JOINT CONSULTATIVE AND NEGOTIATING COMMITTEE

CONSTITUTION AND FUNCTIONS

1. INTRODUCTION

(a) This document sets out the arrangements agreed between the Executive of Powys County Council (“the Employers’ Side”) and the Relevant Trades Unions (“the Staff Side”) for undertaking consultations and negotiations concerning employment related issues affecting the staff (excluding teachers) of Powys County Council.

(b) In this document “Relevant Trades Unions means :-

Unison
GMB
TGWU
MPO

(c) The Employers Side and the Staff Side have agreed to establish a local Joint Consultative and Negotiating Committee (“JCNC”) the constitution and functions of which are set out in the following sections of this document.

(d) The JCNC will be supported by regular informal meetings between the relevant Trades Unions Representatives and the Head of Human Resources so as to establish regular dialogue and seek to resolve matters informally in the first instance.

2. CONSTITUTION

2.1 Representation

(a) The JCNC shall comprise 18 Members as follows:

(i) The Employers Side:

Executive Leader
Portfolio Holder for HR
Portfolio Holder for Finance
Other Executive members as determined by the Executive Leader.

Management Team
Head of Human Resources.
Other Heads of Service and Officers as determined by the Management Team.
2.2 Chair and Vice-Chair.

(a) A Chair and a Vice-Chair shall be appointed annually by the JCNC at their first meeting following the Annual Meeting of the County Council.

(b) In the event of a vacancy occurring in the office of Chair or Vice Chair the JCNC shall appoint a replacement at the meeting next occurring following the vacancy.

(c) Both the office of Chair and Vice-Chair shall alternate annually between the Employers Side and the Staff Side. Where the Chair appointed is a member of the Employers Side, the Vice-Chair shall be appointed from the Staff Side and vice versa.

(d) The Chair shall not have a casting vote.

2.3 Joint Secretaries

(a) Each side of the JCNC shall appoint a Secretary (hereinafter called the Joint Secretaries) as follows:

(i) The Employers Side Secretary shall be the Head of Human Resources.

(ii) The Staff Side Secretary shall be the Trades Union Co-ordinator agreed by the relevant Trades Unions.

2.4 Meetings

(a) The JCNC shall meet as and when required but not less than quarterly unless in the view of the Chair and Vice-Chair, there is insufficient business to be transacted.

(b) The Chair or Vice-Chair may direct the Joint Secretaries to call a meeting at any time. A meeting shall be called within fourteen days of the receipt of a requisition signed by not less than one-third of the members of either side.

(c) The agenda for meetings shall be agreed by the Joint Secretaries and shall be submitted by the Employer’s Side Secretary to each member of...
the Committee not later than seven working days before a meeting. Urgent business not included on the agenda may be introduced with the agreement of both sides.

(d) Either side of the JCNC may invite the attendance at its meetings of any person whose special knowledge would be of assistance, but such persons shall not have the power to vote.

(e) The quorum of the JCNC shall be two representatives of each side.

(f) The venue of the meeting will be determined by the Joint Secretaries in consultation with the Chair.

(g) No recommendation shall be regarded as carried unless it has been approved by a majority of the members present on each side of the JCNC.

(h) The minutes of the proceedings of any meeting of the JCNC shall be agreed by the Joint Secretaries and signed at the next following meeting by the Chair and Vice-Chair of the JCNC, or in the absence of either by one member from each side as appropriate.

(i) The minutes of each meeting, once agreed, shall be reported to the Executive for information as a record of the meeting, and for approval of any recommendations contained in those minutes.

(j) Facilities for pre-committee meetings shall be made available by the Council to the Staff Side for two hours immediately prior to each meeting of the JCNC.

(k) Any motion to add to, vary or revoke this Constitution shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the JCNC.

(l) Staff Side Representatives who are Council employees will be granted paid release and travelling time in respect of attending both pre-agenda meetings and the Services Consultative Panel meetings in accordance with the Trades Union / Employers Partnership Agreement.
3. **FUNCTIONS**

3.1 The functions of the JCNC shall be:-

(a) To discuss at a strategic level emerging issues that may have a bearing on the workforce of Powys County Council and

(b) To consider and make recommendations upon all questions relating to members of staff (except Chief Officers and Teachers) including (by way of example but not exclusively) recruitment, educational requirements, methods of promotion, health and safety, locally agreed conditions of service, grading, remuneration and staff facilities, and any other function specifically assigned to it.

(c) To resolve any issues arising from Services Consultation Panels and receive the minutes as appropriate from those Panels

(d) To establish regular methods of consultation between the Local Authority and its officers in order to prevent differences and to adjust them should they arise.

(e) To consider any relevant matter referred to it by the Executive, or by one or more of the relevant Trades Unions.

4. **PROCEDURE IN THE EVENT OF NON AGREEMENT**

(a) In the event of non-agreement between the Employers Side and the Staff Side (whether at the meeting or subsequently) either side may refer the failure to agree to the Joint Secretaries of the Joint Council of Wales (or other mutually agreed persons) for advice. If the advice received is not acceptable to both sides the Joint Secretaries may recommend further procedures for the resolution of the difference including the involvement where appropriate of ACAS.

5. **SERVICES CONSULTATION PANELS**

(a) The Employers Side and the Staff Side have agreed to set up 4 Service Consultation Panels in relation to employment related matters within particular service areas as follows:-

   (i) Social Services Consultative Panel.

   (ii) Operational Services Consultative Panel.

   (iii) Leisure Services Consultative Panel.
(iv) Schools Services Consultative Panel.

(b) The terms of reference and general administrative arrangements relating to the 4 Services Consultative Panels shall be in accordance with the attached Schedule 1.
SCHEDULE 1

Service Consultative Panels

Terms of Reference and General Administrative Arrangements for Service Consultative Panels

Terms of Reference and General Administrative matters

a) In addition to the JCNC there shall also be four service related Services Consultative Panels as follows:-

(i) Social Services Consultative Panel.

(ii) Operational Services Consultative Panel.

(iii) Leisure Services Consultative Panel.

(iv) Schools Services Consultative Panel.

b) Each Service Consultative Panel shall consist of up to nine members of the Staff Side and an appropriate number of officers of the Authority and will generally deal with day to day operational matters relating to the service in question. It is anticipated that the majority of matters submitted to the Services Consultative Panel will be dealt with at that level subject to matters of major difference, items of policy, or terms and conditions of employment being referred to the JCNC.

c) Either side of a Services Consultative Panel may invite the attendance at its meetings of any employee/officer/individual whose specialised knowledge may be of assistance.

d) The meetings of a Services Consultative Panel shall normally be held not more than eight weeks prior to the main JCNC meeting.

e) The Joint Secretaries or their representatives shall be responsible for servicing the Services Consultative Panels.

f) Agenda items for the Services Consultative Panels shall, wherever practicable, be supported by brief reports, etc.

g) Urgent business not included on the agenda may be introduced with the agreement of both sides.

h) Staff Side Representatives who are Council employees will be granted paid release and travelling time in respect of attending both pre-agenda meetings and the Services Consultative Panel meetings in accordance with the Trades Union/Employers Partnership Agreement.
i) Minutes of the Services Consultative Panels shall be circulated to Full Time Union Officials, Branch Secretaries, Members of the JCNC and the appropriate Services Consultative Panel Members and Heads of Service as appropriate.

j) All items in respect of health and safety shall at this stage be dealt with via the Services Consultative Panels and a standing item on health and safety will be placed on the agenda of each of those meetings.

k) Any matters under dispute shall be referred to the JCNC for consideration in accordance with the constitution for that committee.