

Employees' Consultative Forum

AGENDA

DATE: Wednesday 18 April 2012

TIME: 7.30 pm

VENUE: Committee Room 5,
Harrow Civic Centre

PRE-MEETINGS: [Council Side - 7.00 pm - Committee Room 5
Employees' Side - 6.30 pm - Committee Room 6]

MEMBERSHIP (Quorum: 3 from the Council Side and 3 from the Employees' Side of the permanent membership)

Chairman: Councillor Graham Henson

Councillors:

Bob Currie
Phillip O'Dell
Bill Stephenson

Mrs Camilla Bath
Jean Lammiman
Paul Osborn

Employee Representatives:

Representatives of HTCC: Ms L Snowdon (2 vacancies)

Representatives of UNISON: Ms L Ahmad (VC) Mr G Martin
Mr D Butterfield Mr R Thomas
Mr S Compton (1 vacancy)

Representatives of GMB: Mr S Karia

(Reserve Council Side Members overleaf)

Reserve Council Side Members:

- | | |
|----------------|----------------------------|
| 1. Ajay Maru | 1. Barry Macleod-Cullinane |
| 2. Keith Ferry | 2. Tony Ferrari |
| 3. Navin Shah | 3. Susan Hall |
| 4. Ben Wealthy | |

Contact: Vishal Seegoolam, Senior Democratic Services Officer
Tel: 020 8424 1883 E-mail: vishal.seegoolam@harrow.gov.uk

AGENDA - PART I

1. ATTENDANCE BY RESERVE MEMBERS

To note the attendance at this meeting of any duly appointed Reserve Members.

Reserve Members may attend meetings:-

- (i) to take the place of an ordinary Member for whom they are a reserve;
- (ii) where the ordinary Member will be absent for the whole of the meeting; and
- (iii) the meeting notes at the start of the meeting at the item 'Reserves' that the Reserve Member is or will be attending as a reserve;
- (iv) if a Reserve Member whose intention to attend has been noted arrives after the commencement of the meeting, then that Reserve Member can only act as a Member from the start of the next item of business on the agenda after his/her arrival.

2. DECLARATIONS OF INTEREST

To receive declarations of personal or prejudicial interests, arising from business to be transacted at this meeting, from:

- (a) all Members of the Forum;
- (b) all other Members present in any part of the room.

3. MINUTES (Pages 1 - 12)

That the minutes of the meeting held on 24th January 2012 be taken as read and signed as a correct record.

4. PETITIONS

To receive petitions (if any) submitted by members of the public/Councillors under the provisions of Executive Procedure Rule 49 (Part 4D of the Constitution).

5. DEPUTATIONS

To receive deputations (if any) under the provisions of Executive Procedure Rule 50 (Part 4D of the Constitution).

6. PUBLIC QUESTIONS

To receive questions (if any) from local residents or organisations under the provisions of Executive Procedure Rule 51 (Part 4D of the Constitution).

7. INFORMATION REPORT - UPDATE ON MODERNISATION OF TERMS AND CONDITIONS (Pages 13 - 16)

Report of the Divisional Director Human Resources and Development and Shared Services.

8. UNISON REPORT ON THE MODERNISATION OF TERMS AND CONDITIONS
(Pages 17 - 24)

Report from Employees' Side.

9. INFORMATION REPORT – MANAGEMENT RESPONSE TO UNISON'S REPORT ON THE MODERNISATION OF TERMS AND CONDITIONS (Pages 25 - 32)

Report of the Divisional Director Human Resources and Development and Shared Services.

10. INFORMATION REPORT - EMPLOYMENT PROCEDURES MONITORING
(Pages 33 - 46)

Report of the Divisional Director Human Resources and Development and Shared Services.

11. INFORMATION REPORT - RESPONSE TO THE FORUM ON HEALTH AND SAFETY TRAINING (Pages 47 - 56)

Report of the Assistant Chief Executive.

12. EMPLOYEES' SIDE REPORT ON HEALTH AND SAFETY POLICY AND PROCEDURES AND ONGOING HEALTH AND SAFETY ISSUES AND MANAGEMENT'S RESPONSE (Pages 57 - 60)

Report from Employees' Side. Re-presented from meeting of the Forum held on 24th January 2012.

13. INFORMATION REPORT - MANAGEMENT'S RESPONSE TO EMPLOYEES' SIDE REPORT ON HEALTH AND SAFETY POLICY AND PROCEDURES AND ONGOING HEALTH AND SAFETY ISSUES (Pages 61 - 72)

Report of the Assistant Chief Executive. Re-presented from meeting of the Forum held on 24th January 2012.

14. PUBLIC REALM SERVICES IPADS AND TRAINING (Pages 73 - 78)

Report of the Divisional Director, Environmental Services.

AGENDA - PART II - NIL

EMPLOYEES' CONSULTATIVE FORUM MINUTES

24 JANUARY 2012

Chairman: * Councillor Graham Henson

Councillors: * Mrs Camilla Bath * Phillip O'Dell
* Bob Currie * Paul Osborn
* Jean Lammiman * Bill Stephenson

**Representatives
of HTCC:** Ms L Snowdon

**Representatives
of UNISON:** Ms L Ahmad * Mr G Martin
Mr D Butterfield * Mr R Thomas
Mr S Compton

**Representatives
of GMB:** * Mr S Karia

* Denotes Member present

68. Attendance by Reserve Members

RESOLVED: To note that there were no Reserve Members in attendance at this meeting.

69. Declarations of Interest

RESOLVED: To note that the following interests were declared:

Agenda Item 7 – Draft Revenue Budget 2012/13 – 2014/15; Agenda Item 8 – Information Report – Employment Procedures Monitoring; Agenda Item 9 – Employees’ Side Report on a DTL Collective Dispute; Agenda Item 10 – Management’s Response to Employees’ Side Report on a DTL Collective Dispute; Agenda Item 11 – Information Report – Half Yearly Health and

Safety Report; Agenda Item 12 – Employees’ Side Report on Health and Safety Policy and Procedures and Ongoing Health and Safety Issues; Agenda Item 13 – Information Report – Management’s Response to Employees’ Side Report on Health and Safety Policy and Procedures and Ongoing Health and Safety Issues; Agenda Item 14 – Information Report – Follow-Up Actions.

Councillor Bob Currie declared a personal interest in that he was a retired Unison member and his son worked for the Council. He would remain in the room whilst the matters were considered and voted upon.

Councillor Graham Henson declared a personal interest in that he was a member of the Communication Workers Union and he had a relative employed by the Council. He would remain in the room whilst the matters were considered and voted upon.

Agenda Item 11 – Information Report – Half Yearly Health and Safety Report 2011/12

Councillor Paul Osborn declared a personal interest in that he was a governor at Norbury School. He would remain in the room whilst the matter was considered and voted upon.

70. Minutes

RESOLVED: That the minutes of the meeting held on 10 October 2011 be taken as read and signed as a correct record.

71. Petitions

RESOLVED: To note the receipt of the following petition which was referred to the relevant officer for consideration:

(1) Petition Relating to Waste Services

Petition containing 69 signatures expressing concerns relating to the Dignity at Work Procedure within Waste Services.

72. Deputations

RESOLVED: To note that no deputations were received at this meeting.

73. Public Questions

The Chair advised that a public question had been submitted but had been ruled out as it related to staffing matters, contrary to the provisions contained within the Constitution. However as a sign of goodwill, the Chair had asked officers to respond directly to the questioner on their query.

RESOLVED: To note that no public questions were received at this meeting

RESOLVED ITEMS

74. Draft Revenue Budget 2012/13 - 2014/15

The Interim Director Finance introduced a presentation to the Forum and stated that detailed consultation on the proposed budgets for each directorate had also taken place through the relevant departmental joint committees.

The Interim Director highlighted a number of issues which included the following:

- this was currently one of the most difficult financial environments local government had ever faced and the Council were experiencing financial pressures as a result;
- tough decisions were required for the future. However the Council had an excellent track record of transforming itself and minimising the impact on frontline services. This was a key priority for the Council's administration;
- the Council had responded to the national economic difficulties since 2007 by achieving £45 million in savings up until 2010. Additionally the Council had also embarked upon phase 1 of the Better Deal for Residents (Transformation) Programme and agreed the objectives and principles for phase 2;
- some significant projects had already been completed as part of Phase 1 of the Transformation Programme and some were ongoing. As part of Phase 2 of the Transformation Programme, the overall objective was to develop principles to understand what the Council would look like in 3 years time with 20-30% less resource. It was important that any changes made to the Council made a difference to residents and recognised differences across service areas. Building and developing quality relationships and engagement was also key to ensuring successful change;
- the Council were required to save £60 million over the 4 years of the Comprehensive Spending Review period. The Transformation Programme had identified £30 million of these savings required. The remaining gap at the start of this year's budget setting process was £6.7 million for 2012/13 and a total of £31.2 million over the 3 years of the Medium Term Financial Strategy. Since then the Government in their Autumn Statement had announced that there was likely to be a further 2 years of cuts which was likely to require £10 million per year of further savings to achieve in 2015/16;
- in the current year, £14.7 million of savings had been built into the budget. Several risks had been identified when the budget was set, which were now coming to fruition. These included the changing demography having a higher impact than anticipated. A £1.6 million overspend had been forecast at the end of Quarter 2. However at the

end of Quarter 3, the forecast was that the Council were back on track. Whilst there were still some risks being experienced, these were being successfully managed;

- a £1.4 million minimum underspend was being targeted for 2011/12 to fund potential severance costs relating to the 2012/13 budget proposals;
- £17 million of savings had been identified to date for the 2012/13 budget and Medium Term Financial Strategy. However there were £5.4 million of new pressures in addition to the £6.4 million previously identified;
- the funding settlement had been better than expected for 2012/13 and combined with a number of other changes, the funding gap for 2012/13 was now therefore closed. However the funding settlement changes had the effect of pushing some of the funding gap to 2013/14;
- several changes had been made in order to close the funding gap for 2012/13. This involved some rephrasing of earlier proposals, the acceleration on the decapitalisation strategy and changes around the cost estimates for the use of agency staff;
- changes to close the funding gap for 2013/14 and 2014/15 also involved similar proposals. Other changes related to the development of a Cultural Strategy for Libraries and Leisure and the creation of a Corporate Resources Directorate within the Council, which was expected to deliver additional savings;
- the Council had assumed a 0% pay increase for employees for 2012/13 and 2% thereafter. Pension contributions from the Council were expected to increase by 0.25% each year, in line with the last triennial actuarial review;
- where proposals over the duration of the Medium Term Financial Strategy contained staffing implications, Council policies and procedures, including the Protocol for Managing Organisational Change, would apply throughout;
- there were a number of projects and strategies being undertaken across the directorates which could potentially have staffing implications. The current national economic climate was difficult but staff would continue to be treated with respect and dignity;
- this meeting was one of a number of stakeholder meetings where the proposals on the budget were being presented. The next steps involved seeking agreement from Cabinet and Full Council on the proposals and developing plans to balance the budget for future years.

