

# **Agreement Relating to Joint Negotiation, Consultation and Communication**

between

**Warwick District Council**

and

**Warwick District Council Branch of Unison**

**Chief Executive**

**Warwick District Council  
Amended February 2023**

## **Definitions**

<b>Term</b>	<b>Definition</b>
The Authority or Council	Warwick District Council (WDC)
Elected Members	Councillors elected to serve on WDC
Recognised Trades Union	UNISON
Trade Union Officials	Full time/part time/lay officials of UNISON who are not employees of WDC
Local Trades Union Representatives	Representatives UNISON who are employees of WDC
Branch Secretary	Individual holding the elected position of Branch Secretary for UNISON
Chief Executive	The Head of the Paid Service of WDC
Deputy Chief Executive	Deputies to the above
Management	The collective term for the Chief Executive, Leadership team of WDC and Senior Officers
Employer's Side	The collective term for The Elected Members/Management
Trades Union Side	The collective term for the recognised trade unions
MTU	Shortened version of Member/Trades Unions Joint Consultation and Safety Panel
Joint Forum	Shortened version of Joint Communication Forum
Chair	The individual who has been appointed to Chair

## 1. **Introduction**

The Elected Members, Management and Unison jointly recognise the importance of good industrial relations. The need for regular, open, effective, two-way communication is integral to this.

Accordingly, a structure has been agreed to enable collective bargaining (discussions to be channelled, organised, and focused towards) to achieve mutual agreement on employee related issues of negotiation and consultation.

Consultation over individual cases of grievance and discipline will take place with respective trade union representatives.

## 2. **Members/Trades Unions Joint Consultative and Safety Panel**

Members – representative from each recognised political group  
Trades Unions Representatives UNISON - equal to Members (as MTU)  
Chief Executive (non-voting)

## 3. **Joint Communication Forum**

Chief Executive  
Head of People and Communications  
Deputy Chief Executive, or a nominated representative  
Trades Union Representatives: equal to Members (as MTU)

## 4. **Service Specific Dialogue**

Heads of Service  
Senior Managers & Senior Officers  
Local Trades Union Representatives/HR Representative

## 5. **General Principles**

- Discussion within this structure will encompass any collective matters related to the employees of WDC.
- It is the joint aim that all issues should be dealt with and resolved at the lowest possible level in a speedy and effective manner.
- All parties are committed to ensuring that this structure enables regular, effective and two-way communication to take place.
- To ensure that the Trades Union representatives may voice the view of the employees to the Council on any proposals which are likely to affect employees. These include:
  - a) All issues related to the employment, NJC for local government and JNC for Chief Officers
  - b) The allocation of people resources
  - c) Aspects of the work environment
  - d) Operational changes which affect job prospects and job security of particular groups
  - e) Changes to terms and conditions of employment

## 6. **Members/Trades Unions Joint Consultation and Safety Panel**

### 6.1 **Membership**

The Panel shall comprise of a member from each recognised political group on the Council to be appointed annually by the Council and an equal number of recognised trades unions representatives from UNISON. The elected Members will be appointed at the annual Council meeting each year and changes to the appointments can be made in line with Council Procedure Rules. It is recognised that trade unions representatives may change throughout a year and therefore amendments to the membership can be communicated at any time to Committee Services. Due to the nature of the work of the Panel, substitutions are not provided for because it is deemed important for Members to regularly attend for consistency of dialogue and engagement

### 6.2 **Access to Meetings**

Panel meetings will not be open to the public as the Panel deals with internal human resources only. The agendas and minutes of meetings will be deemed as confidential for the reason that the meeting is not public.

### 6.3 **Frequency**

Meetings of the Panel shall be held in accordance with the calendar of meetings, normally meeting two weeks before Employment Committee. Further meetings will be convened by the Chief Executive within seven working days of either side submitting a written request. The Chief Executive, with the mutual agreement of both Chair, may cancel a meeting if there is insufficient business, subject to a minimum of one meeting being held each year.

### 6.4 **Chair**

Both the employer's side and the employees' side shall appoint a Chair-person. Each Chair shall preside over alternate meetings. Neither Chair shall have a casting vote.

