

**CITY AND COUNTY OF CARDIFF  
DINAS A SIR CAERDYDD**

**Employment Conditions Committee: 17 October 2005**

**Report of Assistant Chief Executive**

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**EMPLOYEE RELATIONS MATTERS**

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**Background**

1. A meeting of the Works Council took place on 15 September 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 as 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

**Trade Union access to exempt reports**

3. The advice of the Chief Legal & Democratic Services Officer was that exempt yellow page reports should be the exception rather than the rule. Any personal and/or sensitive information that was legitimately required within a report should be included as a yellow page appendix. The report itself should be freely available. Councillor Berman confirmed this as the approach of his Administration.

**Review of Time Off/Facilities Agreement**

4. The Council is awaiting proposals from UNISON on the changes they would like to see in the Time Off/Facilities Agreement. Once received, a review meeting would be convened involving all Trade Unions.
5. In response to UNISON request for details of new starters, as outlined in the agreement, the trade unions were advised that the Council's Data Protection Officer had advised that the release of such information would contravene the Data Protection Act. The matter would be looked at again with a view to resolving the issue and a report back would be made to the December meeting of the Works Council.

**Single Status and Job Evaluation**

6. An update was provided to the meeting on progress achieved this far. This included: training for over 60 managers and trade unions in GLPC job evaluation scheme; agreement on a number of key documents including process of job evaluation pilot, the Job Description Questionnaire and guidelines for completion; ECC in July agreeing Pilot Consideration Arrangements; and use of various communication media to raise awareness i.e. briefing, newsletter, item in payslips, team briefing etc.

The jobs to be evaluated as part of the pilot exercise almost agreed. Timescales for the pilot and the full exercise were of concern but pilot exercise to convene shortly. Members of Works Council and ECC would be regularly updated on developments and progress.

### **Making the Connections – Delivering Better Services for Wales**

7. Consultation has commenced on a draft report prepared by Assistant Chief Executive on a programme of proposals to increase efficiency and identify savings that could be channelled into front line services. This would help the Council meet WAG efficiency target as part of the Making the Connections agenda.

### **Disturbance Allowance**

8. Following the declaration by UNISON of a dispute on this issue, the matter had been referred to the Joint Secretaries to try and determine a way forward. A meeting had been held on 11 August and the intention was now to convene a meeting of all trade unions to develop a new scheme for those required to move their place of work who subsequently incurred additional travel expenses. The Chair indicated that irrespective of development of a new scheme, hardship cases would be considered against clear, consistent and fair criteria. The new scheme would need to be considered and ratified by Employment Conditions Committee.

### **Proposals**

9. 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**

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

### **Council Policies Supported**

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

### **Advice**

12. This report has been prepared in consultation with relevant Corporate Managers 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**

13. Such legal implications as arise are referred to in the body of this report.

### **Financial Implications**

14. There are no financial implications arising 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**

15. The report is for the information of the Committee.

## **Trade Union Comments**

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

## **RECOMMENDATION(S)**

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

**JO FARRAR**

**ASSISTANT CHIEF EXECUTIVE**

**17 September 2005**

The following appendix is attached:

Appendix A – Minutes of the Works Council 15 September 2005.

## Appendix A

### **WORKS COUNCIL 15 September 2005**

Present: Councillors Berman, Stephens, Sheppard and Walsh

Approved

TU reps: Mike Love, Andy Gardner, AMICUS  
Derek Daniels, Ken Daniels, Andy Davis, Phil Andrews, GMB  
Mike Formosa, Bob Clarke, Laurence Coles, Nicola Burrows, TGWU  
Martin Roberts, UCATT  
Liz Morgan, Jackie Clarke, Fran Rawlings, UNISON

Officers: Mike Heffernan, Bryan Johnson, and Lynne David, Human Resources

Apologies: Councillor Neale  
Chris Alders, AEP  
Keith Greenslade, AMICUS  
Derek Jenkins, BECTU,  
Mike Hayes, Mark Turner, Julie Irish Linda Webb-Thornton, UNISON  
Diane Jeremy, SHA

#### **1. MINUTES**

The minutes of the meeting held on 25 May 2005 were approved as a correct record subject to an amendment being made to paragraph 1. Councillor Walsh expressed her dissatisfaction with the use of the phrase “to reflect the possible involvement of elected members in final stage discipline and grievance panels...”.