Trade Union Members of the Forum raised a number of issues during the discussion on this item.

- in response to a query that a review of fees and charges could affect the elderly and/or those with disabilities, the officer confirmed that the Council had been fully conscious of and had adhered to its equalities responsibilities and duties in preparing the Budget. Equalities Impact Assessments had been conducted which were available for Councillors to view and inspect;
- in response to a query on what contingency the Council had in the event that there were legal challenges on staff being re-engaged on new terms and conditions, the Interim Director confirmed that there was a £1million contingency fund built into the budget, which covered a range of budget risks. Additionally a thorough risk assessment on this issue had been carried out;
- in response to a query on what impact the Voluntary Severance Scheme had on the benefits scheme given that many former employees were local residents, the Interim Director noted that the benefits were currently nationally funded. She also pointed out that there had been a direct financial benefit to the Council. It was important to note that any former employee who had left on this scheme had voluntarily applied for it;
- in response to concerns that the unions had not been provided with the basis for all of the savings targets proposed, the Interim Director expressed her confidence that the level of savings targeted in the budget, when looked at in entirety, could be achieved, although there were risks which were covered by both the contingency, and at worst, by general reserves;
- in response to a concern that the Council's aim to investigate ways to increase revenue was contradicted by proposals relating to the Procurement Service, the Interim Director advised that the proposals were part of the Transformation Programme and would deliver significant savings for the Council. It would be more strategic based and the proposals had been developed in full consultation with the service. A significant amount of money had been invested to secure further professional staff to lead in the approach to be more strategic;
- in response to a query on the reprocurement of the Council's contract with Kier, the Interim Director confirmed that the specific figures in relation to the projected procurement savings were not available at the meeting. However the savings had an impact on the Council's Capital Budget, as a lot of the work Kier performed related to the Capital Programme. As a result of the procurement exercise better value for money would be obtained. There would also be significant operational savings. Market conditions were currently favourable for the Council in relation to such a procurement, which meant that it could negotiate on competitive terms.

A Trade Union Member of the Forum expressed his concern that the proposals for savings within directorates were not reflective of the local situation in the borough.

RESOLVED: That the report be noted and that the comments made by the Forum be incorporated into the report on the Budget to be submitted to Cabinet on 9 February 2012.

75. Information Report - Employment Procedures Monitoring

The Divisional Director Human Resources & Development and Shared Services introduced the report and explained that the report had been requested at the previous meeting of the Forum. The key message arising from the report, which he acknowledged, was that there was room for improvement in terms of meeting timescales in employment procedures. There were a variety of reasons for the delays encountered and the Divisional Director reported that the Trade Unions would be consulted on potential changes to procedures to improve performance. It was expected that a further report on this subject would be presented to the next meeting of the Forum.

RESOLVED: That the report be noted.

76. Employees' Side Report on a DTL Collective Dispute and Management's Response

The Forum received a report from Unison expressing details of a collective dispute from Driver Team Leaders (DTL). A representative of Unison set out the details of the issue as contained in the report and made the following points:

- in their view, DTL in the Waste Service section had not received any form of training over the last couple of years. It was their view that documents in the report demonstrated that within the Public Realm Service Area, training had not been provided within Waste Services. In their view this contradicted the Equal Opportunity Policy of the Council in committing to the personal development of every employee;
- in their view, Cabinet had agreed to reduce a tier of management within the Public Realm Organisational Structure. As part of this 10 Assistant Manager posts had been identified for deletion. However the original structure had contained 12 Assistant Manager posts. Therefore there should still be 2 Assistant Manager posts within the new proposed structure;
- in their view, within the proposed structure 3 Team Leader positions had been created. This had the impact of the existing DTL now having to report to other Team Leaders. In their view there had been no consultation on this and amounted to a demotion. The reason that they had been provided for this, relating to the pay scale of the relative positions, was not accepted;

- in their view a new Service Manager position had been created, whose reporting line was not affected and with no consultation with the DTL. In their view everyone should have been treated equally;
- in their view, management had failed to follow proper procedures. New DTLs who had been afforded training to acquire the relevant qualifications had been appointed and escalated to the top spinal point after a period of six months. In their view this was unfair to incumbent employees. In their view this had resulted in the service encountering financial losses and they disagreed with the explanation given that this was a local agreement;
- in their view, a full independent investigation had to be conducted into the dispute. Many of the employees affected by the dispute were local residents and Members of the Forum had a responsibility towards them. The DTLs should also be re-instated to their original relative positions within the proposed structure.

During the discussion on this item, representatives from Unison responded to questions from Members of the Forum as follows:

- in redundancy arrangements, relevant legal provisions had to be followed strictly. The employer had to define the staff who were at risk of redundancy. In their view this had not taken place in relation to the 2 Assistant Managers who had been given redundancy notices. They believed that the notices had been revoked when this issue became apparent;
- in their view, Cabinet, when agreeing to the Public Realm Transformation programme, had only agreed to 10 reductions in terms of Assistant Manager posts. As there had been 12 in the original structure, this meant that if the 2 remaining employees were dismissed, this would be illegal;
- in their view, the relevant officers had not understood the issues relating to the collective dispute. A Dignity at Work complaint had been raised on this issue, so there had been significant opportunity for management to grasp the issues;
- a show of hands had demonstrated that in their view the majority of staff, within Waste Services, had not received training within the last 4 years. They had only received a free Government National Vocational Course in that time. They believed that if staff did not receive training this placed them at a disadvantage in any redundancy process in relation to their skills and knowledge. There was particular concern at a lack of first aid training;
- in their view there could be no assimilation into new jobs created (i.e. the team leaders waste management) as part of the new proposals for

the Public Realm Services Area. In their view there had been a denial of access to apply for these newly created posts;

- a show of hands demonstrated that in their view a number of staff within that service area had not received Individual Performance Appraisal and Development Plans (IPADS) for the last 2 years.

The Divisional Director Environment responded to the issues raised and made the following points:

- the basis for the issues complained about stemmed from the recent transformation that had taken place in the Public Realm Service Area, which had involved its modernisation;
- significant investment had been made by the Council into this Transformation Project. This would achieve long term efficiencies. A tier of management had been removed from the relevant Service Area and naturally this had disappointed some employees. Best practice and procedures had been followed at all times;
- there had been a number of opportunities for employees and the unions to engage in the transformation process. A Dignity at Work issue had also been raised which had allowed a thorough examination of the issues involved;
- training had always been made available to all staff within the Service Area and there were significant opportunities available. A number of staff within Waste Services had already benefited from this and additionally the Transformation Project had allowed new technology to be used which had involved training in their use;
- in management's view there was no requirement for an independent investigation to take place into the issue as procedures had been followed robustly and there had been plenty of opportunities for consultation and to raise any issues.

During the discussion on this item, officers responded to queries from Members of the Forum as follows:

- the item had been presented to the Forum as it had been initially presented to the Departmental Joint Committee (DJC). Under the DJC's terms of reference items could be referred to the Forum if requested either from the trade unions or by officers;
- officers explained a redundancy process required lengthy consultation involving trades unions and staff; listening to any concerns raised and taking them on board to ensure any final proposals were right for the organisation;
- the Trade Unions had been fully engaged on the Public Realm Transformation Project. The vast majority of this transformation had

been successful and made significant achievements providing excellent services to residents in the borough;

- the Council's policies and procedures had been written in accordance with the law. The 2 Assistant Managers who had as of yet not been made redundant had their notices withdrawn in order to help them find redeployment within the organisation. This was in order to assist them as much as possible. They were therefore being held in a supernumerary position;
- a needs analysis was conducted within the Service Area to identify training required by employees. It was important to note that due to the current economic climate, resources for training were limited and varied. However training was available and additionally the Council ran a Corporate Training Programme, which was available to staff. If an employee applied for a course which was not granted, it was expected that they would receive a reason for this decision. Recently 600 employees at a corporate level had achieved an NVQ, funded by the Government;
- the use and timings of IPADs in this Service Area had previously been highlighted as an issue and work was required to address these. Officers had begun discussions with the Trade Unions on this issue.

Members of the Forum made the following comments on this issue as follows:

- the decision made by Cabinet on the Public Realm Transformation Project provided authority to the relevant Corporate Director in consultation with the relevant Portfolio Holder to take such action as necessary to implement the decision, including making minor changes;
- it would be helpful if a report was presented to the Forum at its next meeting relating to training (including on the job training) provided within Waste Services. This was an issue that was required to be investigated further;
- it would be helpful if greater encouragement was provided to staff to engage on training courses to enable more access to training;
- it was expected that training opportunities would be addressed at the IPAD process. There was therefore concern that this was not occurring so this should also be investigated and reported back to the Forum.

The Chairman proposed that this report be noted, with reports presented to future meetings of the Forum as suggested:

RESOLVED: That

- (1) the report be noted;

- (2) a report be presented to a future meeting of the Forum on training and the use of IPADS within Waste Services.