### 6.5 **Functions**

The functions of the Panel shall report to the Employment Committee through recommendations on the following:

- (i) To provide and maintain regular and effective lines of negotiation, consultation and communication between the Council and its employees;
- (ii) To consider and make recommendations to the Employment Committee on matters referred to it by either side of the Panel;
- (iii) To consider any matters referred to it by the Council and/or a committee of the Council;
- (iv) To assess and make recommendations to the body corporate on issues of health and safety. In particular on:
  - Reports regarding the health safety and welfare of employees.
  - Health and safety developments, plans, projects and policies.
  - The introduction of any measure which sustainably affects the health and safety of employees.
  - The provision of health and safety training.
  - Arrangements for appointing 'competent persons' in accordance with the management of health and safety at work regulations.
  - Adequacy of health and safety communications.

## 6.6 Rules and Regulations

- i. The agenda for the Panel shall be prepared and forwarded to members of the Panel at least five working days before the meeting. Only items on the agenda will be discussed at the meeting. By exception, emergency items may be added to the agenda subject to agreement by both Chair.
- ii. The quorum of the Panel shall be four, comprising a minimum of two from each side.
- iii. No resolution shall be regarded as carried unless it has been approved by a majority of those present on each side of the Panel. In the event that the MTU is unable to arrive at a resolution, the matters in dispute shall be referred, by agreement of a majority of each side, to conciliation or, as appropriate, to West Midlands Local Government Association or a mechanism for binding arbitration.
- iv. All meetings of the Panel shall be minuted (not verbatim) and circulated after approval by both Chair. Following the meeting, any recommendations to the Employment Committee will be approved by both Chair and included on the Committee's next agenda. The recommendations will be in the public domain, unless they fall specifically under one of the provisions of Local Government Act 1972 - Schedule 12A After the Local Government (Access to Information) (Variation) Order 2006. The minutes of the Panel will be formally adopted at the next meeting of the Panel and remain confidential because the meetings are not public meetings. However, it is recognised that all Members, including those of the Employment Committee, have full access to these via the Committee Management System.
- v. It is accepted that as issues demand, Council officers will be in attendance and, subject to the normal courtesies, trades unions officials e.g. regional officers, may attend. Neither of these groups will have voting rights.
- vi. Subject to a written request seven days in advance and the agreement of both Chairs, the Employers and Trades Unions side shall be allowed to have advisers present for specific items, when necessary. Advisers shall not have voting rights.
- vii. All agenda items should include a suitable briefing paper.

## **7. Joint Communication Forum**

### **7.1 Membership**

The Joint Forum shall comprise the Chief Executive, Head of People and Communications, the Deputy Chief Executive (or nominated representative) and representatives (as identified for MTU).

### **7.2 Frequency - Quarterly**

One meeting of the Joint Forum shall be held quarterly. Further meetings will be convened by the Head of People and Communications within seven working days of either side submitting a written request or by joint agreement.

The Head of People and Communications, with the mutual agreement of both Chairs, may cancel a meeting if there is insufficient business.

### **7.3 Chair**

Both the employer's side and employees' side shall appoint a Chair; each Chair shall preside over alternate meetings. Neither Chair shall have a casting vote.

### **7.4 Functions**

The functions of the Joint Forum shall be to facilitate two-way communication, and to provide a forum for consultation, negotiation and the resolution of disputes.

### **7.5 Rules and Regulations**

- i. All documentation will be produced in reasonable time for consultation before the agenda is published. If documentation is not produced in reasonable time for consultation, then a future date will be agreed for implementation of any issues requiring consultation
- ii. The agenda for the Joint Forum shall be prepared and issued to members of the Forum at least five working days before the meeting. Only items on the agenda accompanied by a briefing paper will be discussed at the meeting. By exception, emergency items may be added to the agenda subject to agreement by both Chairs.
- iii. The quorum of the Forum shall be four comprising a minimum of two from each side.
- iv. No resolution shall be regarded as carried unless it has been approved by a majority of those present on each side of the Joint Forum ensuring that all recognized unions have had the opportunity to be consulted. In the event that the Joint Forum is unable to arrive at an agreement the matter in dispute shall be referred to the MTU.
- v. All meetings of the Joint Forum shall be minuted (not verbatim), and after approval by both Chairs the minutes will be circulated and subsequently formally adopted at the next meeting of the Joint Forum.
- vi. Subject to the prior agreement of both Chairs, which should not normally be withheld, the Employer's and Trades Union Side shall be allowed to have advisers present for specific items, when necessary. Advisors shall not have voting rights.

