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**EMPLOYEE RELATIONS MATTERS**

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**Background**

1. A meeting of the Works Council took place on 25 May 2005. Under the Council's constitution employment issues are not matters for the Executive but require Council decision. Accordingly the minutes of the Works Council meeting are attached (Appendix A) for the Committee's information as agreed by Members and Trade Unions under the constitution of the Works Council.

**Issues**

2. The following issues were discussed.

**UNISON's representation on the Works Council**

3. The UNISON representatives accepted the suggestion made by the Chair that no changes should be made to the allocation of Trade Union seats on the Works Council until issues around the proposed amalgamation of other Trade Unions nationally had been resolved. He would however be prepared to reconsider the matter if these other issues had not materialised in about nine months time.

**Trade Union access to ECC and exempt reports**

4. It was explained to the Trade Unions that advice had been received that stated that there was currently no mechanism to allow the release of yellow page reports to the Trade Unions, or indeed to Councillors not on the ECC, prior to the meeting. The ECC could, if it wished, at each meeting take a decision as to whether it wanted to release them to the Trade Unions after the meeting. Trade Union representatives could attend meetings of the ECC as members of the public for Part A items and, with the permission of the Chair, could speak on the items. Again the ECC could take a decision at a meeting, if it so wished, to allow the Trade Union representatives to remain and speak for Part B items.

**Disturbance Allowance**

5. It was confirmed that a report dealing with this issue would be brought to the next meeting of the ECC and that it would reflect the differing views held by HR and by the Trade Union representatives.

## **Facilities Agreement**

6. The UNISON representatives stated that they were extremely disappointed that there was only money available for the current financial year and that there would be no back pay in respect of the previous year. However they did not wish there to be any delays in allocating the money this year and therefore, reluctantly, they stated that they now agreed with the total amount for this year and they asked that it now be distributed to service areas as was proposed. UNISON were thanked for allowing this issue to move forward and were assured that any proposals that they put in writing on other parts of the Facilities Agreement would be considered in the normal way.

## **Single Status/Job Evaluation**

7. An update was given on the ongoing discussions at regular meetings of the Single Status/Job Evaluation Steering Group and it was noted that it was intended to submit a report to the July meeting of the Employment Conditions Committee on various issues that needed Council approval.
8. The UNISON representatives felt strongly that they needed specific representatives to be involved in this exercise and were seeking a number to be seconded full time. They felt this would be crucial to their ability to take part in the process. They added that if this was not agreed they would declare a dispute and refer the matter to the local Joint Secretaries.
9. The Chair expressed the view that the planned pilot exercise should be completed in the first instance and then, when a more accurate estimate of the time required by both officers and Trade Union representatives could be made, he would give further consideration to the question of allocating more resources to the process. UNISON said that they would relay these comments back to their Branch Committee.

## **Car Parking at County Hall**

10. A presentation was given by staff from Highways and Parks on the options being considered in relation to car parking difficulties at County Hall. It was explained that various consultation exercises had been and were begin undertaken and all comments and suggestions received were being collated and considered. It was agreed that whatever solutions were arrived at would have to apply across the board and it was confirmed that further information would be presented on a suggested way forward in due course.

## **Proposals**

11. It is proposed that the Employment Conditions Committee note the issues discussed at the Works Council and express any views it may have on these matters.

## **Investment for Reform/Benefit to service user**

12. This report is for the information of the Committee.

## **Council Policies Supported**

13. This report is for the information of the Committee.

## **Advice**

14. This report has been prepared in consultation with relevant Corporate Directors and reflects their advice. It contains all the information necessary to allow Members to arrive at a reasonable view, taking into account the following advice.

## **Legal Implications**

15. There are no direct legal implications arising from this report. All decisions taken by or on behalf the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers of behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. standing orders and financial regulations; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

## **Financial Implications**

16. There are no financial implications arising directly from this report, however a number of items referred to in the report will have financial issues which will be considered when these are reported upon separately.

## **Human Resource Implications**

17. This report is for the information of the Committee.

## **Trade Union Comments**

18. The Trade Union views on the matters discussed are recorded in the report and the attached minutes.

## **RECOMMENDATION**

It is recommended that the Employment Conditions Committee note the issues discussed at the Works Council and express any views it may have on these matters.