77. INFORMATION REPORT - Half Yearly Health and Safety Report 2011/12

The Forum received a report summarising the Council's Health and Safety performance for the half year 1 April 2011 to 30 September 2011 providing an update of activities and giving information on outcome measures – training, audits and accidents.

The Divisional Director Risk, Audit and Fraud reported that generally the report was positive and assistance from the Trade Unions had contributed towards healthy partnership arrangements.

The officer reported on the following issues:

- there was a continued implementation of the two year improvement plan based on the Health and Safety Executive (HSE) Model. This plan had additionally addressed the issues raised by the HSE in relation to asbestos and it had been satisfied with the progress made;
- there was continued roll-out of the Health and Safety e-self audit tool across the Council;
- the Health and Safety service was currently undergoing a re-structure to build a new in-house team;
- there was continuing development of Health and Safety policies and codes of practice to meet identified needs;
- one slight concern was the take up of health and safety courses across the Council. There was also some concern at the performance of the Occupational Health Service. This was an issue that had been raised with the provider. The contract was up for renewal in September 2012 and the Council were currently working on a procurement exercise.

During the discussion on this item, Members of the Forum raised a number of issues, which were responded to by the officer as follows:

- there was currently one permanent member of staff and 3 agency staff within the Health and Safety team. The proposed recruitment process would involve appointing 5 permanent Members of staff. The manager's role had been advertised first before appointing the more junior staff. The entire process was currently on pause as there was a dispute to resolve. The officer would advise the Forum whether agency staff were able to apply for these positions;
- the improvement notices served by the HSE had been provided to the Forum at previous meetings and was available for Councillors to view if they wished;

- an independent review had been commissioned as a result of the improvement notices to see if any improvements could be made;
- the 2 year Improvement Plan had been a direct response in relation to the improvement notices served and the independent review commissioned;
- the Corporate Director Community and Environment had led an officer group delivering a comprehensive work programme to improve health and safety management and risk management. The group had its last meeting in December 2011;
- the outcome of the independent review had been discussed at a number of Committees previously;
- officers were confident that there were published documents which expressed the HSE's satisfaction with the progress that the Council had made. Trade Unions had been part of the interview process with the HSE when the improvement notices had been served;
- in relation to past asbestos issues, the relevant Portfolio Holder was provided with a number of updates to ensure that officers reported this accordingly. Additionally the 2 year improvement plan had been reported to the Corporate Health and Safety group;
- officers would provide the Forum with details on any claims made for personal injury, so that an analysis could be made to see if liability for the Council had increased alongside a decrease in training take up.

Trade Union Members of the Forum commented during the discussion, as follows:

- they had concerns that the officer group designed to improve health and safety management had not included a representative from a Trade Union. In their view this was not good practice;
- they had concerns about officers demonstrating their accountability to officer in relation to Health and Safety issues.

A Member of the Forum commented that the data presented in the report was helpful. There was some concern at the low take up of training within certain directorates. It would be helpful if this could be elaborated upon at the next meeting of the Forum.

The Chairman accepted a proposal that the Trade Union Members would forward a list of queries to officers on this subject, which they would respond to at the next Corporate Health and Safety Group meeting.

RESOLVED: That

- (1) the report be noted;

- (2) a report be presented to the next meeting of the Forum on the take up by staff of Health and Safety courses.

78. Employees' Side Report on Health and Safety Policy and Procedures and Ongoing Health and Safety Issues and Management's Response

The representative from Unison explained that the management response to the report had provided detailed responses. As a result he would meet with the relevant officers to try and resolve the issues reported.

RESOLVED: That the report be noted.

79. INFORMATION REPORT - Follow-Up Actions

The Divisional Director Human Resources & Development and Shared Services explained that there was one minor amendment to make to the follow-up action sheet reported. At the time of writing the report it was anticipated at information relating to the Springboard Courses would be circulated prior to the meeting. This had not yet taken place but would be done in the next couple of weeks.

RESOLVED: That the report be noted.

(Note: The meeting, having commenced at 7.40 pm, closed at 10.06 pm).

(Signed) COUNCILLOR GRAHAM HENSON
Chairman

**REPORT FOR: EMPLOYEE
CONSULTATIVE FORUM**

Date of Meeting: 18 April 2012

Subject: **INFORMATION REPORT –
Update on Modernisation of
Terms and Conditions**

Responsible Officer: Jon Turner
Divisional Director of HRD & Shared
Services

Exempt: No

Enclosures: None

Section 1 – Summary

This report sets out the progress for Modernisation of Terms and Conditions of Employment following Cabinet’s decision on 19 January 2012 that the workforce be consulted

FOR INFORMATION

INTRODUCTION

At Cabinet on 19 January 2012, it was reported that there seemed no reasonable prospect of reaching a collective agreement with the unions on the proposals presented to them to modernise terms and conditions of employment. The options for moving forward were outlined in the report with a recommendation, which was accepted, that the Chief Executive, in consultation with the Leader and Portfolio Holder be authorised to:

1. develop a proposition which meets the needs of the Council on which to consult non-teaching staff;
2. consult directly with non-teaching staff and, if appropriate:
 - to modify that proposition in the light of consultation;
 - to conduct a ballot of non-teaching staff on the final proposition; and
 - to take action as necessary to implement new terms and conditions of employment for non-teaching staff.

Section 2 – Report

Since the Cabinet meeting in January 2012, the following actions have taken place:

- i. the proposals for consultation have been carefully reviewed and modified – the Council is not bound by the proposals that were the subject of negotiation with the unions nor by any commitments given as part of any collective agreement;
- ii. meetings have been held with Headteachers and Chairs of Governing Bodies in order to ensure they understood the rationale for the Council's approach; the timetable; the issues they would need to consider; and that they, and their non-teaching staff, would be consulted on the proposals;
- iii. meetings have been held with many non-teaching staff in schools in order to ensure they were similarly briefed. GMB and UNISON were advised of these meetings and attended most;
- iv. Senior and middle managers have been engaged in developing the proposals;
- v. By the time of this meeting, a consultation document will have been received by all non-teaching staff at their home addresses. Copies of this document will have been sent to all Members, Headteachers and Chairs of Governors.
- vi. Formal consultation with the unions on the proposals will have commenced.

The remaining timetable is shown below:

14 May 2012	Close of the initial consultation with the workforce.
15 June 2012	By 15 June we will have reviewed the feedback, and explored the implications of any suggestions for change put forward
16 July 2012	<p>Formal consultation with the unions will close on this date following which a decision will be made on whether any of the proposals are modified and whether the council will ballot on the outcome of that decision.</p> <p>Following this Governing Bodies will be asked to consider how they wish to proceed. If no collective agreement is reached during the formal consultation with the unions, the Council will need to terminate the employment contracts for non-teaching staff and offer re-engagement on varied terms.</p> <p>Although community school staff are employees of the Council, dismissal and appointment of staff in schools are decisions for the Governing Body of each school, and not the Council.</p>
1 November 2012 or 1 January 2013	If the Council decides not to conduct a workforce ballot, the earliest implementation date will be 1 November 2012. If, however, there is a ballot, the earliest implementation date will be 1 January 2013.

Section 3 – Further Information

A separate report on ECF's agenda responds to a report from UNISON on issues regarding negotiations and other concerns.

Section 4 – Financial Implications

There are no financial implications arising from this update. There are savings that would arise from the proposals on which the Council is consulting. These savings, however, may be modified based on any change made to the proposals following consultation.

Section 5 - Equalities implications

Was an Equality Impact Assessment carried out? Not required for this report.

All those employees affected by the proposals (i.e. all council non-teaching staff) are being consulted on the proposals.

Section 6 – Corporate Priorities

The objective in seeking to modernize terms and conditions of employment at the same time as reducing costs is to seek to achieve the Corporate Priorities, to modernise the Council and to seek to mitigate the impact on services and potential job losses as a consequence.

- Keeping neighbourhoods clean, green and safe.
- United and involved communities: A Council that listens and leads.
- Supporting and protecting people who are most in need.
- Supporting our town centre, our local shopping centres and businesses.

Name: ...Jennifer Hydari.	<input type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 4 March 2012.....		

Section 7 - Contact Details and Background Papers

Contact: Lesley Clarke, Organisational Development Manager, 0208 420 9309

Background Papers: 19 January 2012 Cabinet report, item 351:

<http://moderngov:8080/ieListDocuments.aspx?CIId=249&MIId=60644&Ver=4>

EMPLOYEES' CONSULTATIVE FORUM: 18TH APRIL 2012 (NB- originally scheduled 26th March 2012 but postponed despite trade union objections)

UNISON REPORT ON THE 'MODERNISATION' OF TERMS & CONDITIONS NEGOTIATIONS; COVERING EVENTS PRIOR TO AND FOLLOWING CLOSURE OF NEGOTIATIONS BY HARROW COUNCIL AND A WAY FORWARD FOR IMMEDIATE ECF CONSIDERATION.

SUMMARY AND DECISION REQUESTED

This UNISON report, whilst outlining a detailed overview of Harrow Council's terms and conditions negotiations, highlights serious factual inaccuracies, misrepresentations and possible gross oversights in the handling of the 'Modernisation' terms & conditions negotiations and consultation process by the HR Divisional Director. The report provides those officer's responsible a further opportunity to meet with the requirements stipulated within the consultative framework of the Council in order to demonstrate that a democratic process both fair and balanced has occurred. Its content also reiterates the commitment of UNISON to continue negotiations with the employer and concludes with two formal requests for immediate ECF panel agreement. The first demands that the failings identified within the report should be comprehensively investigated and for the officer to be held accountable. The second request calls on the Council to urgently re-commence original formal negotiations with the recognised trade unions, allowing negotiations to conclude so that a collective agreement can be achieved.

