

**Motherwell, 10 February 2000 at 2 pm.**

A Meeting of the **JOINT CONSULTATIVE COMMITTEE (APT AND C)**

**PRESENT**

Councillor McElroy, Convener; Councillors McCallum, Saunders, Selfridge and Valentine, A. Little, Vice-Convener; J. Boulton, MSF; M. Gaughan, TGWU; K. Campbell, J. Carmichael and G. Naismith, UNISON.

**CHAIR**

Councillor McElroy (Convener) presided.

**IN ATTENDANCE**

The Committee Services Officer, Head of Personnel Services, Chief Personnel Officer and Expenditure Manager.

**APOLOGIES**

Provost McCulloch and Councillors Chadha and Gordon, J. Corry and G. Wilmshurst, TGWU.

**JOINT CONSULTATIVE COMMITTEE (APT AND C) - MINUTE**

1. There was submitted the Minute of the meeting of the Joint Consultative Committee (APT and C) held on 3 December 1999.

The Committee noted and approved the terms of the Minute.

**SUPERANNUATION SCHEME - COUNCIL CONTRIBUTION RATE**

2. With reference to paragraph 12 of the Minute of the meeting of this Committee held on 3 December 1999 when it was agreed, inter alia, that information on the Council's contribution to the Pension Fund be brought forward to this meeting, the Head of Personnel Services advised the Committee that currently the employers' contribution rate to the Pension Fund was 10.2% which equated to 170% of the employees' contribution and from 1 April 2000 the employers contribution rate would increase to 12.1% which equated to 205% of the employees' contribution.

The Committee noted the employers' contribution rate to the Pension Fund.

**OCCUPATIONAL HEALTH TENDER - UPDATE**

3. With reference to paragraph 10 of the Minute of the meeting of this Committee held on 3 December 1999 when it was noted that the medical referral system was currently the subject of the tendering process, the Head of Personnel Services advised the Committee that the specification for the occupational health service would shortly be finalised and the tender expected to be advertised during the week beginning 20 March 2000 in various publications inviting expressions of interest with an anticipated contract start date of October 2000. The Trade Union representatives raised the question of (1) the inclusion of the Employee Counselling Service within the tender, and (2) the location of the Employee Counselling Service or the Occupational Health Service. The Chief Personnel Officer advised the Committee (1) that there was an option within the Occupational Health Tender for an Employee Counselling Service, and (2) that the specification did not stipulate a location for the service.

The Committee (1) noted the progress being made with the tender for the Occupational Health Service, and (2) agreed that the Head of Personnel Services seek advice on the legal implications of stipulating a location for the Occupational Health Service within the tender documentation and submit a report to a future meeting of this Committee on the outcome of the investigation.

#### **INDEPENDENT FINANCIAL ADVICE TO EMPLOYEES - UPDATE**

4. The Head of Personnel Services advised the Committee (1) that an advertisement would shortly be placed within the press seeking interest in providing an Independent Financial Advice service to Employees which would be available to employees throughout their working lives, and (2) that the Advisory Service would be provided at no cost to the employer or to the employee with the adviser only receiving commission if a recommendation had been taken up by the employee.

The Committee noted the progress made to provide an Independent Financial Advice Service to employees.

#### **HARASSMENT SUPPORT OFFICERS**

5. The Head of Personnel Services (1) reminded the Committee that the Council had implemented a harassment policy; (2) intimated that fifteen departmental employees at various levels had been identified and trained for the role of Harassment Support Officer to provide support to employees when faced with harassment in the workplace, and (3) indicated that the network of Harassment Support Officers had been publicised throughout the Council.

The Trade Union representatives raised concerns about the lack of consultation with Trade Unions on the identification of Harassment Support Officers and the limited training provided to these Officers to carry out their roles.

The Committee noted the appointment of the Harassment Support Officers and the concerns of the Trade Union representatives.

#### **HEALTH AND SAFETY FORUM**

6. With reference to paragraph 5 of the Minute of the meeting of this Committee held on 3 December 1999 when it was agreed, *inter alia*, that proposals for a corporate Health and Safety Forum involving officers and Trade Union officials be drawn up, the Head of Personnel Services advised the Committee that a framework for the Health and Safety Forum had been drafted and, when finalised, would be submitted to departments for their comments and then to the Trade Unions for consultation. The Trade Union representatives advised the Committee of a problem with a Departmental Health and Safety Committee responding to a health and safety issue.

The Committee noted (1) the progress made with the formation of a Health and Safety Forum, and (2) that the Trade Union representatives would provide details of the problem with the Departmental Health and Safety Committee to the Head of Personnel Services for investigation.

#### **TIME OFF FOR TRADE UNION DUTIES**

7. With reference to paragraph 9 of the Minute of the meeting of this Committee held on 3 December 1999 when the Committee noted that discussions had taken place between UNISON and the Head of Personnel Services to address specific problems raised, the issue of release forms in relation to time off for Trade Union duties and the need for consistency throughout all Council Departments, the Head

of Personnel Services advised the Committee (1) that the arrangements for time off for Trade Union duties were being reviewed; (2) that a guidance document on how to apply the policy for time off for Trade Union duties was being revised and would be issued to directors in the near future, and (3) that the guidance document would be issued to the Trade Unions for information.

The Committee noted the proposal to issue the guidance document on time off for Trade Union duties to Trade Unions.

