

Report

Report subject : JCF Terms of Reference Arrangements
Report to : Joint Consultative Forum
Date : Friday 26 January 2007
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Joint Consultative Forum Terms of Reference Arrangements

Introduction

UNISON has submitted the following proposals for consideration at the next JCF on Friday 26th January 2007. Management Team were requested to consider these, together with the DSU officer's comments, before the agenda was sent to print on 17th January 2007. The Management Team supports the comments of the DSU officer. A copy of the current JCF Terms of Reference is attached for information.

Details of UNISON's submission and response from DSU

Terms of Reference

a) Point 2

UNISON thinks that JCF should also consider the following two matters, which are related to employment with the Council

- Employment Policies
- Collective Terms and Conditions of Employment

DSU Officers comments

The Head of POD has been consulted.

b) Point 4

UNISON think that the current composition of JCF would work well if all members ensured that they either attended or arranged for a substitute. We hope that a mutually convenient meeting time can be agreed.

(NOTE: Councillors on JCF have indicated that they wish to continue with 10am on Fridays. This matter will be considered at Item 16 on the Agenda).

DSU Officer comments

The officer suggests that arrangements for named substitutes would be a useful way forward, as follows

Usual attendee

Resources Portfolio Holder
Resources Scrutiny Panel Chairman
2 Resources Scrutiny Panel Members

Substitute

Deputy Resources Portfolio Holder
Resources Scrutiny Panel Vice-Chairman
2 Named Deputies from the Resources Scrutiny Panel

- c) UNISON are happy if the Councillors wish to extend membership to 5 or 6 to allow for the Independent Group to take a place and it will be up to the Councillors to agree the allocation for different groups. However if the Councillors increase their numbers to 5 or 6 then the union side will need to increase to the same number and this may be practically difficult given issues to do with release from duties to attend. However given that commitment we are willing to increase to 5 or 6 and suggest -

If 5 union reps -
3 UNISON
1 shared and alternate TGWU/UNISON seat
1 TGWU

If 6 union reps
4 UNISON
2 TGWU

DSU Officer comments

The officer suggests that this proposal will result in an unwieldy and disproportionate consultative body, one that in fact would be larger than the main committee it reports to, i.e. Cabinet. The proposal for named deputies is the recommended way forward.

- d) Point 7 -

That there be an amendment to T&GWU/AEU to just T&GWU. AEU or Amicus as they are now are not recognised locally.

DSU Officers comments

That the amendments be made.

- e) Point 9 -

UNISON believe that joint recommendations from JCF should only ever occur where union side and Councillors agree and where there is a majority in favour on both sides. Therefore we suggest the following new wording -

"Resolutions and recommendations made by JCF will only be reached by agreement of a majority on both sides. The Chair (or Vice Chair during alternate years) will have the casting vote for the Councillors in the event of a tied vote. Should agreement not be reached a matter may be referred to the appropriate Council body under point 10 by either the union or Council side but that body will be made aware that agreement was not reached at JCF."

DSU Officer comments

Under the current arrangements the quorum of the Forum requires two from each side. The Chairman (which rotates annually between the two sides) has the casting vote when the vote is tied. Generally speaking, a simple majority will decide the issue.

The officer suggests that the preferred way forward is to continue with majority voting by both sides, using the Chairman's casting vote as and when required. To proceed with the proposal put forward by UNISON may result in a segregation of voting members. Therefore the officer recommends that the Forum should continue with the current individual voting rights, which apply to all of the council's panels and committees.

(NOTE: In law the Vice Chairman would not be entitled to hold the casting vote on behalf of Councillors).