CHRONOLOGY

DATE	ACTION	OUTCOME
5/1/11	Meeting held with UNISON and HRD Divisional Director (Jon Turner) to outline Council's intention to 'Modernise' terms & conditions and the area's to be 'modernised'. This included schools or 'non-teaching' based staff. HR Director committed the Council to partnership approach and 'joint communications' in regard to progress of negotiations.	At this early stage the Divisional Director stated his view that employer would find it difficult to reach a collective agreement with two unions and that "ultimately, we will have to go to the workforce". No update or joint communications were issued to staff throughout negotiations.
03/2011	Staff consultation in March 2011 took place on potential areas for 'modernisation' within the staff survey.	UNISON informed that results would contribute to proposals. We believe no direct or in-direct consultation took place with schools

		based 'non-teaching' staff.
03/2011	Meeting in March 2011 took place with HRD Director, UNISON regional officials and Harrow Local Government Branch representatives.	HRD Divisional Director agreed that changes to terms and conditions would not impact parts 1 & 2 of the nationally agreed conditions of service i.e. the Green Book.
18/5/11	Formal 'Modernisation' negotiations commenced in which Terms of Reference agreed. Five negotiation meetings take place from 29/6/11 until formal proposals tabled on 16/11/11.	No formal proposals tabled in 6 months but 'options' discussed. UNISON Regional Organiser described these meetings as a 'talking shop' only.
08-09/2011	Further consultation took place with Directorate based staff only, with staff briefings regarding 'modernising options'.	UNISON informed that results of consultation would contribute to proposals. Proposals did not materialise until they were tabled in November 2011. This consultation also did not include schools based 'non-teaching' staff.
16/11/11	Council tables formal proposals imposing an unreasonable timetable to reach agreement by 15 December 2011 and negotiations to be finalised in time for Cabinet in January 2012.	Council await UNISON's formal response.
12/12/11	UNISON table formal alternative approach which sought to mitigate the worst effects of the Council proposals and which recognised the employer's need to change. UNISON believed that its response was more than accommodating, and that it had engaged in meaningful negotiations.	UNISON await Council's formal response.
09/01/12	Council close formal negotiations citing that 'it was not possible to reach a collective agreement' even though it was the GMB representatives which removed their union from further discussions whilst UNISON was willing to continue negotiations.	HR Divisional Director authors Cabinet Report for 19/1/12 recommending dismissal and re-engagement and a timetable for implementation.
15/2/12	UNISON Branch members meeting convened in Council Chambers	Motions passed calling on Council to

	regarding 'Modernisation' and attended by nearly 300 members (over 10% of those effected overall by the proposals). Members informed that January Call-in notice by UNISON rejected by Harrow Council.	resume negotiations with unions (with ACAS assistance) and requesting schools removed from the automatic impact of 'Modernisation' changes because the Council has no legitimate authority to do so. UNISON await response from Council.
29/2/12	In an unprecedented move the HRD Divisional Director, supported by and overseen by the Chief Executive, apologise profusely to Harrow schools Head Teachers regarding the unnecessary and unjustified exclusion of Head teachers and 'non-teaching' staff from the initial consultation processes and the stress and anxiety this whole debacle has caused.	HRD Divisional Director ill-advised Cabinet & the Chief Executive regarding schools inclusion. School governing bodies determine changes to non-teaching staff terms & conditions, the Council does not have a legitimate right to automatically insert agreements, alter terms and conditions or benefit from savings achieved from schools delegated budgets.

REPORT

Despite UNISON's formal objections, we remain disappointed with the Chair of ECF's decision to postpone the meeting scheduled for 26 March until 18 April 2012 serving to delay these urgent matters which require immediate action. Nevertheless, the issues outlined within this report are now extremely important, raise serious questions which require investigation, could save precious Council resources and will restore industrial relations so that partnership working and effective engagement on 'Modernisation' can resume in efforts to overcome this considerable but surmountable hurdle.

The report's Chronology clearly demonstrates that discussions with UNISON concerning 'Modernisation' initially commenced in January 2011 in which the HRD Divisional Director convened a meeting outlining his intentions to alter terms and conditions, the areas that the Council was proposing to 'modernise' and who the proposals would effect.

At this stage it is important to note that he stated to UNISON that 'modernisation' would directly impact 'non-teaching' staff in schools by way of a collective agreement. Before formal negotiations took place, a staff consultation was undertaken in March 2011 directly seeking views on areas that could potentially be 'modernised'. We believed that the Council would use this to inform their proposals which we expected to receive soon after formal negotiations commenced in May 2011. Given the tight timetable for a September 2011 deadline, it was not unreasonable for UNISON to deduce that formal proposals would be presented in good time for consideration and negotiation to achieve this deadline. However, and as will be displayed, this deadline fell by the wayside due to the disconnected and disjointed approach adopted by HR representatives during negotiations. It was also our reasonable expectation that as directorate based staff had been included in this consultation; non-teaching staff would also be included. Despite this reasonable belief and the HRD Divisional Director's decision in January, our school members were excluded from this exercise and their views and the views of their colleagues/Head Teachers were completely ignored.

March 2011 also witnessed a formal commitment from the Council with UNISON Regional officials and Branch Representatives that all future negotiations on terms and conditions would not impact or touch national conditions of service (parts 1 & 2) of the Green Book. It was agreed and accepted that the London Borough of Harrow has no mandate or legitimacy to tamper with agreements that are negotiated nationally.

Formal negotiations with the recognised trade unions commenced on the 18th May 2011 and were underpinned by an agreed Terms of Reference. **All meetings as from 18th May 2011 were considered as formal.** They were not, as the HRD Director incorrectly asserts in his January 2012 Cabinet Report (see paragraph 2.12) to be considered as informal.

We have grave concerns and important questions regarding his interpretation of events which require urgent scrutiny and are detailed as follows;

- 1. If indeed meetings before November 2011 were informal, then we seriously question why UNISON was required to agree Terms of Reference which included a confidentiality stipulation within them which reasonably infers all meetings from 18 May 2011 onwards were of a formal nature?**
- 2. If they were formal talks as we maintain and can evidence, why has the HR Divisional Director intentionally mislead and misrepresented a Cabinet report which has far reaching implications for all employees of the Council?**
- 3. The Terms of Reference committed the Council to releasing 'a joint statement within 5 days of every Forum meeting'. Given the importance of UNISON signing this agreement, and the fact that no joint statements were released, why didn't the Council update staff with an update of events five days after each negotiating meeting? Did the significant lack of progress, vision and firm proposals prevent them from informing staff that nothing was happening?**

To continue, five formal negotiation meetings took place over a period of six months following the original meeting on the 18th May 2011. To UNISON's frustration the Council arbitrarily suspended negotiation meetings between August-September 2011 because it wanted to conduct a second staff consultation concerning the options being discussed in negotiations.

We were informed that this consultation exercise was once again used to inform management about staff views on 'modernising' options. When discussions resumed in September no formal proposals were tabled as we were informed that yet further discussions were required at a senior level to formalise proposals. All of this work, discussion, dialogue and decision making was undertaken away from and outside of the negotiating arena and at a time when information requests were made by UNISON for the purposes of collective bargaining.

For example, UNISON required figures and information relating to services and staff numbers required to work weekends in response to the Council's proposal to work any five days out of seven. To date we have not received this information and we are still awaiting its arrival which in formal negotiations restricts a trade union's ability to engage with the employer effectively and on a level playing field.

As with the original staff consultation in March, the second staff consultation failed to include schools staff and once again excluded 'non-teaching' schools based staff from airing their views about the impact of changes to their terms and conditions which could place their employment status in jeopardy (ECF panel members will note the Council proposal to drastically reduce the redundancy entitlements by more than half, making it cost effective to release staff in pursuit of financial savings).

As we have witnessed in the schools consultation meetings convened after the HR Director authored his Cabinet report, none of our school members had been informed about the intention to change their terms and conditions and are totally bemused by their inclusion. We call into question the advice, guidance and strategic oversight of the HR Director and ask through ECF the following questions;

4. As we have demonstrated, the HRD Director's intention in January 2011 was to include 'non-teaching' schools staff within 'modernisation' changes yet, given the significant time period that elapsed, we cannot understand why the HRD Director failed to adequately consult and seek the views of schools staff when, knowingly, it was his original intention to include them?

5. Did the HR Director research and consult legal advice before incorrectly declaring that 'modernisation' changes would directly impact schools 'non-teaching' staff?

6. Can the Director provide an explanation to ECF panel members regarding this gross oversight in excluding over 2,000 staff from the two previous consultative processes? Why didn't HR undertake schools consultative meetings in March 2011 and also attend schools in the second consultation between August and September 2011?

7. Why did the information provided to trade unions in negotiations focus on directorate based employees and excludes the impact on non-teaching staff when their employment status and terms and conditions could have been drastically affected?

After a lengthy and significant time period in which our Regional Organiser described negotiation meetings as merely a 'talking shop' and which we viewed as disjointed, formal proposals were eventually tabled on the 16th November 2011.

UNISON tabled a counter response on the 12th December which sought to mitigate the worst effects of the Council's proposals and which recognised the employer's need to change. Our response was more than accommodating, balanced our members interests in line with our union's rules and is exemplified by the fact that only two areas required further discussion (as detailed in Appendix 1 of January's Cabinet report, see page 21); these areas related to the rate of enhancements and the Essential User Car Allowance withdrawal. For the record, UNISON was and still is willing to negotiate enhancement rates and advocate a review, not withdrawal, of the Essential User Car Allowance.

With a tight timescale imposed by HR over the Christmas and New Year period, and with little time allocated to UNISON to ballot its members over possible negotiated settlements, we were shocked at the immediate closure of negotiations by Harrow Council when the GMB decided it could no longer take part in further negotiations owing to its union's regional position.

Little reflection time was given before HR closed down talks and with hindsight we seriously doubt the Council but more specifically, the HRD Divisional Director, had any intention in which to allocate additional time to 'iron-out' the two outstanding issues that required agreement given the Director's statement earlier in 2011 that 'we will have to go to the workforce' and in his clear eagerness to close them. We are further suspicious given his assertion in the January Cabinet report (page 6 section 2.25) which states that the 'Council is no longer bound by any commitments given in the course of negotiations' and that the consultation proposals presented to the workforce 'may be modified from those negotiated with the unions'.

