

**EMPLOYEES' CONSULTATIVE FORUM
(SPECIAL)****21 JULY 2005**

Chair:	* Councillor Marie-Louise Nolan	
Councillors:	* Mrs Bath * Burchell (2) * Janet Cowan	* Mrs Joyce Nickolay * N Shah * Toms
Representatives of HTCC:	(Currently no appointees)	
Representatives of UNISON:	* Ms M Cawley * Ms S Duffell * Ms A Jackson Mr G Martin	Mr K McDonald Ms D Prasad * Shankar Sivashankar

* Denotes Member present/Employee Representative present
(2) Denotes category of Reserve Member

[Note: Councillors John Cowan, Dighé and Jean Lammiman also attended this meeting to speak on the item indicated at Minute 168 below].

PART I - RECOMMENDATIONS - NIL**PART II - MINUTES****161. Attendance by Reserve Members:**

RESOLVED: To note the attendance at this meeting of the following duly appointed Reserve Member:-

<u>Ordinary Member</u>	<u>Reserve Member</u>
Councillor Currie	Councillor Burchell

162. Declarations of Interest:

RESOLVED: To note that the following interests were declared:

<u>Member</u>	<u>Nature of Interest</u>
Councillor Burchell	Declared a personal interest by virtue of his spouse's membership at Harrow UNISON and in that he was a former branch officer at NALGO. He would remain in the room whilst matters were considered and voted upon.
Councillor Toms	Declared a personal interest in that he was a lifelong member of the NUT. He would remain in the room whilst matters were considered and voted upon.

163. Arrangement of Agenda:

A representative from UNISON expressed concern that the inclusion of agenda item 10 would reduce the time for consideration of a range of issues related to the Middle Management Review. The Chair explained that it had been included on the agenda as it was felt that a number of the conclusions of the report had implications for the Council's staff that should not wait until the Forum's next meeting in November 2005.

RESOLVED: That (1) agenda item 8 be considered in conjunction with agenda item 9;

(2) in accordance with the Local Government (Access to Information) Act 1985, the following agenda items be admitted late to the agenda by virtue of the special circumstances and grounds for urgency detailed below:-

<u>Agenda item</u>	<u>Special Circumstances/Grounds for Urgency</u>
9. Middle Management Review – report from UNISON	This report was not available at the time the agenda was printed and circulated as further information was being sought for inclusion in the report. Members were asked to receive the report in order to consider the concerns of the employees' side.
10. Investigation into the Occupational Health Services and Associated Matters	This item was included on the agenda at the request of the Chair, following the circulation of the main agenda. Members were asked to consider the report, as a number of the conclusions of the investigation demanded urgent attention.

(3) all items be considered with the press and public present with the exception of the following items for the reasons set out below:

<u>Agenda item</u>	<u>Reason</u>
8. Middle Management Review – report of the Executive Director (Organisational Development)) These reports contained exempt information under Paragraphs 1 and 11 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) in that they contained information relating to a particular employee; former employee; applicant to become an employee of; or a particular office-holder; or applicant to become an office-holder under, the authority, and information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matters arising between the authority or a Minister of the Crown and employees of, or office-holders under the authority.
9. Middle Management Review – report from UNISON	
10. Investigation into the Occupational Health Services and Associated Matters	This report contained exempt information under Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) in that it contained information relating to a particular employee; former employee; applicant to become an employee of; or a particular office-holder; or applicant to become an office-holder under, the authority.

(Note: Councillors Mrs Bath, Janet Cowan and Mrs Joyce Nickolay wished to be recorded as having voted for agenda items 8 and 9 to be considered under Part I of the agenda).

- 164. **Minutes:**
RESOLVED: That the minutes of the meeting held on 5 July 2005 be deferred until printed in the next Council Bound Minute Volume.
- 165. **Deputations:**
RESOLVED: To note that no deputations were received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 14 (Part 4E of the Constitution).
- 166. **Public Questions:**
RESOLVED: To note that no public questions were received at this meeting under the provisions of Advisory Panel and Consultative Forum Procedure Rule 15 (Part 4E of the Constitution).
- 167. **Petitions:**
RESOLVED: To note that no petitions were received at this meeting under the provisions of the Advisory Panel and Consultative Forum Procedure Rule 13 (Part 4E of the Constitution).