In her view, this suggested that this issue was still unresolved but, as far as she was concerned, the elected members had already made it perfectly clear that they would be involved in future final stage appeals.

She requested deletion of the word “possible”. The Chair stated that use of the word “possible” was for contextual purposes only because the final decision on the matter had to be taken by the Employment Conditions Committee. The use of the word “possible” was not intended to convey any “change of heart” by the members on the issue. He agreed that its use was somewhat confusing and sanctioned the deletion of the offending word from the official record of the meeting. .

The need for an urgent review of the Disciplinary Policy amongst other policies was also commented upon by the UNISON representatives.

## 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:

**Trade Union Access to “exempt reports”** – it was confirmed that the advice of the Chief Legal and Democratic Services Officer had been sought on this issue. In her view, she considered that in the interests of openness and transparency, complete “yellow page” reports should be the exception rather than the rule and that, wherever possible, as many reports as possible should be Part A items i.e. open to all.

Whilst the need to legitimately protect sensitive and personal information in Employment Conditions Committee reports was acknowledged, it was her view that such information, if required, should be kept to an absolute minimum and included in separate “yellow page” Appendices. This would enable the basic reports to be available for circulation to the trade unions.

The GMB expressed concern that this approach may encourage officers to deliberately write reports which committed meaningful information to the yellow page appendix, rendering the report itself potentially meaningless. Councillor Berman reassured the Trade Unions that whilst there may have been a prevalence of yellow page Employment Conditions Committee reports in the past, the view of the current Administration was that the vast majority of reports should be available with only minimum information appearing on yellow paper. He provided the example of a recent Members Allowances report which was deliberately structured to ensure that as much information as possible was made available to the public.

### **Mobility Clauses/Reimbursement**

In response to a UNISON query, the Chair confirmed that a report had not been submitted to Employment Conditions Committee in July. This was because UNISON had declared a dispute on the issue and the Joint Secretaries had become involved to try and help resolve the problem. However, an update on the current position was part of the agenda for today.

### **Review of Time Off/Facilities Agreement**

UNISON sought progress on the review of the Council’s Facilities Agreement and advised they were still awaiting details of new starters as specified within the existing agreement. They were advised that in accordance with Action Point 6, UNISON had been asked to submit their proposals to change the agreement but that as yet, none had been received. However, once proposals had been received, a review meeting involving all the trade unions would be duly convened.

In relation to release of lists of new starters to the Trade Unions, advice had been sought from the Council’s Data Protection Officer. The advice received was that to release such information to the Trade Unions without the individual’s consent would contravene the Data Protection Act. Options had been explored but none had been deemed satisfactory. The GMB and others

commented that the Data Protection Act did not appear to be an issue elsewhere within the Council as regards information release. The TGWU also requested that greater consistency in Trade Union access to the corporate induction courses be established. The Chair indicated that he would ask officers to review this specific issue.

The Chair confirmed that he was keen to resolve this issue and asked that the matter be looked at again with a report back on the outcome to be considered at this meeting in December. He agreed that a copy of the advice received from the Data Protection Officer would be circulated to the Trade Unions.

### **Single Status/Job Evaluation**

UNISON extended their thanks to the Elected Members for allowing the Trade Unions the opportunity of addressing July's Employment Conditions Committee on pay protection proposals. Councillor Berman reiterated that all Trade Unions were able to attend for Part A items at Employment Conditions Committee and said that , if they did attend, they could request to be allowed to address the Committee on any relevant issues being considered.