The factually incorrect and totally misleading report that followed in January, and authored by the HR Divisional Director for Cabinet decision, was unacceptable and his recommendation to dismiss and re-hire the entire workforce on inferior terms and conditions was premature and we believe completely over-zealous. We resent the misinformation distributed to all staff which apportioned blame to both unions neglecting to mention that UNISON was the only union still willing to continue negotiations and the constructive position we adopted throughout this process.

To illustrate further factual inaccuracies in the HR Director's report to Cabinet, we highlight the issue of the Equality Impact Assessment in which he states 'an Equalities Impact Assessment has been carried out' (page 8). We submit the following questions;

8. If an Equalities Impact Assessment was undertaken, why was this document not shared and consulted with the trade unions during negotiations?

9. If this document exists, why was it not included as an attachment within the January 2012 Cabinet report?

The recommendations provided by the HR Divisional Director are also in clear defiance of the legal advice detailed within the report (as is confirmed by our legal team) which places the Council in a precarious legal position with the possibility of costly legal and individual civil action notwithstanding the possibility of collective industrial strife which we all wish to avoid.

The impact on Single Status alone raises severe legal considerations in which the Council wishes to reverse the harmonised agreement by creating a clear two tier workforce in which those graded H 6 and below are financially worse off and paid considerably less than the rest of the workforce. This presents a return to the days of division between the blue collar and white collar sections of the workforce. This is hardly a 'fair and balanced' approach as the HR Director maintains in his report. We further question his perception of equality and we call into question his decision to include 'non-teaching' schools staff within the 'modernisation' proposals. Contrary to belief, all directorate based and schools staff will be impacted by drastic reductions to the Redundancy policy which places our members job security at risk. We can only deduce that this view of equality means the inclusion of a policy which would negatively impact all staff.

Since the 19th January 2012, and in realising this gross oversight, the HR Director belatedly commenced consultations and hastily convened meetings across all schools with 'non-teaching' staff. UNISON attended many of these meetings and it became evident that school governing bodies determine the employment status and acceptance of changes to terms and conditions of their non teaching staff, not the Council. Any blanket approach adopted prior to and during negotiations regarding the inclusion of schools would be legally risky given schools centrally allocated budgets and their ability to hire and fire their employees.

Our position on this matter and our members shocked amazement that the negotiations to change their terms and conditions were being discussed without them and that potential changes would be effected automatically in school HR consultation meetings was recently justified in what was an embarrassing climb down and 'U-turn' by the HR Director. ECF will note the recent apologies the HR Director and Chief Executive were forced to convey in person to school governors and clerks (see Chronology- 29th February 2012) and their staff regarding the ill-judged exclusion from consultation on 'Modernisation' proposals. The Forum will also note the letter sent by HR (dated 13 March 2012) to all Head Teachers and Governing Bodies in an attempt to clarify their original and incorrect position. We question why the Chief Executive was called into this debacle and submit the following question in regard to the apology issued to schools;

10. Why did the HRD Divisional Director have to personally apologise to school Head Teachers in February 2012 and what did he do so badly wrong which warranted such a public apology?

We have consistently raised awareness with our members, Councillor's and in the local media that the recommendation to fire and re-hire our members is over-zealous, disproportionate to the reality of the situation and places the Council's status as employer of choice and nationally recognised reputation in jeopardy.

UNISON convened a well attended Branch members meeting on 15th February 2012 which passed motions calling on a return to the negotiating table with ACAS assistance so that a collective agreement- the cheapest alternative to 4,000 dismissals- can be reached with the recognised trade unions.

We have not received a formal response from the Council in regard to this motion and we hope that this report will serve to remind the Authority that this is an outstanding piece of correspondence and is yet a further request to re-open formal negotiations and finish what was started in May 2011. The other motion called on the removal of schools staff from any blanket impact as a result of the 'modernisation' proposals which we have achieved.

In conclusion, UNISON is still optimistic that a collective agreement can be reached through re-opened debate and consultation with the employer and the recognised trade unions. It is committed to further negotiations and collaborative working with the employer to resolve this matter. However, in this report we have highlighted serious errors of judgement, inaccuracies and factually incorrect information on the HR Divisional Director's part which require immediate scrutiny, accountability and investigation. We therefore call on ECF Panel members to conduct a comprehensive investigation into the failings identified within the report and for the officer responsible to be held accountable. The second request calls on ECF to urgently re-commence original formal negotiations with the recognised trade unions, allowing negotiations to conclude so that a collective agreement can be achieved.

AUTHOR: HARROW UNISON LG BRANCH

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**REPORT FOR: EMPLOYEE
CONSULTATIVE FORUM**

Date of Meeting: 18 April 2012

Subject: **INFORMATION REPORT –
Management response to
Unison’s report on the
Modernisation of Terms and
Conditions**

Responsible Officer: Jon Turner
Divisional Director of HRD & Shared
Services

Exempt: No

Enclosures: None

Section 1 – Summary

This report sets out management’s response to Unison’s report on this subject to this meeting of the Employee Consultative Forum.

FOR INFORMATION

INTRODUCTION

The chronology and final positions arising from the negotiations with the trade unions to modernise terms and conditions of employment were accurately set out in the report to Cabinet in January 2012. The following report address inaccuracies and misrepresentations in the Unison report to this meeting of the Employee Consultative Forum (ECF)

Section 2 – Report

Unison's Chronology

5/1/11 – The Divisional Director HRD did not state that the employer would find it difficult to reach a collective agreement with two unions. He did however point out that these negotiations were likely to be more difficult than those that resulted in the 'Single Status Agreement' as they involved two unions. This regrettably proved to be the case.

The Divisional Director also correctly pointed out that in order to introduce changes in the absence of a collective agreement the Council would have to consult the workforce.

03/2011 – The UNISON Regional Manager (Local Government) categorically stated that Unison would not agree any proposals which included changes to Part 2 of the nationally agreed conditions of service.

18/5/11 – A series of meetings were held with the unions from May to September to seek to develop a set of proposals in partnership that was capable of agreement by all 3 parties. It was made clear that the Council wanted to 'work with' the trade unions. In September 2011, it was agreed that insufficient progress was being made and consequently the Council would make formal proposals for negotiation.

Formal proposals were prepared and agreed for negotiation by the Leader and Portfolio Holder in October 2011.

The unions were advised of 7 dates for meetings throughout November and December in order to hold negotiations. This recognised that a series of meetings had already been held on options, costs and savings together with the equalities impact for staff. These meetings had identified that variations to overtime and enhanced rates and essential car user allowances would be necessary to deliver significant savings.

The UNISON Regional officer was only able to attend the meeting on 16 November and offered only 3 other dates between then and the end of December when he would be available. Consequently, the remaining meetings were arranged around his availability.

Proposals were tabled with the unions on 16 November and they were requested to respond with their views and any counter-proposals they wished

to make by 6 December. Given the previous engagement this was considered adequate time to respond - it was not expected that an agreement would be reached on 6 December 2011. At the 6 December meeting, neither trade union presented counter-proposals and the meeting therefore focussed on clarifying issues raised by them. The unions were given a further opportunity to respond with their formal views, or to provide counter proposals, at the next scheduled meeting on 15 December 2011.

15/12/11 – Each trade union presented separate counter proposals. Both Unison's and the GMB's counter proposals principally focussed on measures the Council could take to control ad-hoc overtime and to modify the criteria for the Essential Car User scheme to reduce the numbers of staff currently entitled. Neither of these options met the Council's objectives of either modernising or reducing the cost of terms and conditions.

Further meetings were held on 21 December 2011 and 9 January 2012 (the latter later than planned but based on the availability of the trade union representatives).

On 21 December 2011, GMB's position was that they were not prepared to negotiate variations to overtime and enhancements and neither UNISON nor GMB were prepared to negotiate modification of the Essential Car User rates (as an alternative to withdrawal of the scheme). Consequently, they were advised that if no progress could be achieved at the next meeting, the negotiations would be closed.

The unions were not prepared to consider those proposals that would have delivered the savings required by the Council. The only proposals they indicated they would agree to increased costs e.g. raising the minimum salary level to ensure the Council paid at or above the London Living Wage. Consequently, on 9 January 2012, there having been no change in the unions' position, the negotiations were closed.

Subsequently, GMB did provide a further 'final' response but again, this confirmed that the union was not prepared to negotiate variation to terms and conditions but to consider, for example, a ban on overtime, i.e. management control. GMB's response also indicated the potential to reach agreement on redundancy payments. Whilst this was important to the modernising approach and would reduce costs in the longer term, it would not generate the savings required in the short-term.

19/1/12 – The Cabinet decision of January 2012 authorised the Chief Executive, in consultation with the Leader and Portfolio Holder, to prepare proposals for consultation with the workforce and undertake that consultation. This is being actioned. Alongside this consultation, formal consultation will take place with the unions in accordance with the requirements of S188 of the Trade Union and Labour Relations (Consolidation) Act. Cabinet did not agree to resume negotiations with the trade unions, although this was presented as an option that was not recommended within the report.

15/2/12 – The Council is the legal employer of schools based staff and as such, any consultation exercise will include these staff. It is not appropriate to remove a section of the workforce from this process.

29/2/12 – The advice in the Divisional Director’s report to Cabinet and to the Chief Executive on the role of governing bodies was correct. It has never been suggested that the Council would benefit from any savings achieved from Schools delegated budgets.

Unison’s Report

A series of meetings were held with Council staff to get their views on options for changes in terms and conditions. Both trade unions were made aware of the arrangements for these meetings. Neither trade union raised concerns that schools staff were not included either at the time those meetings were arranged, or subsequent to those meetings taking place.

The Council has the right to seek to lawfully vary terms and conditions of employment for its staff. It has expressly adopted NJC and JNC national agreements for relevant staff groups and incorporated them into their employment contracts. There are local agreements with the unions in addition to these national conditions. In the absence of an agreement with the unions to vary terms and conditions of employment, the Council has a right to pursue the lawful options for doing so.

