

JOINT CONSULTATIVE FORUM

Minutes of a meeting held on 4th July, 2016.

Present: Councillor G. Roberts (Chairman); Councillors. F.T. Johnson, Mrs. M. Kelly Owen and A.G. Powell.

Representatives of the Trade Unions Mr. C. Jordon (GMB), Mr. T. Greaves (GMB), Mr. D. Dimmock (NASUWT), Mr. K.J. Armstrong (UNISON), Mr. J. Richards (UNISON), Mrs. S.J. Robertson (UNITE), Mr. T. Duggan (UNISON), Mr. G. Pappas (UNISON), Mr. G. Southby (UNISON) and Mr M. Canavan (NUT)

Officers: Ms. S. Alderman, Mr. R. Bergman, Mrs. A. Davies, Mrs. J. Hill, Mr. H. Isaac, and Miss. E. Morgan.

(a) Apologies for absence -

These were received from Councillors K. Hatton, Mrs. A.J. Preston and C.J. Williams.

(b) Minutes and Matters Arising -

AGREED - T H A T the minutes of the meeting held on 22nd February, 2016 be approved as a correct record.

(c) Declarations of Interest -

No declarations were received.

(d) Penarth Learning Community Caretakers -

Mr. G. Pappas, representing UNISON advised the Forum that it had been drawn to the Union's attention that the caretakers at Penarth Learning Community were working above and beyond their job descriptions. The question posed by the union was why they were given these additional duties and responsibilities.

Mr. Pappas also stated that some of the caretakers were undertaking tradesman's tasks such as electrical work and heating work. These tasks should be carried out by time-served skilled tradesmen with up to date qualifications, and not caretakers. As well as the obvious health and safety risks to members of the union, these were serious breaches of Health and Safety Regulations. It was therefore not acceptable for handyman caretaking staff to be put upon by the School Management Team.

No.

He further advised that UNISON was fully supported by colleagues in the GMB Union and that they wanted to put an end to this practise. There was a request for an urgent meeting with both Headteachers of St. Cyres and Ysgol Yr Deri Schools to discuss these issues and review the job descriptions of these caretakers together with the school's Health and Safety Risk Assessments for electrical and heating work.

In reply, the Corporate Health and Safety Officer stated that training sessions around roles and responsibilities had been undertaken with schools, and further sessions would be held for those staff that had yet to attend.

In addition, the Director of Learning and Skills stated that she was not aware of this being a widespread practice but that it was tempting for cash-strapped schools to look at cost effective solutions. This was why it was important to ensure that all staff undertook the necessary training around roles and responsibilities and it was also important to once again reiterate these concerns with Headteachers.

Mr. Dimmock from NASUWT commented that each school should have a Health and Safety Officers that should understand and delegate the necessary levels of responsibility. He advised that often caretakers would be undertaking this sort of work in the spirit of self-reliance and would help out under most circumstances but it was important to recognise that if any issues did occur then responsibility would lie with the person who undertook the work.

AGREED –

(1) T H A T further training sessions for caretakers across other schools (as required) be arranged.

(2) T H A T a note be sent to Headteachers to reinforce key messages around staff responsibilities and delegated duties.

(e) School Support Staff in Vale Schools - UNISON -

Mr. G. Pappas from UNISON raised concerns in relation to the increase in pressure placed on school support staff in the Vale of Glamorgan. He stated that in the Vale for this year there had been 16 schools with budget deficits. These budget deficits had had a huge impact on UNISON Members who were mainly low paid women.

Mr. Pappas added that facing redundancy, loss of hours or downgrading of posts, these workers were on NJC Terms and Conditions just like the corporate staff within the Vale Council but the support staff did not have the same rights to salary protection, redeployment and consultation process. Therefore, he considered that there was a right for these workers to have a full and meaningful consultation but many schools attempted to ignore this right by just having a two week consultation period. UNISON were looking to standardise terms and conditions for school support staff to those of corporate staff.

No.

In reply to these concerns, the Head of Human Resources stated that the Learning and Skills Directorate operated within certain legislation and he referred to the differences in terms and conditions between support staff and corporate staff. He added that the Council would work with Trade Unions around the development of guidelines and good practice. In addition, evidence following an analysis undertaken by the Council had shown that school support staff were not taking the brunt of redundancies and if concerns had been raised by unions, then the Council had reinforced the requirement of dialogue around good practice.

