

**AGREEMENT RELATING TO JOINT NEGOTIATION,
CONSULTATION AND COMMUNICATION**

AT

WARWICK DISTRICT COUNCIL

BETWEEN

**WARWICK DISTRICT COUNCIL
AND
WARWICK DISTRICT COUNCIL BRANCHES
OF
UNISON
GMB / MPO**

CHIEF EXECUTIVE

**WARWICK DISTRICT COUNCIL
Updated June 2012**

DEFINITIONS

The "Authority" or "Council"	-	Warwick District Council (WDC)
"Elected Members"	-	Councillors elected to serve on WDC
"Recognised Trades Unions"	-	UNISON GMB / MPO
"Trade Union Officials"	-	Full time/part time/lay officials of Trades Unions who are not employees of WDC
"Local Trades Union Representatives"	-	Representatives of the recognised Trades Unions who are employees of WDC
"Branch Secretary"	-	Individual holding the elected position of Branch Secretary for a recognised Trade Union
"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, SMT 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
"Joint Panel"	-	Shortened version of Member/Trades Unions Joint Consultation and Safety Panel
"Joint Forum"	-	Shortened version of Joint Communication Forum
"Chairman"	-	To indicate Chairman or Chairwoman

Introduction

The Elected Members, Management and Trade Unions of WDC 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.

Members/Trades Unions Joint Consultative and Safety Panel

Members x 4
Trades Unions Representative x 4
Chief Executive (non-voting)

Joint Communication Forum

Chief Executive
HR Manager
2 Deputy Chief Executives
Trades Union Representatives: GMB / MPO x 1; UNISON x 4

Service Specific Dialogue

Heads of Service
Senior Managers & Senior Officers
Local Trades Union Representatives

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 of Craft, 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.

MEMBERS/TRADES UNIONS JOINT CONSULTATION AND SAFETY PANEL

i. Membership

The Panel shall comprise four elected Members to be appointed annually by the Council and an equal number of recognised trades unions representatives three from UNISON and one from MPO/GMB. Named substitutes with full powers of voting may be appointed annually from each side to cover for absences.

ii. Access to Meetings

Panel meetings will not be open to the public as the Panel deals with internal human resources only.

iii. 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 Chairs, may cancel a meeting if there is insufficient business, subject to a minimum of one meeting being held each year.

iv. Chairs

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

v. Functions

The functions of the Panel shall report to the Employment Committee through its minutes 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 receive and make recommendations on issues of health and safety, monitor reported accidents that occur on Council property;

And

- (v) Recommend appropriate action.

vi. 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 Chairs.

- (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 Joint Panel 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), circulated after approval by both Chairs and reported to Employment Committee.. These minutes will be formally adopted at the next meeting of the Panel.
- (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.

JOINT COMMUNICATION FORUM

CONSTITUTION

Membership

The Joint Forum shall comprise the Chief Executive, HR Manager, 2 Deputy Chief Executives and 4 recognised Trades Union representatives. Named substitutes with full powers of voting may be appointed annually from each side to cover for absences.

Frequency - Quarterly

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

The HR Manager, with the mutual agreement of both Chairmen, may cancel a meeting if there is insufficient business.

Chairman

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

Functions

The functions of the Joint Forum shall be:

1. To facilitate two-way communication, and to provide a forum for consultation, negotiation and the resolution of disputes.

Rules and Regulations

1. 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
2. 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 Chairmen.
3. The quorum of the Forum shall be four comprising a minimum of two from each side.
4. 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 Joint Panel.

5. All meetings of the Joint Forum shall be minuted (not verbatim); the minute secretary will be provided by management. After approval by both Chairmen the minutes will be circulated and subsequently formally adopted at the next meeting of the Joint Forum.
6. Subject to the prior agreement of both Chairmen, 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.

SERVICE SPECIFIC DIALOGUE

Membership

Heads of Service
Senior Managers
Senior Officers
Local Trades Union representatives

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.

Functions

The functions of the service area discussion meetings shall be:

1. To enable regular, effective and two-way negotiation, consultation and communication to take place between Chief Officers and departmental trade union representatives.
2. To discuss issues of departmental/directorate concern only.
3. To discuss day to day operational matters affecting employee relations issues.

MANAGEMENT GUIDELINES - REVIEW CONSULTATION PROCEDURE

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.

Scope

Consultation will take place with representatives from Trade Unions recognised by, and employees of, Warwick District Council 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

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

Principles

1. 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 via their respective Secretaries.
2. 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'.
3. 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.
4. The process will be initiated and led by the Review Manager, in consultation with the Corporate Personnel Manager. Local trade union representatives will be briefed initially, followed as soon as possible thereafter by the employees affected.
5. 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.

Procedure for Corporate Issues

1. If a proposed review will have implications for more than one Service, the HR Manager or a member of the Corporate Management Team, will consult the Branch Secretaries regarding the proposal as soon as possible.
2. Further consultation will take place as necessary, with the Trade Unions being able to request the opportunity to meet with the Review Manager.
3. 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.

4. 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. This section will be agreed with the Trades Unions before being published as part of the Agenda for the meeting.
5. The proposed changes are implemented after ratification.
6. 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.

Procedure for Operational Management Issues

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

PROPOSED CONSULTATION PROGRAMME: INSERT SERVICE AREA(S) AFFECTED

INFORMAL STAGE:

INSERT DATES AGREED

Alert Trades Unions to review process on an informal basis	
Talk to staff collectively, including Trades Unions, as available	
Notify Deputy Chief Executive	
Talk to staff individually – explain process, ask for ideas, consider issues and initial concerns	

FIRST PROPOSALS:

Produce proposals	
Talk individually with staff and Trades Unions	
Ongoing individual discussions with staff	
Request responses to first proposals by	
Consult with Unions and discuss feedback from proposals	
Respond to responses to first proposals	

FINAL PROPOSALS:

Produce final proposals	
Request responses by	
Consult with Unions	
Respond to final responses: - Meet with staff collectively - Talk to staff individually	
Sign off final proposals	

FINAL REPORT:

CMT	
Notification of item to Employment Committee	
Report to be submitted to Employment Committee	
Employment Committee Meeting	
Executive (if required)	

FINAL NOTIFICATION OF OUTCOMES:

Notify Trades Unions of outcome	
Meetings with individuals to confirm outcome	
Write timeframes for implementation of new process	

OTHER PROCESSES:

Prepare Job Descriptions	
Hay Evaluation Panel	
Recruitment to new posts	

