To: POLICY AND RESOURCES (HUMAN RESOURCES) SUB-COMMITTEE

Subject: JCC MODEL CONSTITUTION

From: EXECUTIVE DIRECTOR OF CORPORATE SERVICES

Date: 28 February 2008

Ref: JOH/AH

1. **Introduction**

1.1 As a result of the Service reconfiguration which took place with effect from 1 April 2007 discussions have been taking place with unions concerning the staff consultative arrangements which should be put in place.

1.2 Agreement has finally been reached on the terms of the final draft of the Model JCC Constitutions. Attached as an appendix to this report is the final draft which has now been agreed. It will be noted that there are transitional provisions concerning the issue of where the employee side can be drawn from. At the same time the trade union side has sought to invoke a Disputes procedure which will involve a hearing before the HR Sub-Committee.

2. **Frequency**

2.1 On the basis of the draft Constitution which suggests that Service Group JCCs should be at a frequency about six weeks prior to the Corporate JCCs, the first Service Group JCCs for the major Services should be around mid-April, end-July and early October 2008 and should take place at a frequency of about four times a year.

2.2 The Model JCC arrangements relate to the major Service Groups of Learning and Leisure, Environmental Services, and Housing and Social Work. What has also been agreed is that there should be less formal liaison arrangements involving the Chief Executive's Office, Corporate Services and Finance and Customer Services on approximately a similar frequency.

3. **Recommendation**

3.1 Now that provisional agreement has been reached with unions representing employees, the Sub-Committee is invited to note the position and that Services are now proceeding to roll out the JCC and liaison arrangements for their Service Groups.

Executive Director of Corporate Services

Enc
NORTH LANARKSHIRE COUNCIL

[INSERT SERVICE GROUPING] JOINT CONSULTATIVE COMMITTEE
FOR LOCAL GOVERNMENT EMPLOYEES

MODEL CONSTITUTION

1. Title

The Committee shall be entitled the [insert Service Grouping] Joint Consultative Committee for Local Government Employees (LLSJCC or HSWSJCC or ES JCC as appropriate).

2. Functions

(a) To provide opportunities for joint consultation in relation to issues affecting the efficient operation of the [insert Service Grouping], always provided that matters of individual wage/salary, discipline, promotion or efficiency shall not be within the scope of the Committee.

(b) To provide a forum for employees to contribute to decisions that directly affect them, referred either by the [insert Service Grouping] or employee representatives.

(c) To consider and make recommendations, where appropriate, on the application of the terms and conditions of service and the training and development of employees of the Council, with the exception of any matters which, pursuant to the provisions of the Scheme of Pay/Salaries and Conditions of Service shall be referred to the Scottish Council.

(d) To provide opportunities for joint consultation in relation to issues connected with the health, safety and general welfare of employees of [insert Service Grouping].

(e) To consider and offer observations on any proposals made by the [insert Service Grouping] involving administrative re-organisation to the extent to which it affects the employment and conditions of service of employees of the service.

3. Membership

(a) The [insert Service Grouping] Joint Consultative Committee for Local Government Employees shall consist of X members, of which Y shall be officers appointed by the [insert Service Grouping] and Y employees of that service appointed by unions representing employees in the [insert Service Grouping]. In order to allow for transitional arrangements in some Services, the requirement that the Y employees be drawn from the [insert Service Grouping] shall not be applied until 31 March 2009.
(b) The employees' representatives shall be appointed by the following unions:

[SPECIFY]  

And shall be accredited stewards

Note:

<table>
<thead>
<tr>
<th>Service Grouping</th>
<th>X is 18 - Y is 9</th>
<th>X is 16 - Y is 8</th>
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<tbody>
<tr>
<td>Environmental Services</td>
<td></td>
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<tr>
<td>Learning and Leisure</td>
<td></td>
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<tr>
<td>Housing and Social Work</td>
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The balance of representation between employees appointed by the unions shall be as determined by the union side, there being an expectation that representation shall broadly represent the numerical strength of unions with the Service Grouping.

The management's representatives shall be as follows:

[SPECIFY]  

(c) It shall be open to the [insert Service Grouping initials] Joint Consultative Committee to change its membership to permit the representation of other trade unions always provided that there shall be an equal number on both sides.

(d) The representatives shall retire annually with effect from April 2009 and shall be eligible for re-appointment. Representatives shall retire from the committee on ceasing to be members of the body (ie the management side or the trade unions) by when they are appointed.

(e) Casual vacancies shall be filled by the body concerned.

4. Meetings

(a) The [insert Service Grouping initials] JCC shall normally meet at a frequency of four times a year, the timing of which shall be six weeks prior to Council JCC:

(b) There shall be circulated with each notice convening a meeting of the [insert Service Grouping initials] JCC, a business agenda. No other items of business shall be discussed unless admitted by the majority of members present.

(c) In relation to all business discussed, Members of the JCC should satisfy themselves that each agenda item has been raised in the first instance with the appropriate line manager, and, if necessary, progressed to the relevant third tier officer. If this issue, thereafter, remains unresolved for a period of a further four weeks, it shall be available for discussion at the [insert Service Grouping initials] JCC.

(d) Notice of a meeting shall be circulated to members not less than seven days prior to the date of meeting. Agenda items shall be lodged with the [specify contact] not less than ten days prior to the meeting and the agenda will be prepared and distributed.

(e) Draft minutes of each meeting shall be issued within fourteen days of the meeting.
5. **Office Bearers**

(a) A Convener and Vice Convener shall be appointed by the [insert Service Grouping initials] Joint Consultative Committee at the first meeting following its constitution or re-constitution.

(b) When the Convener is elected from one side of the committee the [insert Service Grouping initials] Vice-Convener shall be elected from the other.

(c) The Convener shall not have a casting vote.

(d) [Insert title of officer], shall be the secretary to the JCC.

6. **Attendance of Officers**

(a) The Council's chief officials and any full time trade union official from the aforementioned bodies may attend a meeting of the Joint Consultative Committee and take part in discussions as an advisor.

(b) Any officer or official taking part in an advisory capacity shall not be entitled to vote on any issue.

7. **Quorum**

The quorum of the [insert Service Grouping initials] JCC shall be 3 members from each side. The quorum on the trade union side shall not be achieved by members of one trade union only, unless occasioned by unavoidable absence.

8. **Amendments**

The constitution may be amended with the assent of the bodies named in paragraph 3 above.

**Note**

In relation to Chief Executive's Office, Corporate Services and Finance and Customer Services there will be mechanisms for consultation established within each Service to conform to the following principles:-

(1) Each of these Services will establish a Consultative Forum which will meet at least quarterly which will be attended by management representatives and employee representatives from the Service who are accredited stewards

(2) The management side will be led by a Chief Officer.

**Executive Director of Corporate Services**