**BYRON DAVIES**  
**CHIEF EXECUTIVE**

**13 June 2005**

The following appendix is attached:

**Appendix A – Minutes of the Works Council 25 May 2005**

**25 May 2005**

Present: Councillors Stephens and Walsh

Approved

TU reps: Chris Alders, AEP  
Mike Love, AMICUS  
Derek Daniels, Ken Daniels, Andy Davis, Phil Andrews, GMB  
Steve Reardon, NASUWT  
Mike Formosa, Bob Clarke, Laurence Coles, Nicola Burrows, TGWU  
Mark Turner, Liz Morgan, John Rees, Julie Irish, UNISON

Officers: Jo Thorne, Assistant Chief Executive  
Mike Heffernan, Lynne David, Chris James, Human Resources

Apologies: Councillors Berman, Sheppard and Neale  
Andy Gardner, AMICUS  
Dianne Jeremy, SHA

## **1. MINUTES**

The minutes of the meeting held on 10 February 2005 were approved as a correct record subject to an amendment being made to Minute No. 11 – Review of Policies – to reflect the possible future involvement of elected members in final stage discipline and grievance panels which would be considered by the Employment Conditions Committee at its meeting in July.

## **2. MATTERS ARISING**

A list of the action points from the last meeting detailing the current position on each item had been circulated with the agenda. The following matters were discussed;

**UNISON representation on the Works Council** – The Chair confirmed that he had received a letter from UNISON setting out their position and proposals in this matter. He had some sympathy with them but stated that as there would potentially be some changes in some of the other Trade Unions during the next six to nine months that could have an impact on this, he did not propose to amend the Works Council representation at this time. He added however that if these proposed changes in other Trade Unions did not materialise then he would be prepared to reconsider this matter in about nine months time. He also felt that it was not for the Elected Members to tell the Trade Unions what was fair in terms of number of seats.

The UNISON representatives accepted these comments and felt that they were reasonable at this time. The GMB representatives asked that all the Trade Unions be consulted on any proposals in the future.

**Trade Union access to ECC and exempt reports** – It was explained to the Trade Unions that advice had been received that stated that there was currently no mechanism to allow the release of yellow page reports to the Trade Unions, or indeed to Councillors not on the ECC prior to the meeting. The ECC could, if it wished, at each meeting take a decision as to whether it wanted to release them to the Trade Unions after the meeting. Trade Union representatives could attend meetings of the ECC as members of the public for Part A items and again the ECC could take a decision at a meeting, if it so wished, to allow them to remain for Part B items.

The Chair stated that he had discussed this matter with the Leader and they would be happy to have Trade Union representatives present to put their case. He could not say that they would always be able to have access to the actual reports as it would not be appropriate if individuals were named in them. If it was possible for the elected members to meet in advance of each ECC meeting they could consider whether they wished to allow Trade Union access to the reports for that meeting and whether they could remain in the meeting during the consideration of Part B items.

A discussion then took place about the practicalities of determining these issues on the day of the ECC meeting or in advance but they were currently constrained by the legal advice that had been provided. The Works Council was reminded that the Trade Unions were always consulted in advance on reports for ECC and their views were included in the reports.

The Chair concluded by saying that he hoped that the new Chief Legal and Democratic Services Officer could look at this issue when she took up her post. In the meantime it was clear that Trade Union representatives could attend meetings for Part A reports and, with the permission of the Chair, could speak on these items.

**Disturbance Allowance** - In response to a question from UNISON it was confirmed that a report was being written for ECC on this matter and both the Council and UNISON were, apparently taking legal advice. The Trade Union views on the report would be sought, as usual, and recorded in the report. It should be considered at the July meeting and would be a Part A item. Following the earlier discussion this would be the first opportunity for the Trade Unions to speak on the report at the ECC meeting.

A discussion took place about what arrangements should be in place pending a decision by the Council and a variety of views were exchanged. The Chair felt that it was not practical in the interim to stop anyone moving to a different work location. He understood that there were different views held by UNISON and by HR and he explained that the Members would need more information prior to the July meeting of the ECC to enable them to consider the matter. As the timetable for the moves to the Llanrumney depot were not yet clear, he hoped that a decision could be reached before these moves took place. In

response to other issues related to this move that were raised the Trade Unions were reminded to use the proper process to deal with their concerns and to contact HR if they were still not happy.

