

PLYMOUTH CITY COUNCIL

Subject: Employment Liaison Committee Terms of Reference
Committee: Employment Liaison Committee
Date: 14 October 2013
Cabinet Member: Councillor Peter Smith
CMT Member: Mark Grimley, Assistant Director for HR and Organisational Development
Author: Alison Mills, Head of HR (Corporate Function)
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Ref:
Key Decision: No
Part: 1

Purpose of the report:

To update the Employment Liaison Committee Terms of Reference

The Brilliant Co-operative Council Corporate Plan 2013/14 – 2015/17:

Supports the cooperative values of the Council.

Implications for Medium Term Financial Plan and Resource Implications: Including finance, human, IT and land

None.

Other Implications: e.g. Child Poverty, Community Safety, Health and Safety, Risk Management:

Equality and Diversity:

Recommendations and Reasons for recommended action:

To agree the amendments to the Employment Liaison Committee Terms of Reference.

Alternative options considered and rejected:

N/A

Published work/information:

Background papers:

Sign off:

Fin		Leg	DS	HR		Corp Prop		IT		Strat Proc	
Originating SMT Member											
Have you consulted the Cabinet Member(s) named on the report? Yes											

EMPLOYMENT LIAISON COMMITTEE

TERMS OF REFERENCE

TITLE

The Employment Liaison Committee incorporates the former Corporate Joint Consultative Committee and the Health, Safety and Welfare Committee (as formed under the Safety Representatives and Safety Committees Regulations 1977).

TERMS OF REFERENCE

(a) OBJECTIVES/SCOPE

1. To act as a liaison body for two-way communication, information and consultation to take place between the Council and employees, with the aim of maintaining an efficient and effective service through harmonious employee relations.
2. To promote the co-operation between management and employees in the development and implementation of measures to ensure the health, safety and wellbeing at work of employees and others who may be affected by the Council's work activities.
3. To consider performance statistics/trends, in order to make recommendations for corrective action and proactive interventions to continuously improve the employment, health, safety and wellbeing performance of the Council.
4. To be presented with policies, guidance and standards proposed by the employer. This includes drawing attention to the need to establish them for a particular work activity and/or consideration of any major implications arising out of or in connection with new or revised health and safety or employment legislation that will affect the Council.
5. To consider employment, health, safety and wellbeing matters in the organisation or structure of the council, including those related to terms and conditions, which have not been resolved at directorate Joint Consultative Committees (JCCs), or at the monthly meeting of Lead Representatives, without conflict to the statutory duties of the Head of the Paid Service.
6. To consider safety audit and/or inspection reports provided by the employer, trade union health and safety representatives and inspectors of the Health and Safety Executive or other enforcing bodies.
7. To make recommendations to the Head of the Paid Service on employment matters escalated to the Employment Liaison Committee.
8. To make recommendations to the Executive on matters delegated to them in relation to Policy.
9. To receive verbal notification at committee or be notified in writing, of intended/current negotiations and then receive signed collective agreements for noting, after conclusion of negotiations.
10. To instigate the failure to agree mechanism.

(b) CONSTITUTION

1. The Committee shall be composed of representatives of recognised Staff Side Unions and the Council. Council representatives will be nominated at the Annual Meeting of the Council. The Trade Union representatives will be selected by the Trade Union side of the Employment Liaison Committee (ELC). All members of the committee must have a named substitute for the municipal year.
2. The Committee will be composed of five elected Members of the Council, and one lead representative from each of the recognised trade unions listed at paragraph 3. Regional Officers of each union will receive a courtesy invitation to the meeting and can participate in the meeting.
3. The Trade Unions' side will be represented by:-
 - GMB
 - UNISON
 - UNITE
 - Association of Teachers and Lecturers (ATL)
 - Association of Educational Psychologists (AEP)
 - Association of School and College Leaders (ASCL)
 - National Association of Headteachers (NAHT)
 - National Union of Schoolmasters Unions and Women Teachers (NASUWT)
 - National Union of Teachers (NUT)
 - VOICE
4. Each side shall appoint its own secretary. From the employer's side the Secretary will be provided by Democratic Support who will convene meetings, provide agendas and minutes.
5. The Committee will be chaired by the Cabinet Member with responsibility for staffing on behalf of the employer or another Elected Member. The staff side secretary will be nominated by staff side.
6. The Committee shall be empowered, at the request of either side, to invite additional persons with specialist knowledge to advise the committee.
7. The Directors (or their representatives) should be permanent members of the committee.
8. The Head of Health Safety & Wellbeing and Head of Capital and Assets shall be permanent advisors to the Committee. The Head of Corporate Risk & Insurance shall advise the committee at least every 6 months.

(c) MEETINGS

1. Meetings will be held quarterly.
2. The Chair may convene special meetings as and when necessary, and in accordance with the committee procedures.

(d) PROCEDURES

1. Agenda

- a) Agenda items will be submitted to the Council Side Secretary (Democratic Support) at least ten clear working days in advance of the meeting, other than in the case of urgent business, and circulated electronically in accordance with the Constitution.
- b) No business other than that appearing on the Agenda may be considered unless the Chair agrees it as urgent business prior to its introduction.
- c) Minutes of each of the Directorate JCCs will be a standing item on the Agenda, for noting.
- d) Matters escalated from Directorate JCCs, will be considered at a monthly meeting of Lead Representatives, and only submitted to the Employment Liaison Meeting, if still unresolved.
- e) Disputes - should a matter remain unresolved, the Chair shall establish a proportional subgroup composed of relevant officers and lead representatives to examine the matter and recommend methods of resolution to the next meeting.
- f) Where Members of the Committee fail to agree this shall be recorded in the minutes.
- g) Matters arising from health and safety audits and inspections, from employer, employee and external agencies, will be a standing agenda item
- h) To receive reports, at least every six months, relating to employer's risk and liability.

2. Quorum

The minimum attendance will be:

- three elected Members including at least one Member from the largest political group on the council.
- three lead trade union representatives
- the Chair or representative
- each Director or their representative

3. Pre-Meetings

Facilities time shall be provided for a 30 minute pre-meeting for staff side representatives prior to meetings of the Employment Liaison Committee, unless a longer pre-meeting is agreed with the Chair in advance.

4. Minutes

The Council Side Secretary (Democratic Support) shall prepare, and issue to each member one electronic copy of the minutes of Committee proceedings not later than ten working days after the meeting.

5. Constraint

The Committee will not have the power to make recommendations at variance with either National or Regional Assembly agreements.

6. Representatives and Secretaries Appointments

- a) Representatives must be employees of the Council/Schools with membership of trade unions recognised for provincial and national negotiations and shall be lead representatives for those unions.
- b) Representatives shall be appointed for a municipal year, and may be subsequently re-appointed.
- c) If for any reason a vacancy occurs, a successor should be appointed.

7. General

- a) The staff representatives attending Committee should be paid in line with the Trade Union facility agreement.

(C) DIRECTORATE JOINT CONSULTATIVE COMMITTEES (JCCs)

- a) Directorate JCCs will reflect the senior management structure of the council. Under the current structure, directorate JCCs will be:-

Place JCC
Corporate Services JCC
People JCC

Directorate JCCs will be chaired by the relevant Director.

- b) Sub groups will also be set up for particular staff groups, as necessary and chaired by the relevant Assistant Director. A sub group will be in place for Environmental Services.