AGREED –

(1) T H A T the analysis (re: outcome of budget cuts) that had been undertaken would be shared with the Trade Unions.

(2) T H A T good practice principles be develop for next meeting of Headteacher group.

(f) Staff Wellbeing Issues - NASUWT -

Mr. D. Dimmock raised concerns in relation to the manner in which parental complaints were being managed in Vale schools. Recent casework had highlighted a number of issues that had led to teachers being subjected to verbal assaults, aggression and intimidation directly and also via social media.

Mr. Dimmock advised that the union had written to the Director of Learning and Skills at the end of May with a request that the local authority design and promote a robust process to protect staff and others on school premises, from verbal assault, intimidation and violence. As part of that process the union had called for appropriate training for Headteachers and warning notices to be posted in all school buildings, similar to those posted in hospitals and post offices. The union suggested a form of words for consideration and was pleased to report to the Joint Consultative Forum that the idea had been received in the spirit in which it was intended and was to be developed over the coming weeks.

Mr. Dimmock also raised the issue around Barry Comprehensive School and an Enforcement Notice from South Wales Fire and Rescue Service. He outlined that having previously issued a statement to this Forum, acknowledging with gratitude, the efforts that officers of the Council had made to try to bring about a resolution to the problem of locked doors at Barry Comprehensive School and the subsequent referral of the matter by the union to the South Wales Fire and Rescue Service, the union had now found it necessary to revisit the issue at the Corporate Health and Safety Meeting and the Learning and Skills Joint Consultative Forum. Mr. Dimmock advised that there were some notable details that this Joint Consultative Forum needed to be aware of:

- 5th October, 2015; referral made to the South Wales Fire and Rescue Service.
- 15th January, 2016; the issue of locked fire doors at Barry Comprehensive School became the subject of a referral to the Education Workforce Council (EWC).

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- 17th February, 2016; the EWC responded by letter advising of the postponement of the investigation into the issue as they had been advised that the matter was already the subject of an internal investigation. The union immediately questioned the authenticity of this advice and the union noted evidence that no such investigation had been commissioned and in fact the union were now aware that this was not commissioned until March 2016.
- 24th February, 2016; School Progress Panel Meeting held at Barry Comprehensive School which was attended by the Chair of Governors, the Headteacher and the Director of Learning and Skills. A report from that meeting was produced on 18th April, 2016 in which there was no suggestion anywhere in this report that any investigations were underway and that paragraph 13 of the report stated that the Panel questioned concerns regarding fire safety within the school and the Panel was informed by the school that at no point were pupils or staff at any risk.

Mr. Dimmock therefore queried the factual nature of this report which he felt had undermined the efforts that this Council and its officers had previously made in their attempts to bring about a resolution. He stated that pupils and staff were being put at risk every single day that the fire doors were kept locked. These latest concerns had been put in writing in a letter on 6th June at the invitation of the Head of Human Resources with the following questions requiring responses:

- Why was the EWC told that an internal investigation was live in February and who had told them?
- Why was the School Progress Panel told that at no point were pupils and staff at any risk, at a time when there was overwhelming evidence to the contrary resulting in the school becoming the subject of an enforcement notice from the South Wales Fire and Rescue Service?
- When can the union expect to be informed of the conclusion of the investigation that was commissioned in March 2016?

In reply to these concerns, the Head of Human Resources explained that these questions had been raised at the recent Corporate Health and Safety Joint Consultative Forum and this had also been referred to the Learning and Skills JCF. He advised that a written response had been sent to the union and Mr. Dimmock on 29th June, 2016 in order to clarify progress.

(g) Reshaping Services Update -

The Head of Performance and Development presented an update report in relation to the Reshaping Services Programme.

He advised that on page 4 of this summary highlights report which was attached at Appendix A was information around the specific savings around each individual project workstream in which it could be seen that savings of around £12 million had been identified out of 2019. Pages 5 - 10 of the summary highlight report provided further information on each individual project area.

No.

