

**Joint Consultative Committee – 11 February 2013 – Appendix 1
Medway Council**

Meeting of Joint Consultative Committee

Monday 11 February 2013

6.00pm to 6.50pm

Record of the meeting

Present:

Employer's Representatives

Councillor Carr (Chairman)
Councillor Christine Godwin
Councillor Iles
Councillor Irvine
Councillor Shaw (Substitute for Councillor Paul Godwin)
Councillor Tolhurst (Substitute for Councillor Avey)

Employees' Representatives

Michael Barton – Voice the Union
Sue Calder – NUT
Ian Methven – UNITE
Mike Ongley – GMB (Vice-Chairman)
Joe Parsons – UNISON
John Somers – NAHT

Margaret Gallagher – AEP (in attendance)

In attendance:

Paula Charker, Employee Relations Manager
Ralph Edwards, Head of HR
Wayne Hemingway, Democratic Services Officer
Tricia Palmer, Assistant Director, Organisational Services

1. Apologies for Absence

Apologies for absence were received from Councillors Avey, Mackinlay Paul Godwin and Nicola Brocklesby (ATL).

2. Record of Meeting

The record of the meeting held on 30 October 2012 was agreed as a correct record.

3. Declarations of interest

There were none.

4. Pay Negotiations

Discussion:

The Assistant Director, Organisational Services, gave a presentation on the steps taken so far in terms of the Council's proposal to come out of the national agreement for pay and terms and conditions. This included the financial impact on the Council in terms of any potential pay award and the previous decision to freeze increments. She explained that all staff (excluding teachers) were covered by the national pay and terms and conditions including Soulbury staff, youth staff and Adult Education tutors. Non-teaching schools staff had been included in the proposals, however, officers had recommended to Employment Matters Committee (19 February 2013) that these staff be no longer included in the proposals.

The Assistant Director, Organisational Services, stated that the following were included in the national agreement for pay and terms and conditions:

- Pay
- Working time
- Public holidays and annual leave
- Sick/Maternity leave and pay
- Overtime payments
- Allowances - weekend working, night work, split shifts, standby, lettings
- Car Allowances.

The proposal to come out of the national agreement for pay and terms and conditions from 31 March 2013 included an agreement not to change (reduce) pay or any term or condition for three years from 1 April 2013 and the implementation of local pay bargaining. The trade unions had balloted their members on this, however, no collective agreement had been reached. Subsequently, the Council had continued to hold discussions with the trade unions including a further offer of a one-off payment of £50 (pro-rata for part time staff) to staff earning £21,519 or below. Trade unions were holding a further ballot of their members and the outcome would be reported to the Employment Matters Committee on 19 February 2013. If a Collective Agreement was not reached and subject to Council agreement on 21 February 2013, contracts would be terminated and re-engagement offered on the revised terms.

The Assistant Director, Organisational Services, provided a summary of consultation responses from staff which included poor morale, the impact on pensions and continuous service, poor communication, Soulbury staff should not be included in the proposals, Governing Bodies are against the proposals for schools based staff, and that the proposals may put pressure on more schools to become Academies.

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Committee Members discussed a number of issues including the following:

- Low morale in schools
- The use of language within the formal letters to staff (dismiss and re-engage)
- Some letters sent out direct to schools and not passed on to staff by Headteachers.

The Assistant Director, Organisational Services, confirmed that all formal letters to staff had been sent to their home addresses., An additional letter had been sent to Headteachers and Governing Bodies.

- Schools against the proposals to include schools based (non-teaching) staff and if the proposal agreed, would increase pressure on schools to become academies
- GMB ballot provisional outcome – 75% in favour of agreeing the Council's proposal (final outcome to be reported to the Assistant Director, Organisational Services on 12 February 2013.
- Difficult process (via i-share) to book places for the consultation event at the Brook Theatre
- The consultation responses from schools and Governing Bodies confirmed their opposition to including schools based (non-teaching) staff in the proposals
- That the increments freeze had not been applied to schools based (non-teaching) staff
- That Soulbury staff should be treated as a special case and not be included in the proposals
- That if Soulbury Staff were taken out of the national agreement, the AEP would be in dispute with the Council.

The Assistant Director, Organisational Services, stated that the next pay award for Soulbury Staff was expected in September 2013.

- What were the reasons for recommending to the Employment Matters Committee on 19 February 2013 that schools based (non-teaching) staff be not included in the proposals and whether this had anything to do with the possibility that more schools may have decided to become academies.

The Assistant Director, Organisational Services confirmed that the strength of feeling from the Headteachers and Governing Bodies together with the budget implications for the Council meant that officers recommended that schools based (non-teaching) staff be no longer included in the proposals. A Diversity Impact Assessment was completed for schools staff which demonstrated a differential impact on women, in terms of gender (91.4%). She stated that it was not possible to confirm whether this particular issue would cause schools to become academies. The Chairman confirmed that, overall, the proposal to come out of the national agreement for pay and terms and conditions, was about the ability for Medway Council to control its own finances.

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- Whether the strength of feeling was different at Gun Wharf than at the schools.

The Head of HR stated the strength of feeling was greater in the schools than at Gun Wharf in terms of the proposals (with the exception of Soulbury staff).

- The communication with staff and whether anything had been missed
- How many staff would receive the £50 one-off payment and the cost of this to the Council.

The Assistant Director, Organisational Services, explained the process for communicating the proposals with staff noting that the content of the formal letters had to be worded in a formal, legal manner. There had been a number of consultation meetings held at the Brook Theatre and Gun Wharf, together with emails to staff explaining the proposals. She confirmed that HR would continue to look at ways to improve communications with staff. She stated that staff (approximately 1,200) would receive the £50 one-off payment at a cost of around £75,000 (including 27% on costs) to the Council.

- Clarification was sought on what would constitute a collective agreement.

The Assistant Director, Organisational Services, stated that this would depend on the outcome of the ballots from the trade unions and that she would seek formal advice if necessary.

- Whether there was any progress in terms of the Pay and Grade Review Working Group.

The Assistant Director, Organisational Services, stated that officers had undertaken some work on this issue and that the Member level Working Group would meet following the final decision on whether to come out of the national agreement.

The Chairman thanked everyone for their comments and closed the meeting.

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Chairman

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Date

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