



REPORT OF:	Head of HR, Housing and Leisure Services
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TO:	Executive
DATE:	22 March 2012
EXECUTIVE MEMBER:	COUNCILLOR JULIAN ELLACOTT

SUBJECT:	Collective Bargaining Agreement
RECOMMENDATIONS:	
(i) To endorse the amended Collective Bargaining Agreement.	
REASONS FOR RECOMMENDATIONS:	
<p>Working to maintain good working relationships with our staff and their representatives is key. The formal relationship between management staff-side representatives operates through the Local Joint Forum, the recommendations contained in this report seek to amend the Local Joint Forum's terms of reference (the Collective Bargaining Agreement) in order to make sure this relationship continues to work well.</p>	
SUMMARY:	
<ol style="list-style-type: none"> 1. The Council recognises that a stable employee relations climate is a key factor in realising a secure, committed and productive workforce. 2. The formal mechanism for conducting and promoting employee relations is through the Local Joint Forum (LJF) which meets several times each year to discuss matters of importance to management and staff. The Collective Bargaining Agreement acts as the terms of reference for this forum. 3. Staff are represented at the Forum through two recognised trade unions, Unison and GMB, and a staff association. These three groups have been consulted over the re-writing of this document which aims to reduce the cost and resources associated with the collective bargaining process. 4. The draft agreement has been endorsed by the Local Joint Forum. 	

ISSUES

1. The Local Joint Forum (LJF) exists to provide a forum for formal communication between the employer and its employees and in particular to negotiate and make recommendations to the Executive on local terms and conditions of service.
2. The current constitution of the LJF allows for twenty members: three Councillors, five managers, and twelve staff representatives. Full meetings of the forum therefore can be costly and they often tend to be occasions for both sides to make 'set piece' speeches rather than engage in much genuine dialogue and compromise. Further, the constitution does not reflect the recent changes to the Council's Senior Management organisation.
3. A fundamental review of the LJF is proposed. This would lead to significantly fewer members and a more pragmatic acknowledgement of the Forum's decision making capacity.
4. On its own, the Forum has no delegated authority to make decisions for the Council. It is empowered to negotiate changes in employment conditions but any decisions must be by way of Recommendation to the Employment Committee. It is not proposed to seek to change this position but in recognition of this, to restrict the size and scope of the membership.
5. There are two key proposals:
 - To reduce the number of members of the Forum to four management representatives (including the Portfolio Holder responsible for HR, the Chief Executive or his deputy, the Head of HR and one other member of the Senior Management Team) and six staff side representatives (one each for the GMB; Unison and the Staff Association, plus three to be divided proportionately between those bodies with a minimum of 30 members – current membership levels would result in two members for each of the three groups).
 - To allow management or staff-side representatives to invite additional Executive Members to attend meetings for specific agenda items (and these proposals don't preclude the existing arrangements where staff side members are able to meet, alone or in groups, with the Chief Executive, Portfolio Holder and/or Leader of the Council).
6. The Collective Bargaining Agreement contained in annexe one is a 'tracked changes' version which shows exactly where changes are proposed.

LEGAL IMPLICATIONS

7. There are no legal issues contained within these proposals.

FINANCIAL IMPLICATIONS

8. There are no direct financial implications arising from this report.

EQUALITIES IMPLICATIONS

9. The Local Joint Forum exists to represent the needs of all staff. Non-unionised staff are represented by a Staff Association meaning that all employees who wish to be involved can be.

CONSULTATION

10. Staff side representatives meet informally with the Council's HR Manager and Head of HR, Housing and Leisure Services at least once each month. These proposals have been discussed at two of these informal meetings and a copy of the draft agreement has been circulated for comment. The proposal attached to this report was endorsed by the Local Joint Forum on 9 November 2011.

RECOMMENDATIONS:

11. The staff side are asked to endorse the draft Collective Bargaining Agreement (annexe 1) for recommendation to the Executive.

Background Papers:

None