

Report to Joint Consultative and Safety Committee

Subject: Proposal for minor revisions to the constitution of the Joint Consultative and Safety Committee (JCSC)
Date: 27 August 2013
Author: Service Manager; Organisational Development

1. Purpose of the Report

Unison has highlighted a number of issues in the current JCSC constitution that they consider to require updating or amendment.

The current constitution is shown at Appendix 1 and the areas proposed for revision are highlighted.

Having been made aware of these proposals, management have considered the wording of the JCSC constitution and have taken advice on the correct process to make particular changes. Appendix 2 shows a management proposal for an updated draft of the JCSC constitution for consideration.

2. Summary

The management proposals made to the existing policy are as follows. Advice has been sought from Legal Services about the process to make the changes and this advice is also shown below.

Section	Current Wording	Proposed Wording	Legal advice regarding process to make change
3	There will be no substitute members from either side.	Substitute members from the Employees' side are allowed. Membership and substitution of Employers' side members will be governed by the terms of the general Council Constitution.	This change of wording can be determined by the JCSC Committee itself.
4	The Chair and Vice-Chair of the Committee will alternate between the Employer's side and the Employees side on an annual basis.	The Chair and Vice-Chair of the Committee will be drawn from the Employer side and be determined by Council.	The JCSC is now a full committee of the Council. As such, the Constitution does not allow for anything other than the Chair and Vice-Chair be drawn from Elected Members and determined through Council.
7	Meetings will be called as required...	Scheduled meetings will be held on a frequency	This change of wording can be

		determined by Council. In addition, ad hoc meetings will be called as required when there are items for discussion and consultation raised by either the Head of Paid Service, or the Trade Unions.	determined by the JCSC Committee itself.
7	The meetings will usually be held in working time, and the provisions of the Council's Trade Union Facilities Agreement for paid time off for Trade Union Representatives will apply.	The timing of the meetings will be determined by the Chair following consultation with members from both sides. The provisions of the Council's Trade Union Facilities Agreement for paid time off for Trade Union Representatives will apply.	This change of wording can be determined by the JCSC Committee itself.
7	Agenda items may be submitted by either side and should be with Democratic Services at least 6 clear working days before the date of the Committee.	Agenda items may be submitted by either side and should be with Member Services at least 8 clear working days before the date of the Committee.	This proposed change just brings the wording up to date with current general committee arrangements. This change of wording can be determined by the JCSC Committee itself.

3. Recommendation

The Committee is recommended to approve the proposed policy draft shown at Appendix 2. The JCSC committee does have the authority to make these changes in this way should it so wish.

JOINT CONSULTATIVE AND SAFETY COMMITTEE

1. Responsible for

Providing a forum for discussion and consultation between the Council and Trade Union representatives on matters affecting the Council's employees. Such matters to include but not limited to:

- a) Employee terms and conditions
- b) Employee health and wellbeing

2. Delegation

2.1 To receive proposals and make recommendations to the Appointments and Conditions of Service Committee in relation to terms and conditions of Council employees and procedures for disciplinary action and dismissal.

2.2 To receive proposals and make recommendations to the Head of Paid Service in respect of his proposals for significant change to:

- a) The manner in which the discharge by the authority of their different functions is co-ordinated
- b) The number and grades of staff required by the authority for the discharge of their functions
- c) The organisation of the authority's staff.

2.3 To be consulted on and make recommendations to the Executive in respect of any health and safety functions of the Council to the extent that those functions are discharged in the Authority's capacity as an employer.

3. Membership

The Committee shall comprise of 7 members appointed by Gedling Borough Council representing the Employers (Employer's side) and 7 members appointed by the recognised Trade Unions (Employees' side).

The Employer's side will make their appointments at the Council's Annual Meeting.

The Employees side will be invited to make appointments to their places in proportion to their membership among the Council's workforce.

There will be no substitute members from either side.

4. **Chair and Vice-Chair**

The Chair and Vice-Chair of the Committee will alternate between the Employer's side and the Employees side on an annual basis.

5. **Voting**

Voting shall be by a show of hands by the Committee members. No resolution shall be regarded as carried until it has been approved by a majority of the members present on either side of the Committee.

6. **Resolutions**

Resolutions that are passed by the Committee will be presented to the Executive, Appointments and Conditions of Service Committee or the Head of Paid Service as appropriate. Where a resolution is not passed the matter will nonetheless be reported to the Executive, Appointments and Conditions of Service Committee or the Head of Paid Service as appropriate.

The role of the Committee is consultative and therefore any resolution cannot be a decision of the Council. The decision rests with the Executive, Appointments and Conditions of Service Committee or the Head of Paid Service as appropriate having due regard to any resolution of the Committee.

7. **Meetings**

Meetings will be called as required when there are items for discussion and consultation raised by either the Head of Paid Service, or the Trade Unions. There will be at least one meeting per year for consideration of the annual Health and Safety Report.

The meetings will usually be held in working time, and the provisions of the Council's Trade Union Facilities Agreement for paid time off for Trade Union Representatives will apply.

Agenda items may be submitted by either side and should be with Democratic Services at least 6 clear working days before the date of the Committee.

Summons to the Meeting and Agendas will be circulated to all Committee members 5 clear working days before the meeting.

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