

Medway Council
Meeting of Employment Matters Committee
Tuesday, 30 October 2012
7.00pm to 7.22pm

Record of the meeting

Subject to approval as an accurate record at the next meeting of this committee

- Present:** Councillors: Avey, Carr (Chairman), Christine Godwin, Paul Godwin and Iles
- Substitutes:** Councillors:
Kemp (Substitute for Irvine)
- In Attendance:** Elizabeth Benjamin, Senior Lawyer - Litigation
Ralph Edwards, Head of HR
Wayne Hemingway, Democratic Services Officer
Carrie McKenzie, Head of Organisational Change
Tricia Palmer, Assistant Director, Organisational Services

527 Record of meeting

The record of the meeting held on 13 September 2012 was agreed and signed by the Chairman as correct.

528 Apologies for absence

Apologies for absence were received from Councillors Irvine and Mackinlay.

529 Urgent matters by reason of special circumstances

There were none.

530 Declarations of disclosable pecuniary interests

There were none.

531 Pay Negotiations

Discussion:

The Assistant Director, Organisational Services, introduced a report which updated the Committee on discussions with the trade unions since the last Committee meeting regarding the option of coming out of the national agreement for pay and terms and conditions. This report had been discussed at the Joint Consultative Committee meeting earlier the same evening.

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She referred to an updated draft collective agreement (CA) which had been tabled at the meeting. In addition, a Diversity Impact Assessment on the proposals was also tabled at the meeting.

She stated that the terms and conditions covered in the agreement, including pay, was set out in paragraph 2.2 of the draft CA and that following negotiation with the trade unions, these would be protected for three years from 1 April 2013, should the CA be reached. The tabled version of the CA included reference to the forthcoming pay and grading review and the offer set out that where there would be changes in pay as a result of the implementation of the pay and grade review, this would be protected at 100% for two years from 1 April 2014 until 31 March 2016.

The Assistant Director, Organisational Services, stated that whilst it was the Council's intention for a CA to be reached, if a CA was not reached, Full Council on 21 February 2013 (budget meeting) would be asked to determine whether to come out of the national agreement following a period of 90 days formal consultation. As such, formal consultation would need to commence by 20 November 2012. She also confirmed that the proposals set out in the report also affected non teaching staff in those schools where Medway Council was the legal employer.

Members discussed a number of issues including the following:

- Paragraph 2.1 of the draft CA did not include any reference to local bargaining in relation to the amount of an annual pay award.

It was confirmed that this wording would be changed to reflect local bargaining.

- Concern was expressed that the 90 day formal consultation process may not allow sufficient time to enable the trade unions to conclude the balloting of their members regarding the draft CA.
- Concern was expressed regarding the potential for a national pay award to be implemented on 1 April 2013 and then be subsequently withdrawn by the Council at the point at which employees are given new contracts (on local conditions). It was suggested that this be given further discussion at the next meeting of the Employment Matters Committee if the CA was not reached.
- Whether the Council could facilitate trade unions' discussions/consultation with schools based members affected by the proposals.

It was confirmed that officers would assist trade unions by writing to Headteachers and Chairs of Governors at the schools affected by the proposals.

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Decision:

1. The Committee noted the discussions and agreed to commence formal consultation with staff and trade unions by 20 November 2012 should a collective agreement not be achieved. This date was the latest possible to commence formal consultations to ensure that an appropriate decision can be made by Full Council on 21 February 2013 along with the setting of the budget.
2. The Committee agreed that paragraph 2.1 of the draft collective agreement be amended to include reference to local bargaining rather than the annual pay award being determined by Medway Council locally.

Chairman

Date:

Wayne Hemingway, Democratic Services Officer

Telephone: 01634 332509

Email: democratic.services@medway.gov.uk

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