### **3. SINGLE STATUS AND JOB EVALUATION UPDATE**

An update was provided on the progress made by the Joint Single Status Job Evaluation Steering Group since the last Works Council meeting on 25 May 2005. Training in the use of the Greater London Provincial Council job evaluation scheme had now been provided for over 60 managers and Trade Unions. A further external course was commissioned for 15 and 16 September with 22 Cardiff participants but from mid October, the course would be available in-house as and when required. Managers and Trade Unions were also attending a 1 day course to better understand the pay modelling concepts of the Link Pay Software System.

A number of key documents to support the introduction to the job evaluation process had been agreed including: the process for the pilot exercise, Job Description Questionnaire and guidelines for completing that document.

Employment Conditions Committee in July had agreed prior consideration arrangements and a further report to October's meeting was anticipated on pay protection proposals. Agreement had been secured on the vast majority of jobs to be evaluated as part of the pilot exercise.

Communication was seen as fundamentally important and various approaches were being used which include regular items in the corporate staff newsletter "Our News" and a Joint Management/Trade Union statement to be circulated in October's pay slips. Briefing materials were also being prepared for road-shows and on-site briefings at a range of work locations outside County Hall. An intranet site was being developed and the corporate team briefing process was also to be used as a way of briefing staff on a face-to-face basis..

The next steps involved starting the pilot job evaluation exercise and making sure that staff in the pilot and their managers understood the process and had sufficient information to be able to fully participate.

The GMB indicated that whilst there had been some “blips” in the process, these had largely been resolved. He further commented that the nationally prescribed timescales were an issue for all but that a start now needed to be made on evaluating the pilot jobs.

Further, the GMB expressed their thanks to the Members for reflecting on the pay protection issues and being prepared to recommend a minimum pay protection period of 3 years to the October meeting of the Employment Conditions Committee.

The Chair stated that as Single Status and Job Evaluation was now a standing item on this and Employment Conditions Committee, Members would be regularly updated on developments and progress.

UNISON expressed their concern at the proposal to consider terms and conditions of employment as part of the Single Status discussions. They were advised that the requirement for such a review was contained within the national agreement itself and that a way to address this would need to be found at some stage in the future. For the time being, the focus would be progressing the pilot job evaluation exercise.

#### **4. MAKING THE CONNECTIONS – DELIVERING BETTER SERVICES FOR WALES**

The Trade Unions were advised that a draft report had been prepared by the Assistant Chief Executive outlining proposals for a programme of proposals to increase efficiency and identify savings that could be channelled into frontline services. This in turn would help the Council meet WAG efficiency targets as part of the Making the Connection agenda. The Trade Unions were reassured that prior to any report being considered by Scrutiny and the Executive, they would be fully consulted.

The GMB informed the meeting that they had not attended a recent Council wide consultation meeting on proposals for restructuring a number of service areas. Whilst they indicated that they would make their comments in due course through the appropriate channels, they stated that relentless restructurings were demoralising to staff and did little to improve services to customers. They considered that a period of stability and consolidation was what was required.

#### **5. DISTURBANCE ALLOWANCE**

Following the declaration by UNISON of a dispute on this issue, the matter was referred to the Joint Secretaries to try and determine a way forward. A meeting between the Joint Secretaries (Anna Freeman – Employers Secretary and Paul Elliott – Trade Union Secretary), Council Officers (Mike Heffernan and Dave Price-Atherton) and UNISON (Liz Morgan and Mark Turner) took place on 11 August. The response from the Joint Secretaries

dated 17 August 2005, was read out. The intention was now to convene a meeting with the Trade Unions to develop a new scheme for those required to move their place of work who subsequently incurred additional travel expenses .. UNISON referred to a number of outstanding claims that had recently emerged from a move of Social Care staff to Global Link accommodation which had still to be dealt with.

The Chair stated that, irrespective of the development of a new Scheme, hardship cases brought to the Council's attention would be considered and that the Trade Unions must be involved in developing that new scheme with clear, consistent and fair criteria.

He confirmed that any new scheme developed would need to be considered and ratified by Employment Conditions Committee.