed day of consultation to support the maintenance of good employee relations.

3.2 Role of Trade Unions

The Council recognises the important role our Trade Union colleagues provide in supporting the Council to achieve its goals and aims, aiding communication with employees about change and encouraging positive working relationships and outcomes for all its employees. To enhance and reinforce this it is

proposed that the Council and Trade Unions adopt a new set of 'working positively together' principles. (Please see **Appendix 3** for a copy of the proposed principles titled 'Derby City Council and Trade Unions - Working together to improve employee relations').

The principles are a guide to expected standards of behaviour in meetings, and improved standards of communication. It is anticipated that the development of better working relationships will enhance the trust and confidence both the Council and Trade Unions have in one another.



Derby City Council and Trade Unions - Working together to improve employee relations

1.1 Purpose

The Council recognises that successful employer/employee relations involve striking a balance of interests.

Trade Unions provide a recognised channel for employees to communicate with managers, and vice versa. Involving Trade Union representatives can encourage understanding, better decision making and improve employee relations.

Representatives involved in the policy and decision making of organisations can:

- help to develop trust and cooperation
- improve business performance
- encourage the workforce to identify more closely with the organisation's performance
- improve the quality of decisions by providing input from workers with the relevant knowledge and skills

This guide sets out the Council's intentions for managing and improving our working relationship with our recognised Trade Union colleagues. The guide includes what we as the employer expect from our Trade Union colleagues and what, in return, the Trade Unions can expect from us.

1.2 Our responsibilities

We will meet with the recognised Trade Unions on a regular basis to ensure that we communicate with and keep our representatives up to date on business issues. The need for confidentiality in these meetings will be respected by both parties.

- 2 Minutes, agenda items and other relevant papers will be shared in advance of any meeting, to ensure that preparation is afforded to both parties. We all will read relevant papers which have been circulated so that we can all contribute fully.
- 3 We all have a duty and responsibility to actively participate in meetings and to contribute to the decision making process. It is crucial to the success of Council business and planning that all parties make every effort to attend pre-planned meetings. If for any reason an individual cannot attend a meeting they should nominate/send a representative, where service needs allow.
- 4 We will conduct ourselves in a courteous, professional and orderly manner and will respect the chair and our peers.

Classification: OFFICIAL-SENSITIVE

- 5 We will ensure that time is given for Trade Union representatives to communicate with their members both before and after meetings with management.
- 6 Facilities will be provided to Trade Union representatives to enable them to undertake their duties which may include office space, noticeboards, telephone and the use of electronic media.
- 7 We will support the training of newly-appointed Trade Union representatives and refresher training for established representatives in accordance with the training provided by Trade Unions and the TUC.
- 8 We will ensure managers are briefed and have access to the Facilities Time Agreement which sets out the rights and duties of union representatives regarding time to deliver their Trade Union duties. We will take reasonable steps in the planning and management of representatives' time away from their substantive posts in line with the Facilities Time Agreement.
- 9 We will establish and continue to develop and maintain a relationship with the recognised Trade unions based on mutual trust and respect.
- 10 We will all follow the principles and procedures set out in our constitution, employee values and Code of Conduct and enter into the spirit and intent of good employee relations in the workplace.
- 11 We will all ensure that confidential information that we acquire in all types of activity remains secure, in line with the Data Protection Act.
- 12 We all recognise that meetings are to consult on multi-union issues and employee relations.
- 13 We will actively support Trade Union membership amongst our employees and recognise Trade Unions for the purposes of employee representation and collective bargaining.
- 14 Meeting attendees will recognise that discussions should remain focussed on the agenda items and explicit people management issues should be followed up on a one to one basis.

All parties will sign up to this agreement and abide by the principles.