Mr. G. Pappas from UNISON in commenting on proposals around the Vale Catering Service, stated that representatives from UNISON had met with the Director of Learning and Skills to raise concerns about trading companies. He also advised that UNISON had submitted in writing 21 questions around which responses were still being considered. Mr. Pappas stated that the union had concerns around outsourcing of services and was opposed to trading companies being set up, which he felt could negatively impact upon the terms and conditions of staff.

In response to Mr. Pappas' comments, the Director of Learning and Skills stated that the meeting with the union had been useful and that a written response to the 21 questions would be sent out fairly shortly. She stated that the model of the service is being developed and would include thought as to how to introduce any changes – for example, through a possible “shadow” arrangement, and this would be considered more as the business case is developed.

Further to these comments, the Head of Performance and Development explained that at this stage no business models had been ruled out and this was not the only model being actively proposed. He highlighted the scale of savings required and the need to find new service models such as ways for greater income generation and he advised that there were a number of ways of achieving savings.

In following up this, Mr. Pappas referred again to dialogue with the Director of Learning and Skills and he stated that the role of the trade union was to protect terms and conditions. In reply, the Head of Performance and Development stated the concerns of the unions would be considered closer to the time that proposals were being finalised.

(h) Minutes of Directorate Consultative Groups -

Minutes of the following Directorate Consultative Groups were received:

- Visible Services and Housing - 3rd February, 2016
- Visible Services and Housing - 9th March, 2016
- Visible Services and Housing - 4th May, 2016
- Learning and Skills - 10th February, 2016
- Learning and Skills - 8th June, 2016
- Resources - 28th April, 2016
- Social Services - 23rd February, 2016
- Social Services - 22nd March, 2016
- Social Services - 26th April, 2016
- Social Services - 24th May, 2016.

In referring to the Learning and Skills meeting held on 8th June 2016, and page 2 of the minutes of this meeting, Mr D. Dimmick requested that the word ‘good’ be removed from comments attributed to him.

AGREED - T H A T the minutes of the Directorate Consultative Group meetings be noted.

(i) Dates of Directorate Consultative Groups -

AGREED - T H A T the dates of the Directorate Consultative Groups as indicated below be noted:

- Resources - 21st July, 2016
- Visible Services and Housing - 8th June, 2016.

(j) Minutes of Corporate Health and Safety Committee - 6th June, 2016 -

AGREED - T H A T the minutes of the Corporate Health and Safety Committee be noted.

(k) Managing Attendance at Work Policy Update -

The Head of Human Resources updated the Forum on the revised Managing Attendance at Work Policy. He advised that discussions had been ongoing with the recognised Trade Unions in relation to the adoption of a new Management of Attendance Policy. The request to review the current policy was initially raised by the trade unions in response to concerns about the application of certain provisions within the policy.

The specific issues which had guided the previous discussions had included a small increase in absence levels over the last two years, a recognition that a particular focus needed to be placed on the management of long term absence and the need for a policy which was in conjunction with the principles of the Council's Staff Engagement Strategy. Agreement had been reached with the recognised trade unions on the 4th May, 2016 and was subject to a review period over the next 18 months.

The new policy reflected the principles that were set out in the new Staff Charter (as approved by Cabinet on 11th April, 2016) and helped to focus attention on the biggest challenges when managing attendance.

The main features of the new policy were as follows:

- it provided clarity in relation to the mutual expectations of managers and staff in the context of attendance management
- it broadened the range of triggers for managers to use in managing attendance and to help guide appropriate interventions
- it continued to require a sequential advisory notice style approach in the management of short term, intermittent and unpredictable absence
- it separated out the management of long term/chronic sickness absence requiring more of a case management approach to such absences.

The report advised that long term absence over the last year accounted for 69% of all absences compared to 67% in the previous year.

No.

The Forum was advised that a series of briefing sessions with all managers would be undertaken up to the end of September 2016 with a view of implementing the new policy from 1st October, 2016. The policy would then be subject to review with trade unions on a six monthly basis.

AGREED - T H A T the update report be noted.

