

BRECKLAND COUNCIL

At a Meeting of the

LOCAL JOINT CONSULTATIVE COMMITTEE

**Held on Thursday, 16 October 2008 at 2.00 pm in
Norfolk Room, The Conference Suite, Elizabeth House, Dereham**

PRESENT

Employers' Side

Mrs S.M. Matthews (Chairman)
Mr K. Martin

Staff Side

Ms Z. Waterford (Vice-Chairman)
Mr M. Broughton
Mr J. Elliott
Mr R. Johnson

In Attendance

Ian Vargeson
Julie Britton

- Member Services Manager
- Senior Member Services Officer

21/08 MINUTES (AGENDA ITEM 1)

Action By

a) Mobile Devices Policy (Minute No. 12/08)

The Joint Committee had been very disappointed that the recommendation had been changed by the General Purposes Committee. It was noted that when a recommendation was not accepted, the Joint Committee was not automatically aware of this fact, or the reasons for the rejection of the reasoning behind the recommendation. All recommendations were supported by a majority of Members from both Sides of the Joint Committee and it was reasonable to expect an explanation where a recommendation was not supported. The Member Services Manager assured the Committee that this would be monitored and he would ensure that the information would be passed on in any future occurrences, with the assistance of other Officers as necessary.

It was further noted that under the Redundancy Policy that had been discussed at the General Purposes Committee meeting held on 26 March 2008 the Chairman had not used his discretion to allow the Unison Branch Secretary to comment on a recommendation relating to the this Policy.

The Joint Committee requested that a provision be made in Standing Orders to allow Staff Side Members the right to speak when LJCC minutes were being presented to General Purposes Committee, similar to that given in SO No 43 where Members were allowed to speak at meetings of committees they did not sit on.

Adoption

Subject to the numbering of the Minutes being amended, the Minutes of the meeting held on 19 June 2008 were confirmed as correct record and signed by the Chairman.

Action By

22/08 APOLOGIES (AGENDA ITEM 2)

Apologies for absence were received from Mr R Kybird and Mr D Williams.

23/08 CHRISTMAS OFFICE CLOSURE (AGENDA ITEM 4)

A Member of the Staff Side said that this report formed the basis for the collective local agreement, put forward by the Staff Side, to be reinstated.

It was noted that the Member Services Manager had produced details of the historical custom and practice of office closures at Christmas since the creation of Breckland Council in 1974. The suggested form of agreement had been attached at Appendix A of the report.

Referring to the aforementioned appendix, it was noted that the offices would be closed for an extra day, on two occasions, depending on what day of the week Christmas Day fell.

RECOMMEND to the General Purposes Committee that the local collective agreement covering closure of the council officers over the Christmas period with effect from 16 October 2008 be adopted.

24/08 NEXT MEETING (AGENDA ITEM 5)

The next meeting of the Joint Committee would take place on Thursday, 4 December 2008 at 10.00am in the Norfolk Room.

25/08 ANY OTHER BUSINESS (AGENDA ITEM 6)

Review of Constitution

The Staff Side raised the following issues on the status, composition, rules and regulations relating to the Joint Committee:

- Staff side representation
- Employers' side representation
- The proposed changes to Clause 6 under the Joint Committee's Rules and Regulations regarding calling of meetings
- The right of Staff Side representatives to speak at General Purposes Committee in support or explanation of Joint Committee recommendations
- Members of the Joint Committee not being informed of, or being given reasons for rejection of their recommendations by General Purposes Committee
- Lack of consultation on constitutional changes affecting the Joint Committee

Two of the issues raised had resulted in requests for changes to the proposed amendments to the Constitution (highlighted in bold italics below).

Action By

On Staff Side representation, a proposal to revert to the situation before the last constitutional review, where the five Staff Side reps were drawn from Unison nominations, was not supported. It was, however, agreed that the long standing vacancy for a non-Unison rep on the Staff Side should be raised at the next All Staff Briefing to try to generate some interest.

Employers' Side representation allowed for four named Members plus one "floating" Executive Member. Unfortunately, an Executive Member rarely appeared and meant that both sides were regularly one person short. The Staff Side had raised this but it had not been pursued. The Employers' Side representations would be unchanged by the amendments proposed to the Constitution.

The Joint Committee wished to query the proposed change to Clause 6 under the LJCC's Rules and Regulations. The wording proposed for deletion explained that the Joint Committee would meet on an "as and when" basis and also said that the Chairman and Vice-Chairman could ask for a meeting to be called at any time. The new wording simply said "the LJCC shall meet whenever the Chairman determines....". This would leave some ambiguity in that it did not recognise that there were scheduled meetings of the Joint Committee in the meetings timetable or the fact that this had been designed to ensure that LJCC meetings appeared before General Purposes Committees specifically to enable the Joint Committee to comment on any relevant issues coming before GP. ***The Joint Committee would like to see the new Clause 6 amended by the addition of the words "or Vice-Chairman" after "Chairman"***. In the past, the Side from which the Chairman was drawn had not been contentious and the Staff Side had been happy to support the Employers Side holding the Chair over recent years. However, if the wording went forward as proposed in the report on the Constitution review, the Chairmanship became crucial as it gave one Side or the other the final say on whether a meeting was called.

Finally, the Joint Committee (both Sides) was disappointed that it had not been consulted on proposals which directly affected it before publication and reference to Cabinet. This disappointment was heightened by the fact that it repeated the circumstances under which the current arrangements, which brought in changes which the Joint Committee was not given the opportunity to discuss beforehand, had been introduced a couple of years ago. In discussing line reporting arrangements, the Chairman advised that the Deputy Chief Executive had informed her that Cabinet could not deal with every matter whereas General Purposes could as it was a regulatory Committee.

As the timetable for the changes to the Constitution stood, there was no opportunity available to the Joint Committee to make recommendations through General Purposes in time for these to be taken into account by the full Council when agreeing revisions to the Constitution. Therefore, to draw these matters to attention, it was agreed that the Member Services Manager would ask for these observations to be taken into account when the

OSC/Cabinet met on 23 October 2008 to make recommendations to the Council.

Action By

The meeting closed at 3.10 pm

CHAIRMAN

VICE-CHAIRMAN