168. **Middle Management Review:**

The Forum received a confidential report of the Executive Director (Organisational Development) and a confidential employees' side report from UNISON on the Middle Management Review (MMR). A representative from UNISON introduced the employees' side report and explained the main concerns regarding the MMR process. Among these concerns was the issue of assimilation. The UNISON representative read an extract from the Protocol for Organisational Change, which stated that only in exceptional circumstances would staff not be assimilated. It was further explained that this policy appeared to have changed, without the approval of the Forum. Further concerns centered on the introduction of 'development needs.' The Forum was also advised of alleged inconsistencies in the selection process, whereby some candidates had been appointed with more development needs than unsuccessful candidates. The UNISON representatives therefore urged clear guidance to be issued to those staff conducting interviews to allow for a greater degree of consistency. It was concluded by the UNISON representative that the interviewing and selection process was subjective and open to inconsistencies. Although UNISON recognised that the process had begun with good intentions, attention was drawn to the damaging effect upon those staff involved and the subsequent unsettling working environment. UNISON representatives expressed doubt as to whether the Council was in a suitable position to undergo further organisational change through the Business Transformation Partnership (BTP).

Members were invited to comment on the employees' side report. The Forum discussed the role of consultants in the MMR process, including the associated costs and some of the reasons for employing consultants in certain areas of the Council. Although the Forum recognised that the process of organisational change was rarely without a degree of unrest, Members were keen that the process be further scrutinised.

In response to the employees' side report, officers introduced the report of the Executive Director (Organisational Development) and responded to the issues raised by UNISON representatives. In relation to the issue of assimilation, officers confirmed that Protocol for Organisational Change had not changed since the Forum had last received a report on the document. An officer further reported that during a series of meetings with UNISON, it was explained that jobs in the MMR would be different under the New Harrow Project, which would exclude the possibility of assimilation. The Forum was referred to page 8 of the agenda and heard an extract of a document that had been the subject of consultation with UNISON and had been distributed to all managers, which explained that all appointments in the new structure would be subject to the same recruitment process. The Forum was also advised that by allowing appointments to be made 'with development needs' a greater proportion of staff had been successful in their application.

An officer read an extract from the conclusion of the report conducted by Dr Sadhev, which gave a generally positive synopsis of the MMR process. It was noted that a report to the Overview and Scrutiny Committee had revealed some weaknesses in the MMR, which had resulted in a refinement of the process. There was an acceptance that the process had not adhered to the timescales and as a result 'Champions' had been appointed in each directorate to help move the process along. It was advised that arrangements were in place for management to meet with UNISON representatives to discuss displaced employees, with a view to preparing a report to the Corporate Management Team (CMT).

In relation to complaints made by employees against the MMR, an officer reported that only one formal complaint had been received which had been the subject of investigation. A UNISON representative noted that this was due to the perception by many staff that they would fail to receive a fair hearing. An officer responded by noting that without a formal complaint or evidence of any unfair treatment, they were not able to take any corrective action. The Forum was subsequently advised of an individual case that highlighted issues previously discussed at the meeting.

The Forum agreed to ask the Overview and Scrutiny Committee to accelerate its review of Phase 2 of the Middle Management Review. The Chair of the Overview and Scrutiny Committee, who was in attendance at the meeting in a speaking role, agreed to report back to the review group on the key issues identified at the meeting. It was hoped that the review group's involvement in the review of the MMR, together with discussions outside the meeting, would help to create a perception among staff that complaints against the process would be subject to independent scrutiny.

RESOLVED: That (1) a copy of Dr Sadhev's report be circulated to Members of the Forum; and

(2) the Overview and Scrutiny Committee review group be asked to accelerate its review of Phase 2 of the MMR.

169. **Investigation into the Occupational Health Services and Associated Matters:**
The Forum received a confidential report of the Executive Director (Organisational Development), which reported the findings of an investigation into the Occupational Health Service and associated matters. The Forum proposed urgent action on recommendations 13.2, 13.3 and 13.6. Recommendations 13.1, 13.4 and 13.5 would be considered at a later date to allow UNISON an opportunity to discuss them with their Executive Committee.

RESOLVED: That the above be noted.

170. **Any Other Business:**
The Forum was informed that a report on an investigation previously conducted would be available to Members of the Forum. The outcome of the report would be confirmed at a later date.

RESOLVED: That the above be noted.

171. **Extensions to and Termination of the Meeting:**
In accordance with the provisions of Advisory Panel and Consultative Forum Procedure Rule 12 (Part 4E of the Constitution) it was

RESOLVED: At (1) 10.00 pm to continue until 10.15 pm; and

(2) 10.15 pm to continue until 10.25 pm.

(Note: The meeting having commenced at 7.40 pm, closed at 10.25 pm)

(Signed) COUNCILLOR MARIE-LOUISE NOLAN
Chair