The Council wished negotiations with the trades unions to include consideration of changes to Part 2 of the nationally agreed conditions of service. The UNISON Regional Manager (Local Government) categorically stated that Unison would not agree any proposals which included changes to Parts 1 or 2 conditions of service. Officers therefore acknowledged in January 2011 that these would be excluded from the negotiations in order to facilitate the achievement of a collective agreement. That commitment was given in the context of the negotiations taking place and was not an ‘in perpetuity’ commitment. As no collective agreement with the unions was reached, the Council is not restricted in the proposals for change it wishes to consider.

Unison’s ‘concerns’ and ‘questions’:

1. The trade unions were requested to agree the terms of reference prior to entering negotiations. The terms of reference covered the totality of the negotiations including the sharing of information and discussions prior to the Council presenting formal proposals.
2. During the meetings from May to September 2011, a clear statement was made by the HRD lead that the Council wanted to work with the unions, in partnership, to develop proposals capable of agreement by all 3 parties. As such, much time was taken discussing the costs of all terms and conditions, which were shared with the unions in order to identify those capable of delivering the savings requirement; and information was provided on the impact of options for making those savings. No misrepresentation has been made in the 19 January 2012 Cabinet report.
3. The terms of reference committed all parties to issuing joint statements. The fact that no significant progress was made through the discussions

and through the negotiations (as reported to Cabinet) meant that the Council did not seek to issue a joint statement; nor did the trades unions raise this as a concern through the negotiations.

The trade unions were also consulted on the briefing document given to staff who attended the meetings to get their views on options for changes in terms and conditions. The document was changed as a result of their comments and the trade unions attended those meetings.

4. As stated above, schools staff are Council employees and were therefore in scope of the changes discussed. Information was shared with schools through the 'arrow'. However, school support staff were not included in the meetings held with Council staff to get their views on options for changes in terms and conditions and it is acknowledged that there was insufficient early engagement with schools and their support staff.
5. The Cabinet report includes legal advice and was cleared by the Council's legal services.
6. As stated in 4 above it is acknowledged that there was there was insufficient early engagement with schools and their support staff. If a collective agreement had been reached with the trade unions, the Council would have consulted all staff and the unions advised that they would also ballot their members. School support staff would have been fully engaged in that process.

Schools and their support staff are fully engaged in the consultation that is now taking place.

7. The information provided to the trades unions through the discussions and negotiations covered all staff affected by the proposals including school support staff.
8. As the discussions from May to September were intended to develop proposals, a full Equalities Impact Assessment could not be completed until the proposals themselves had been developed. Equalities impact information on the options being considered was shared at various points with the unions and very detailed information on the equalities impact of options was provided in the discussions and negotiations from May onwards.
9. A summary of the Initial Equality Impact Assessment was included in the Cabinet report. The Cabinet report did not seek Cabinet approval for a set of proposals to be implemented, but to prepare proposals for consultation with the workforce. A full Equality Impact Assessment will be completed and published prior to any final decision to implement changes to terms and conditions.
10. Head teachers considered that the Council should have engaged them earlier in the development of the options that were the subject of negotiation with the trade unions and that their staff should have been better informed about the process. The Divisional Director

acknowledged their concerns and that there had been insufficient early engagement with schools and their support staff for which he apologised.

Unison's Requests

UNISON's report concludes with the following two requests:

- i. That ECF Panel members to conduct a comprehensive investigation into the failings identified within their report and for the officer responsible to be held accountable.

This report addresses all the issues raised within Unison's report. Officers will also be available at the Forum's meeting to respond to questions. Officers have acknowledged and apologised for not having engaged schools and their support staff earlier in the process.

- ii. That ECF urgently re-commence original formal negotiations with the recognised trade unions.

Re-commencing negotiations with the trade unions was presented as an option in the report to the January meeting of Cabinet. Cabinet resolved that 'the Chief Executive, in consultation with the Leader and the Portfolio Holder for Performance, Customer Services and Corporate Services, be authorised to:

- (a) develop a proposition which meets the needs of the Council on which to consult non-teaching staff;
- (b) consult directly with non-teaching staff and, if appropriate,
 - to modify that proposition in the light of consultation;
 - to undertake a ballot of non-teaching staff on the final proposition;
 - to take action as necessary to implement the new Terms and Conditions of Employment for non-teaching staff.'

That resolution is currently being implemented and part (b) includes statutory consultation with the trade unions. There will therefore continue to be engagement with the trade unions and if, following the consultation, both trade unions seek to reach a collective agreement then that is something that will be considered.

Section 3 – Further Information

A separate report on this ECF's agenda gives an update on the process to consult the workforce and unions.

Section 4 – Financial Implications

There are no financial implications arising from this report. The separate report on this agenda gives an update on the process for consultation and references the financial and workforce implications.

Section 5 - Equalities implications

Was an Equality Impact Assessment carried out? No – not as part of this response to UNISON’s report.

Section 6 – Corporate Priorities

The objective in seeking to modernize terms and conditions of employment at the same time as reducing costs is to seek to achieve the Corporate Priorities, to modernize the Council and to seek to mitigate the impact on services and potential job losses as a consequence.

- Keeping neighbourhoods clean, green and safe.
- United and involved communities: A Council that listens and leads.
- Supporting and protecting people who are most in need.
- Supporting our town centre, our local shopping centres and businesses.

Name: Jennifer Hydari.....	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 4 March 2012.....		

Section 7 - Contact Details and Background Papers

Contact: Lesley Clarke, Organisational Development Manager,
0208 420 9309

Background Papers: 19 January 2012 Cabinet report, item 351:

<http://moderngov:8080/ieListDocuments.aspx?CIId=249&MIId=60644&Ver=4>

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**REPORT FOR: EMPLOYEES
CONSULTATIVE FORUM**

Date of Meeting: 18 April 2012

Subject: **INFORMATION REPORT –**
Employment Procedures Monitoring

Responsible Officer: Jon Turner, Divisional Director Human
Resources and Development and
Shared Services

Exempt: No

Enclosures: Monitoring Information

Section 1 – Summary

This report sets out the outcome of consultation with the Trade Unions, on potential changes to employment procedures to improve performance, and encloses a record of the progress of current employment procedures.

FOR INFORMATION

Section 2 – Report

This report provides an update of the outcome of consultation with GMB and Unison on potential changes to procedures, following discussions at the last meeting of the Forum, for improvements to meeting employment procedure timescales. A record of current employment procedure monitoring is enclosed.

Section 3 – Further Information

A report was submitted at the previous ECF meeting, showing the current Dignity at Work, Conduct and Capability cases in progress at the time and giving reasons why timescales, for some cases, had not been met.

Reasons for delay included employee or manager annual leave or sick leave, more complex cases requiring additional time, limited Trade Union representative or senior management availability and paperwork being received outside the time frame.

Discussions with the Trade Unions centred around extending procedure timescales, strengthening manager guidance for more clarity and accountability, considering cases automatically withdrawn for unreasonable delays, stopping the clock where extensions to timescales have been agreed, lodging appeals centrally e.g. with Human Resources rather than with various managers, and regular training for managers in applying Harrow's procedures.

The Trade Unions accepted that delays were sometimes unavoidable however were not in favour of timescales in the procedure being extended. The Unions' view was that many of the issues arose from inconsistent application of procedures, perceptions of lack of impartiality and managers having no accountability for not following procedures

Human Resources and Development (HRD) agreed to amend the procedure to clarify that if extra time were necessary, the expected timeframe and reasons for the delay would be confirmed in writing and regular progress updates provided. Any additional time would therefore not be included when assessing overall timescales. HRD also agreed further consult with the Trade Unions to include 'stopping the clock' in some instances.

To facilitate improved quality of outcomes and promote consistency, HRD are preparing proposals for management development activities for applying Harrow's employment policies and procedures, to be included in the Council's Learning and Development programme.

Future performance of employment procedures will continue to be reported to Directorate Management Teams, quarterly Improvement Boards and in the council's equality in employment monitoring, annually reported to the Employee Consultative Forum.

Section 4 – Financial Implications

None

Section 5 - Equalities implications

An equality impact assessment will be carried out as part of the revision process for individual procedures.

Section 6 – Corporate Priorities

This report provides information requested by the forum.

Name...Jennifer Hydari.....	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 2 nd April 2012.....		

Section 7 - Contact Details and Background Papers

Contact:

Marion Afoakwa, Workforce Performance & Productivity Manager

HRD Business Partners

Sangeeta Jerath – Adults and Housing Services

Susan McEvoy – Corporate Services

Paul D Turner – Community Environment and Place Shaping

Paul R Turner – Children’s Services

Background Papers:

INFORMATION REPORT – Policies and Procedures Application, Employee Consultative Forum, 10 October 2011

<http://www.harrow.gov.uk/www2/ieListDocuments.aspx?CId=265&MId=60668>

INFORMATION REPORT – Policies and Procedures Application, Employee Consultative Forum, 24 January 2012

<http://www.harrow.gov.uk/www2/ieListDocuments.aspx?CId=265&MId=60669>

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Formal Employment Procedures Monitoring (as at 30 March 2012 for Dignity at Work cases started after 1st October 2011)

This table shows current Dignity at Work cases in progress at key stages requiring management action. If a management action timescale is not met there is a note of explanation in the end column.