#### **SINGLE STATUS - SUPPLY OF RED BOOK TO SHOP STEWARDS**

8. The Trade Union representatives requested that a copy of the Red Book be supplied to all Shop Stewards. The Head of Personnel Services (1) intimated that the Council was awaiting the formal copies of the Book from the Convention of Scottish Local Authorities (COSLA); (2) explained the financial difficulties of agreeing to the request and expressed concerns regarding the updating of the books, and (3) advised that all Shop Stewards would have access to the Red Book through individual Departments or the Personnel Division, Department of Administration.

The Committee noted (1) that the Head of Personnel Services would investigate (a) the possibility of COSLA putting the Red Book on the internet to enable wider access, and (b) the resource implications of the request by the Trade Unions, and (2) that the Head of Personnel Services would submit a report to a future meeting of this Committee on the outcome of the investigations.

#### **SINGLE STATUS - MISAPPLICATION OF THE RED BOOK**

9. The Trade Union representatives requested the up to date position on the perceived misapplication of the clause in the Red Book regarding sick leave on public holidays intimating that the status quo should exist until the matter was resolved or the outstanding grievances on the issue should be heard by the Council. The Head of Personnel Services advised the Committee (1) that the issue of the interpretation of the clause in the Red Book in relation to sick leave on public holidays had been taken up by senior trade union negotiators at COSLA and, should the advice from COSLA change, the Council would apply that advice retrospectively, and (2) that Officials of the Council would be meeting with COSLA to discuss the issue in the near future.

The Committee (1) noted the Council's position with regard to the clause in the Red Book on sick leave on public holidays, and (2) agreed that the Head of Personnel Services contact the Trade Union representatives within seven days of this Committee to advise on the outcome of the meeting with COSLA on the issue of the interpretation of the clause.

#### **WAGE SLIPS - ADVERTISING**

10. The Trade Union representatives raised questions about (1) the use of wage slips for advertising without Trade Union consultation; (2) the concerns regarding the wording used for increased subscriptions for trade union dues, and (3) the inappropriateness of the advertising of loans for some employees. The Expenditure Manager advised the Committee that the pay slips could be used (1) to convey short messages to employees which supplemented other information available; (2) to deliver inserts to employees on financial matters following a decision of the Finance Committee, and (3) to print advertisements or messages on the pay slips itself. He further explained to the Committee (1) the background to the wording of the messages regarding Trade Union subscriptions, and (2) that income could be generated for the Council by using the advertising facility.

The Committee noted (1) that the Head of Personnel Services, in conjunction with the Director of Finance, would investigate (a) the wording of messages following changes in legislation concerning Trade Union subscriptions, and (b) the legislation regarding employees' rights to not receive

advertising in this way, and (2) that the Head of Personnel Services would submit a report to a future meeting of this Committee on the outcome of the investigations.

#### **PENSION RIGHTS**

11. With reference to paragraph 12 of the Minute of the meeting of this Committee held on 3 December 1999 when, *inter alia*, it was noted that Strathclyde Pension Fund Office was responsible for distributing information on the Pension Scheme to employees, the Trade Union representatives raised questions regarding the rule changes on pension rights, the subsequent effect on the retirement of employees and the rights of relatives of former Council employees. The Head of Personnel Services advised the Committee (1) that the Council had decided that each case for early retirement would be referred to the Personnel Services (Early Retirement) Sub-Committee on an individual basis, and (2) that a Group Life Assurance Scheme was in force.

The Committee (1) noted the position with the changes in the Pension Scheme, and (2) agreed that the Head of Personnel Services, in consultation with the Director of Finance, investigate the possibility of making employees aware of the need to keep Group Life Assurance Scheme nomination forms up to date.

#### **CAPABILITY DISMISSALS**

12. With reference to paragraph 11 of the Minute of the meeting of this Committee held on 3 December 1999 when it was agreed that the Head of Personnel Services raise the matter of advice being given to employees on Trade Union representation in relation to capability dismissals at the next meeting of the Personnel Practitioners Forum, the Trade Union representatives raised questions regarding (1) the capability dismissal procedures; (2) the guidance regarding the definition of an individual being permanently unfit for work or for the specific post, prior to being retired, and (3) redeployment when an employee was declared unfit for their particular type of work. The Head of Personnel Services explained the procedure within the context of the Absence Management Policy and advised that each case was looked at on an individual basis and against the requirements of the service.

The Committee noted the position regarding dismissals on the grounds of capability.

#### **PROPOSED IMPLEMENTATION OF THE SCHEME OF DELEGATION**

13. The Trade Union representatives raised the issue of altering Officers' delegated powers to provide compensation for staff for damage to personal property or personal injury incurred in the course of their duties.

The Committee noted that the Head of Personnel Services would raise the Trade Union representatives' concerns with the Chief Executive and their request to review the Officers' delegated powers.

#### **SPECIAL LEAVE PROVISIONS**

14. The Trade Union representatives requested the up to date position regarding Special Leave Provision. The Head of Personnel Services advised the Committee that the Special Leave Policy was being reviewed and would be issued to the Trade Unions for consultation.

The Committee noted the review of the Special Leave Policy.

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**PROVISION OF A LONG SERVICE AWARD**

15. The Trade Union representatives raised the issue of the provision of a long service award and suggested that employees be awarded £500 for 25 years service, 30 years service, 35 years service and 40 years service retrospectively from 1 April 1996. The Head of Personnel Services advised the Committee of the budgetary position of the Council but agreed to investigate some means of recognising long service of employees.

The Committee noted that the Head of Personnel Services would submit a report to a future meeting of this Committee on the outcome of the investigation.