8. **Service Specific Dialogue**

8.1 **Membership**

Heads of Service  
Senior Managers  
Senior Officers  
Local Trades Union representatives  
HR Representative

8.2 **Frequency**

Regular meetings are advocated and may be called by either side giving one week's notice. Scheduled meetings may be cancelled by mutual agreement if there is insufficient business.

8.3 **Functions**

The functions of the service area discussion meetings shall be:

- a. To enable regular, effective and two-way negotiation, consultation and communication to take place between Heads of Service and departmental trade union representatives.
- b. To discuss issues of departmental/directorate concern only.
- c. To discuss day to day operational matters affecting employee relations issues.

## **9. Management Guidelines – Consultation Review Process**

### **9.1 Purpose**

The purpose of this agreement is to facilitate the smooth introduction of change by ensuring that full consultation is carried out prior to its implementation.

This may take place at a local (Service) level or on a corporate (Council wide) level.

### **9.2 Scope**

Consultation will take place with representatives from Trade Unions recognised by, Warwick District Council, on behalf of WDC employees, on the following matters.

- Staffing review/re-organisation/restructuring
- Redeployment
- Changes to working hours/working practices
- Changes to the physical working environment
- Changes to local (departmental) terms and conditions
- Policy proposals/review/legislation
- Redundancy

Individual consultation with employees will take place in relation to redundancy/restructuring proposals in accordance with statutory requirements.

It is not intended to cover minor operational changes that fall within the scope of normal day to day management, for example small alterations to work allocations within job descriptions.

### **9.3 Principles**

- a) Consultation should begin at the earliest possible opportunity. This may be before the precise details of the changes to be implemented are known, provided agreement in principle has been reached on the review/project objectives. The Trade Unions should be officially notified at this time. A consultation timetable will be shared with Trades Unions.
- b) The consultation process should be as full and frank as possible, the aim of the process is to ensure that information is made available to employees so that they are aware of why the changes are necessary and are less vulnerable to rumour and the 'grapevine'.
- c) The consultation process needs to be conducted so that it allows the concerns of employees to be properly addressed, both in terms of the time allowed and the information provided.
- d) The process will be initiated and led by the Review Manager, in consultation with HR. Local trade union representatives will be briefed initially, followed as soon as possible thereafter by the employees affected.
- e) Local trade union representatives may request the presence of branch trade union official at consultative meetings, should they feel the need for a wider view.

### **9.4 Procedure for Corporate Issues**



- a) If a proposed review will have implications for any Service, HR or a member of SMT, will consult the Unions regarding the proposal as soon as possible.
- b) Further consultation will take place as necessary, with the Trade Unions being able to request the opportunity to meet with the Review Manager.
- c) The Review Manager or his/her representative will follow the procedure outlined in the Consultation Process Documentation. The timetable for consultation will be agreed with the Trades Unions at the outset.
- d) All reports submitted to committee regarding a restructure of staff or policy review must include a separate section outlining details of the consultation that has taken place with the Trade Unions.
- e) The proposed changes are implemented after ratification.
- f) Throughout the review consultation process discussions on specific issues relating to individual members of staff will take place with the individual and the trade unions as necessary.

#### 9.5 **Procedure for Operational Management Issues**

- a) The procedure will be identical to the procedure above except that the issues will be within one Service and therefore do not have a corporate impact.
- b) The Review Manager will be either the Deputy Chief Executive; Head of Service or the Service Area Manager as appropriate.
- c) HR may be involved to provide an advisory role to the review manager or to organise support.