Childrens & Families

Date Formal DAW received	Meeting with employee within 15 days?	Investigation completed within 15 days?	Meeting to provide outcome of complaint?	Outcome letter to employee within 5 days after hearing?	Appeal held within 20 days of registration by employee?	Appeal outcome sent to employee within 5 days after appeal?	Notes
10/02/12	Yes	Yes	Yes	Yes	N/A	N/A	N/A
21/02/12	Yes	Yes	Yes	No	N/A	N/A	DAW complaint received on 21/02/2012. Meeting held on 29/02/2012 which led to an investigation. Management are currently in negotiations to look at alternative options in seeking a resolution. Alternative option achieved. Employee leaving the Council. Last day of service 30/03/2012
21/02/12	No	N/A	N/A	N/A	N/A	N/A	DAW complaint received on 21/02/2012. Meeting was scheduled to take place on 29/02/2012. Employee raised concerns regarding the manager hearing the complaint and it was agreed that another manager will hear the complaint. 09/03/2012 a manager was identified to hear the complaint. Meeting will no longer be taking place. Employee will be leaving the Council. Last day of service 30/03/2012.
13/03/12	N/A	N/A	N/A	N/A	N/A	N/A	DAW complaint received 13/03/2012. Formal meeting has not been scheduled as of the 21/03/2012. Formal meeting was not arranged as the employee will no longer be working for the Council from 30/03/2012.
19/03/12	N/A	N/A	N/A	N/A	N/A	N/A	DAW complaint received 19/03/2012. Complaint has not been acknowledge as of the 21/03/2012 and a formal meeting is to be arranged.

Resources

Date Formal DAW received	Meeting with employee within 15 days?	Investigation completed within 15 days?	Meeting to provide outcome of complaint?	Outcome letter to employee within 5 days after hearing?	Appeal held within 20 days of registration by employee?	Appeal outcome sent to employee within 5 days after appeal?	Notes
07/02/12	No	No	N/A	N/A	N/A	N/A	DAW complaint received on 07/02/2012, the meeting with the employee did not take place within the 15 days due to annual leave commitments with the employee then the trade union rep. then the investigation officer was on annual leave so the investigation was delayed. Meeting has since happened and investigation taking place
19/01/12	Yes	No	No	N/A	N/A		Due to the employees sickness absence, management have not managed to meet within the timescales
08/03/12	Yes	N/A	N/A	N/A	N/A	N/A	Employee has postponed the DAW until the first DAW they have submitted is finished.

Community Health & Well-Being

Date Formal DAW received	Meeting with employee within 15 days?	Investigation completed within 15 days?	Meeting to provide outcome of complaint?	Outcome letter to employee within 5 days after hearing?	Appeal held within 20 days of registration by employee?	Appeal outcome sent to employee within 5 days after appeal?	Notes
01/12/2011 (Adults)	No	No	Yes				Complaint record form received on 01/12/11. Formal meeting to hear the complaint was arranged for 16/12/11 however TU rep not available meeting rescheduled for 11/01/12 which was also cancelled due to TU rep unable to attend. Second rescheduled meeting held on 24/01/12. Investigation commenced on 27/01/12 and extended due to witness's and IO annual leave arrangements. Investigation concluded. Re-convened meeting held on 29/03/12. Outcome letter being drafted.
20/12/11 (Housing)	No	Yes	Yes	Yes			Manager on AL. DAW acknowledged. As same complaint is raised by three employees, agreement being sought to consider DAW as a collective grievance and seeking informal resolution. Once agreement received from TU rep, formal meeting held on 05/03/12 and outcome delivered 15/03/12.
20/12/11 (Housing)	No	Yes	Yes	Yes			Manager on AL. DAW acknowledged. As same complaint is raised by three employees, agreement being sought to consider DAW as a collective grievance and seeking informal resolution. Once agreement received from TU rep, formal meeting held on 05/03/12 and outcome delivered 15/03/12.
20/12/11 (Housing)	No	Yes	Yes	Yes			Manager on AL. DAW acknowledged. As same complaint is raised by three employees, agreement being sought to consider DAW as a collective grievance and seeking informal resolution. Once agreement received from TU rep, formal meeting held on 05/03/12 and outcome delivered 15/03/12.
09/01/12 (Housing)	No	Yes	Yes	Yes	N/A	N/A	DAW received on 09/01/12 however, DAW form dated 15/12/11 and cover letter dated 18/12/11. DAW formally considered on 31/01/12 (1 day delay) and outcome delivered on 16/02/12
12/12/2011 (Housing)	Yes	Yes	Yes	No	No	Yes	DAW raised on 12/12/11, heard on 20/12/11, outcome given on 9/01/12. Letter confirming outcome sent on 19/01/12. Appeal received on 24/01/12. Appeal meeting held on 08/02/12 (1 day delay due to diary constraints on divisional director).

Environment

Date Formal DAW received	Meeting with employee within 15 days?	Investigation completed within 15 days?	Meeting to provide outcome of complaint?	Outcome letter to employee within 5 days after hearing?	Appeal held within 20 days of registration by employee?	Appeal outcome sent to employee within 5 days after appeal?	Notes
17/10/11	No	No	Yes	Yes	No	N/A	Complaint submitted to the Divisional Director of Legal Services. Discussed with Divisional Director HRD and advised the employee that the complaint has been passed to the Corporate Director in C&ES on 21 October. C&ES Divisional Director met with employee on 22 November. Complaint investigated and investigation extended due to staff not being available for interview. Outcome meeting held on 12/1/12 Appeal received; 26/01 and appeal hearing date; 21/02. Rearranged at request of employee to 01/03. At request of employee rearranged to 02/05. Meeting with employee; 01/02. Complex investigation; 160 documents submitted and reviewed. Outcome letter sent 13/03.
09/01/12	Yes	Yes	No	No	N/A	N/A	

Place Shaping

Date Formal DAW received	Meeting with employee within 15 days?	Investigation completed within 15 days?	Meeting to provide outcome of complaint?	Outcome letter to employee within 5 days after hearing?	Appeal held within 20 days of registration by employee?	Appeal outcome sent to employee within 5 days after appeal?	Notes

Formal Employment Procedures Monitoring (as at 30 March 2012 for Conduct cases started after 1st October 2011)

This table shows current Conduct cases in progress at key stages requiring management action. If a management action timescale is not met there is a note of explanation in the end column.

Childrens & Families

Date Formal Conduct Procedure commenced	Meeting to inform employee of alleged misconduct?	Investigation completed within 15 days and meeting to inform employee of outcome within 5 days?	Meeting to consider alleged misconduct?	Outcome letter to employee within 5 days after hearing?	Appeal Held within 20 days of registration by employee?	Appeal outcome letter sent to employee within 5 days after appeal?	Notes
29/03/12	No	N/A	N/A	N/A	N/A	N/A	New case commenced 29/03/2012. Manager to arrange a meeting to inform of the alleged misconduct.
29/03/12	No	N/A	N/A	N/A	N/A	N/A	New case commenced 29/03/2012. Manager to arrange a meeting to inform of the alleged misconduct.

Resources

Date Formal Conduct Procedure commenced	Meeting to inform employee of alleged misconduct?	Investigation completed within 15 days and meeting to inform employee of outcome within 5 days?	Meeting to consider alleged misconduct?	Outcome letter to employee within 5 days after hearing?	Appeal Held within 20 days of registration by employee?	Appeal outcome letter sent to employee within 5 days after appeal?	Notes
16/01/12	Yes	Yes	Yes	Yes	N/A	N/A	

Community Health & Well-Being

Date Formal Conduct Procedure commenced	Meeting to inform employee of alleged misconduct?	Investigation completed within 15 days and meeting to inform employee of outcome within 5 days?	Meeting to consider alleged misconduct?	Outcome letter to employee within 5 days after hearing?	Appeal Held within 20 days of registration by employee?	Appeal outcome letter sent to employee within 5 days after appeal?	Notes

06/10/11 (Housing)	Yes	No	Yes	Yes	N/A	N/A	Investigation extended due to employee being on AVL (abroad) from 24/10/11 to 23/11/11 and had to be re-interviewed. Investigation has now concluded. Hearing arranged for 26/01/12 however got cancelled as investigation officer unable to attend. Rescheduled hearing took place on 20/02/12.
22/12/11 (Adults)	Yes	No					Safeguarding adults matter. SGA investigation undertaken. Employee off sick since incident. OHS referral made, they advised employee fit to attend a meeting, first meeting with employee held on 22/02/12. Investigation has now concluded. Commissioning manager to consider the report.
30/01/01 (Adults)	Yes	No					Employee was informed of investigation on 30/01/12. Investigation commenced on 02/02/12. Investigation extended due to new allegation which came to light during the investigation. Employee has been informed of the new allegations and the extension.
01/02/12 (Adults)	Yes	No					Investigation extended due to investigation officer being on annual leave. Employee has been informed of extension.
31/01/12 (Adults)	Yes	No					Incident was referred to the police who conducted a police investigation. Police confirmed conduct investigation could commence therefore IO started investigation on 20/02/12. IO met with employee on 07/03/12 however was cancelled due to employee and TU rep unwilling to participate. Re-convened meeting arranged.
22/02/12 (Housing)	Yes	No					Investigation extended due to key witness being off sick. Employee has been informed of extension.

Environment

Date Formal Conduct Procedure commenced	Meeting to inform employee of alleged misconduct?	Investigation completed within 15 days and meeting to inform employee of outcome within 5 days?	Meeting to consider alleged misconduct?	Outcome letter to employee within 5 days after hearing?	Appeal Held within 20 days of registration by employee?	Appeal outcome letter sent to employee within 5 days after appeal?	Notes
15/12/11	Yes	No	Yes	Yes	N/A	N/A	Investigation extended due to additional information and CCTV requested from external organisation. A further meeting was required with employee. Further extension due to availability of witnesses. Employee has not appealed the decision.
21/02/12	Yes	No	N/A	N/A	N/A	N/A	Investigation was extended due to employee request to postpone scheduled interview. Completed in 19 days. Formal meeting date to be arranged.

Place Shaping

Date Formal Conduct Procedure commenced	Meeting to inform employee of alleged misconduct?	Investigation completed within 15 days and meeting to inform employee of outcome within 5 days?	Meeting to consider alleged misconduct?	Outcome letter to employee within 5 days after hearing?	Appeal Held within 20 days of registration by employee?	Appeal outcome letter sent to employee within 5 days after appeal?	Notes
22/02/12	Yes	No	Yes	Yes	N/A	N/A	Investigation extended for additional meeting with employee. Investigation completed in 16 days.

