

## **JOINT STAFF EMPLOYER FORUM**

21 March 2002  
(4.30pm - 5.35pm)

**PRESENT:** Councillors: Smart (Chair), Dryden, Slatter, Smith, Stebbings, White (Vice Chair). Graham Cuffley (Unison), Richard O'Leary (GMB).

### **1. MINUTES – 24 JANUARY 2002**

The minutes of the meeting were confirmed by the Forum and signed by the Chair as a correct record.

### **2. MATTERS ARISING FROM THE MINUTES**

There were none.

### **3. APOLOGIES FOR ABSENCE**

There were none.

### **4. DECLARATIONS OF INTEREST**

There were none.

### **5. PUBLIC QUESTION TIME**

There were none.

### **6. INVESTORS IN PEOPLE ACTION PLAN**

The report by the Head of Personnel provided an Action Plan drawn up to address the recommendations following the recent Investors in People re-assessment in December 2001.

Members noted that among other actions taken the approval procedure for filling vacant posts had been simplified and they noted a suggestion that in the event of prolonged vacancies a formal letter of thanks should be sent to staff covering the duties of the vacant posts within a section.

Graham Cuffley said that the reduction in the corporate training budget and the way that the system of training was financed within departments meant that the effect would be greater on lower graded staff than on managerial grades. Both unions supported the 'Life Long Work' agenda which sought to support lower paid staff. Funding was available from both unions for individuals. The aims of the agenda should be included in any training strategy adopted by the Council.

#### **Resolved to note**

The Investors in People Action Plan set out in Appendix 1 of the report.

Directors had been asked to communicate the Action Plan to all staff in their departments.

Directors had been asked to incorporate the actions where applicable in their departmental action plans.

## **7. PROTOCOL FOR MEMBER/OFFICER RELATIONS**

The Head of Legal and Democratic Services introduced a draft Protocol on Member/officer relations which was to be included in the Council's Constitution, to be reported to Council on 25<sup>th</sup> April.

Much of the content in the draft Protocol was the result of bringing together existing Council procedures and practices. It had also been possible to compare with other local authorities which had already set Protocols and incorporate elements which the officers think have some merit. The Protocol has been considered by the Standards Committee on 11 March which recommended that the Joint Staff Employer Forum should also have the opportunity to comment.

An official Code of Conduct for Members and Officers would also be included in the Constitution. The Members' Code of Conduct would be recommended to Council on 25<sup>th</sup> April. The Model Officers' Code was still awaited from DTLR. The Head of Personnel was currently re-drafting the Council's Corporate Code of Official Conduct.

Using the Government's Guidance, the Protocol was to be developed locally but should cover a number of given elements.

The Forum was invited to make any comments on the draft Protocol for consideration by City Board as part of the Council's Constitution.

Members made the following comments:

- The ability of Union Reps to attend Political Group Meetings should be expressed in the Protocol.
- The penalty for breaking the Protocol, while difficult to be precise about because of the uncertainty of the nature of the breaches that might occur, should be considered.
- The Protocol should be made available to all staff and brought to their attention perhaps by means of the Team Briefing system. The notification should also be extended to the staff working for partner organisations or consultants employed by the Council.
- The issue of political restriction is not covered.
- Monitoring sections 24, 25 and 26 covering familiarity would be difficult to carry out. A simplification of section 26 would be welcomed.
- The following words should be added to section 30 as appropriate: 'or pass opinions on the competency of another officer'.
- References to dealing with the media and publicity should be emphasised, in particularly where lower level officers were concerned.
- There was a potential conflict on the definitions of confidentiality as expressed in sections 47 and 61 the required resolution.
- In Section 62 consideration should be given of the availability of information requested on a specific Ward issue to potential candidates for a vacant seat as it was to existing Ward Councillors. The Freedom of Information Act would have some relevance in this issue.

- The issue of membership of other organisations, for example the Freemasons, should be covered in the Protocol.

**Resolved** that the comments made on the Protocol be considered by City Board.

## **8. THE NEW CONSTITUTION – FUTURE OF JOINT STAFF EMPLOYER FORUM**

The Head of Legal and Democratic Services said that this meeting was the last Forum before the Council adopted new constitutional arrangements in May. As part of the new constitutional arrangements there would have to be a change to the Terms of Reference of the Forum. The present Terms of Reference said that the Forum would "make direct recommendations to City Board on matters with corporate implications". Under the new arrangements, City Board as such will cease to exist. Many of the powers which City Board exercises at present would pass to the Leader of the Council, subject to advice from a scrutiny committee.

However, under Government regulations, certain powers could not be exercised by the Leader or any other member of the Executive. These included:

" Power to appoint staff, and to determine the terms and conditions on which they hold office (including procedures for their dismissal)."

Details of the new arrangements had yet to be approved but the officers anticipated that there would be a new sub-committee to deal with appointments, terms and conditions, appeals and grievances. Broader policy issues around employment might remain with the Executive.

To accommodate this, the Head of Legal and Democratic Services proposed to recommend that paragraph 2 of the Terms of Reference of this Forum was amended to read:

"Make recommendations to the Executive or to the [Employment Sub-Committee] as appropriate on matters with corporate implications."

Employer representation on the Forum would remain to be determined by the Council and there was no bar on the appointment of members of the Executive to the Forum.

The Forum was invited to review any of its work need review at this opportunity and make any representations to City Board about its terms of reference or arrangements affecting staff under the new constitutional arrangements.

Members made the following comments:

- It was important to retain the monitoring function of the Forum in its successor body and that any similar reporting requirement on the officers should be retained.
- The new arrangements needed explanation to all staff, to resolve any confusion. Union representatives should be included in any training being given.
- In Section 3 the phrase 'staff representatives' should be replaced by 'recognised Trade Unions'.

**Resolved** that the following changes be recommended:

Paragraph 2 of the Terms of Reference of the Forum be amended to: "Make recommendations to the Executive or to the [Employment Sub-Committee] as appropriate on matters with corporate implications."

Paragraph 3 be amended to read "To give representatives of recognised Trade Unions the opportunity to influence the decision of the employers on appropriate matters.'

The meeting ended at 5.35pm

**Chair**