**Sick Pay for Cleaners** – It was confirmed that discussions were ongoing in this matter and that there was no easy solution to it particularly bearing in mind equality legislation.

### **3. FACILITIES AGREEMENT**

It was explained that since the last meeting of the Works Council a meeting had been held with the Trade Unions to discuss concerns about the Facilities Agreement. The Trade Unions had been informed that there was a sum of money available for the current financial year to partially re-imburse service areas for the time spent by some Trade Union representatives on corporate work. It had been proposed to allocate this in accordance with Appendix B of the facilities agreement on the basis of £100 per day. This would ensure equality of treatment for each representative concerned regardless of what they actually earned. No money had yet been returned to service areas because UNISON were unhappy with the proposals. Other Trade Unions had indicated that they were content with the proposed method of the reimbursement.

The UNISON representatives stated that they were extremely disappointed that this money was only available this financial year and that there would be no back pay in respect of the previous year. However they did not wish there to be any delays in allocating the money this year and therefore, reluctantly, they stated that they now agreed with the total amount for this year and they asked that it now be distributed to service areas as was proposed. They said they would confirm the names of the individuals involved from UNISON by the end of the following week. They added that they had proposals relating to other parts of the Facilities Agreement and they would put those in writing shortly.

UNISON were thanked for allowing this issue to move forward and were assured that any proposals that they put in writing would be considered in the normal way. The Chair confirmed that this year the financial settlement had been very difficult but added that next year the amount used for this purpose would at least be matched.

### **4. SINGLE STATUS AND JOB EVALUATION**

An update was given on discussions held at fortnightly meetings of a Single Status/Job Evaluation Steering Group. Staff and Trade Union representatives were beginning to be trained on the GLPC Job Evaluation Scheme and communication with service area management teams and staff was commencing. It was intended to submit a report to the July meeting of the Employment Conditions Committee to seek Council approval on various

matters. Service area managers would now be invited to become more involved in the discussions.

The UNISON representatives stated that it was a very big task to undertake and as far as they were concerned they needed specific representatives to be involved in this exercise. They had taken advice and were seeking two reps to be seconded to work on Job Evaluation on a full time basis. They felt strongly that this would be crucial to their ability to take part in the process. They felt that if this was not agreed then they would declare a dispute and refer it to the Joint Secretaries for the Welsh Provincial Council.

The Chair expressed the view that in his experience Trade Union involvement in the process would increase later on at the appeals stage. After the proposed process had been outlined he suggested that the pilot exercise be undertaken in the first instance. Following that it would be possible to assess more accurately the amount of time required by officers and Trade Union representatives to complete the task and UNISON's request could be re-considered at that time. He asked that the issue be included as a standing item on the agenda for future meetings of the Works Council until the process had been completed.

The Trade Unions stated that they hoped to prevent there being too many appeals by dealing with the process well from the outset. The GMB said they understood the position some UNISON reps found themselves in when they were required to cover their "day" job as well as their Trade Union duties but added that managers should manage these situations. They added that if any Trade Union rep was denied time off to undertake Job Evaluation then all the Trade Unions would take issue with that.

The Chair concluded by asking the Trade Unions to refer any difficulties they experienced to HR in the first instance and if necessary HR would then involve the Elected Members.

UNISON said that they would relay the comments made back to their Branch Committee.

## **5. CAR PARKING AT COUNTY HALL**

A presentation was given by staff from Highways and Transportation on the options being considered in relation to car parking difficulties at County Hall. It was explained that various consultation exercises had been and were being undertaken and all comments and suggestions received were being collated and considered.

Additionally any employment issues that arose from the suggestions would be considered by HR. Various comments and suggestions were made and Members and Trade Union representatives were assured that these had been, or would be considered too. A copy of the presentation made would be sent to the Trade Unions.

It was agreed by all that what ever solutions were arrived at would have to apply across the board. Further information would be presented on a suggested way forward in due course.

**6. MAKING THE CONNECTIONS – DELIVERING BETTER SERVICES FOR WALES**

It was agreed that this should be made a standing item on the Works Council Agenda for the foreseeable future so that regular updates could be given on any actions proposed, for efficiency savings needed, to meet the Welsh Assembly's requirements in the above document.