(l) Care First Services -

The Head of Human Resources advised the Forum of a new employee assistance programme for all employees that would commence from 1st June, 2016. The service would be called Care First and would provide an opportunity for staff to access a free and confidential counselling, information and health service, 24 hours a day and 365 days a year.

The service would be available through a Freephone number but with access to face to face counselling where appropriate. Staff would not need to make an appointment or seek anyone's permission to contact the service.

Following an assessment with a telephone counsellor, face to face counselling or online counselling may be suggested. Face to face counselling was usually available within 5 days of the initial call and within 30 minutes or 20 miles of home or workplace.

Having considered the report,

AGREED - T H A T the update report be noted.

(m) Employee Engagement Strategy Update -

The Head of Human Resources updated the Forum in relation to the Employee Engagement Strategy. Attached at Appendix 1 was an Employee Engagement Strategy overview report dated March 2016 whilst Appendix 2 was the draft Staff Charter.

The Forum was advised that on 11th April, 2016 Cabinet had been asked to note the progress and endorse the continuation of the Employee Engagement Strategy throughout 2016/17. The Strategy was developed to ensure that employees from all service areas understood the rationale for the Reshaping Services Programme, its implications for staff and the Council's Workforce Plan.

Over the last year, work had progressed through eight separate phases of engagement. The work involved over 18,000 employees and the support and sponsorship of the Council's Senior Leadership team. The engagement work had been submitted for endorsement by Cabinet prior to the commencement of consultation on the proposed Staff Charter which had taken place over the last two months.

No.

The Cabinet report presented an overall summary of the work to date and brought together various themes and strands from each of the following four Working Groups:

- Expectations of my manager.
- Seeking my views.
- Keeping me informed.
- Developing my skills.

The Terms of Reference for each Working Group, the main outcomes and the specific proposals were set out at pages 10 - 13 of the report and a complete summary of all the proposals was set out in the Project Plan attached at Appendix B to the report.

One of the key pieces of work that had come out of the process was the need to develop a Staff Charter. A draft of this had been put together by colleagues from across service areas and in conjunction with the trade unions. The Charter attempted to provide clarity about the expectations of all employees and the things that employees can reasonably expect in return. The Staff Charter was circulated to all employees in May together with a letter, related details and a feedback form to shape the final version of the Staff Charter. Deadline for feedback was 31st May, 2016. The final version would be circulated to all staff at the end of the summer with a staff survey.

AGREED - T H A T the content of the update report be noted.

(n) Corporate Workforce Plan 2016-20 -

The Head of Human Resources provided an update on the Corporate Workforce Plan for 2016-20. Appendix 1 was a Cabinet report presented on 23rd May, 2016 whilst at Appendix 2 was the actual Workforce Plan for 2016-2020.

The Cabinet report advised that the Corporate Workforce Plan 2016-20 (The Plan) had been drafted as part of the workforce planning process that was carried out across services and the wider Council. The Plan aimed to ensure that the Council had the right employees, in the right place to meet future service needs. The Plan reflected the vision and values as set out in the new 2016-20 Corporate Plan and the wider planning strategies as set out in the Medium Term Financial Plan and, the ICT Strategy and the Asset Management Strategy.

An underlining theme of the Plan was the need to maintain momentum in relation to the ongoing strategy of employee engagement.

Having considered the report,

AGREED - T H A T the update report be noted.

No.

(o) Feedback on Policy Development -

The Forum was asked to note that Human Resources policies had been prioritised and were being formally reviewed periodically on a rolling basis or in light of any developments in Employment Legislation or good practice or in light of any difficulties in applying the policy. Policy reviews were conducted in consultation with Chief Officers, Personnel Officers, trade unions, Equalities and appropriate stakeholders. Responses received were used to inform the Policy Review.

The current position as at 1st June, 2016 on HR policy development since the last Joint Consultative Forum were as follows:

Approved by Cabinet - 23rd May, 2016 -

Managing Attendance at Work Policy
ICT Code of Conduct.

Further issues to be clarified prior to proceeding -

Flexi Scheme and Special Leave Scheme
Violence and Aggression at Work.

Policies and Workshops -

Managing Attendance at Work.

Change Forum -

ICT Code of Conduct.

AGREED - T H A T the current position on the HR Policy Development be noted.