Formal Employment Procedures Monitoring (as at 30 March 2012 for Capability cases started after 1st October 2011)

This table shows current Capability cases in progress at key stages requiring management action. If a management action timescale is not met there is a note of explanation in the end column.

Childrens & Families

Date Formal Capability Procedure commenced	Meeting to consider employees performance?	Outcome letter to employee within 5 days after hearing?	Appeal held within 20 days of registration by employee?	Appeal outcome letter sent to employee within 5 days after appeal?	Notes
Nil					

Resources

Date Formal Capability Procedure commenced	Meeting to consider employees performance?	Outcome letter to employee within 5 days after hearing?	Appeal held within 20 days of registration by employee?	Appeal outcome letter sent to employee within 5 days after appeal?	Notes
Nil					

Community Health & Well-Being

Date Formal Capability Procedure commenced	Meeting to consider employees performance?	Outcome letter to employee within 5 days after hearing?	Appeal held within 20 days of registration by employee?	Appeal outcome letter sent to employee within 5 days after appeal?	Notes
Nil					



Environment

Date Formal Capability Procedure commenced	Meeting to consider employees performance?	Outcome letter to employee within 5 days after hearing?	Appeal held within 20 days of registration by employee?	Appeal outcome letter sent to employee with 5 days after appeal?	Notes
Nll					

Place Shaping

Date Formal Capability Procedure commenced	Meeting to consider employees performance?	Outcome letter to employee within 5 days after hearing?	Appeal held within 20 days of registration by employee?	Appeal outcome letter sent to employee with 5 days after appeal?	Notes
Nll					

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**REPORT FOR: Employees Consultative
Forum.**

Date of Meeting:	18th April 2012
Subject:	INFORMATION REPORT Response to the Forum on health and safety training.
Responsible Officer:	Tom Whiting, Assistant Chief Executive
Exempt:	No
Enclosures:	Appendix 1 – Training Calendar Appendix 2 – Health & Safety Training Matrix Appendix 3 - Main Health & Safety Training Courses Attendances Appendix 4 – Cost of claims (excluding schools) Appendix 5 – Incident type for claims (excluding schools)

Section 1 – Summary

This report provides the requested response to the Forum on the provision and delivery of health and safety training.

FOR INFORMATION

Section 2 – Report

- 2.1 Health and Safety training is delivered through a yearly programme (see appendix 1). The courses delivered have been identified historically through an assessment of the organisation's health and safety training needs, from which a training matrix has been developed (see appendix 2).
- 2.2 Individual Services book team members on courses through Coursebooker and training is generally delivered at the Civic Centre, although bespoke courses are occasionally delivered on site, following requests from individual service areas, for example the Service Manager at one of the Community, Health & Wellbeing premises recently requested and was provided with fire warden & fire extinguisher training on site.
- 2.3 In addition to the health and safety training arranged by the Corporate Health & Safety Service, individual services are also able to organise their own bespoke training, to meet individual service needs. For example some services at the depot have received manual handling training in the last three years that relates directly to the activities performed in their area and 100 staff have attended the TFL Course 'Safe London Driving'.
- 2.4 The Corporate Health & Safety Service reports through the yearly and half yearly reports on the delivery of training it provides. Training is also discussed at the Directorate and Corporate Health and Safety Groups. Appendix 3 outlines the training delivered between the 1st April 2011 and 1st March 2012. The Service does not report on health and safety training that individual services organise separately, such as physical intervention training.
- 2.5 The Corporate Health & Safety Service has identified, as part of its two year improvement plan, the need to further develop the delivery of training to meet the needs of the organisation and to consider alternative options such as e-learning.
- 2.6 The Forum has asked the Service to identify if there is any correlation between the level of training currently being delivered and the number of Employer's Liability claims received. Employer's Liability claims against the Council have remained fairly consistent in terms of both number and cost for incidents arising in the past three years (see appendix 4). It should be noted that an employee has three years from the date of an accident to submit a claim against the Council and accordingly, claim costs for recent policy years are not yet fully developed. It should also be noted that not every claim is successful.
- 2.7 There have been twenty five employer liability claims in the last three years (see appendix 5). The natures of the incidents from which claims

have arisen have varied from slips on ice to incidents involving the management of clients with additional needs. The number of claims is low in relation to the number of employees within the organisation and together with the wide range of causes of incidents it is difficult to determine any clear correlation between incident type and training delivered.

Section 3 – Further Information

3.1 None

Section 4 – Financial Implications

4.1 The Council's health and safety functions and management responsibilities are discharged within existing service budgets.

Section 5 – Corporate Priorities

5.1 Delivery of health and Safety training has the potential to impact on each of the Council's priorities.

Name: Steve Tingle	<input checked="" type="checkbox"/>	on behalf of the* Chief Financial Officer
Date: 28 th March 2012		

Section 6 - Contact Details and Background Papers

**Contact: Simon Rice, Service Manager- Corporate Health & Safety
0208 424 1362**

Background Papers: None

Appendix 1



Harrow Health & Safety Services Training Calendar January 2012 - December 2012

January			
16/01/12	Health & Safety for Staff	Committee Room 6	09.30-12.30
17/01/12	Manual Handling	Committee Room 3	09.30-12.30
24/01/12	Premises Managers H&S Training	Committee Room 3	09.30-16.30
25/01/12	Risk Assessment	Committee Room 3	09.30-12.30

February			
01/02/12	Health & Safety for Staff	Committee Room 6	09.30-12.30
06/02/12	Health & Safety for Managers	Committee Room 6	13.30-16.30
08/02/12	COSHH	Committee Room 6	09.30-12.30
21/02/12	Lone Working	Committee Room 3	09.30-12.30
27/02/12	Fire Warden Marshal Training	Committee Room 6	09.30-12.30
27/02/12	Fire Risk Assessment	Committee Room 6	13.30-16.30

March			
13/03/12	DSE Assessor	Third Floor South Wing Conference Room	13.30-16.30
13/03/12	Health & Safety for Staff	Committee Room 6	09.30-12.30
26/03/12	Personal Safety	Committee Room 3	09.30-12.30

April			
17/04/12	Health & Safety for Managers	Committee Room 3	09.30-12.30
18/04/12	Manual Handling	Committee Room 6	09.30-12.30
26/04/12	Health & Safety for Staff	Committee Room 5	13.30-16.30
23/04/12	Premises Managers H&S Training	Committee Room 6	09.30-16.30

May			
14/05/12	Health & Safety for Staff	Committee Room 3	13.30-16.30
16/05/12	Workplace Inspection	Committee Room 6	09.30-12.30
21/05/12	DSE Users	Committee Room 6	09.30-12.30
21/05/12	DSE Assessors	Committee Room 6	13.30-16.30

June			
11/06/12	Health & Safety for Managers	Committee Room 6	13.30-16.30
12/06/12	Fire Warden Marshal Training	Committee Room 6	09.30-12.30

12/06/12	Fire Risk Assessment	Committee Room 6	13.30-16.30
19/06/12	Health & Safety for Staff	Committee Room 6	13.30-16.30
19/06/12	Risk Assessment	Committee Room 6	09.30-12.30
25/06/12	COSHH	Committee Room 6	09.30-12.30
27/06/12	Lone Working	Committee Room 6	09.30-12.30

July

04/07/12	DSE Users	Committee Room 6	09.30-12.30
04/07/12	DSE Assessors	Committee Room 6	13.30-16.30
06/07/12	Manual Handling	Committee Room 6	13.30-16.30
06/07/12	Health & Safety for Managers	Committee Room 6	09.30-12.30
11/07/12	Premises Managers H&S Training	Committee Room 6	09.30-16.30
18/07/12	Health & Safety for Staff	Committee Room 6	13.30-16.30

September

10/09/12	Stress Risk Assessment	Committee Room 3	09.30-12.30
19/09/12	Personal Safety	Committee Room 6	09.30-12.30
20/09/12	Risk Assessment	Committee Room 6	09.30-12.30
21/09/12	Health & Safety for Staff	Committee Room 6	09.30-12.30

October

1/10/12	Health & Safety for Managers	Committee Room 3	13.30-16.30
4/10/12	Health & Safety for Staff	Committee Room 3	09.30-12.30
8/10/12	Lone Working	Committee Room 6	09.30-12.30
12/10/12	Premises Managers H&S Training	Committee Room 6	09.30-16.30
17/10/12	DSE Users	Committee Room 6	09.30-12.30
17/10/12	DSE Assessor	Committee Room 6	13.30-16.30

November

07/11/12	Fire Warden Marshal Training	Committee Room 6	09.30-12.30
07/11/12	Fire Risk Assessment	Committee Room 6	13.30-16.30
09/11/12	Risk Assessment	Committee Room 6	13.30-16.30
12/11/12	Health & Safety for Staff	Committee Room 6	09.30-12.30
14/11/12	COSHH	Committee Room 3	09.30-12.30
19/11/12	Manual Handling	Committee Room 6	09.30-12.30

December

07/12/12	DSE Users	Committee Room 6	09.30-12.30
07/12/12	DSE Assessors	Committee Room 6	13.30-16.30
11/12/12	Personal Safety	Committee Room 6	09.30-12.30
17/12/12	Premises Managers H&S Training	Committee Room 6	09.30-16.30
18/12/12	Health & Safety for Staff	Committee Room 6	13.30-16.30
19/12/12	Health & Safety for Managers	Committee Room 6	09.30-12.30

Appendix 2

Learning Requirement	Health and Safety Induction	Health and Safety Induction for Managers	COSHH	DSE Assessors Course	DSE Users Course	Fire risk Assessment	Fire Warden	First Aid at Work Cert	First Aid Re-qualification	Lone Working	Managing Safely IOSH-4 days	Manual Handling Basic	Office Safety	Personal Safety (V&A)	Premises Managers Health and safety	Risk Assessment	Senior Executive Health and Safety	Stress Risk Assessment	Workplace Inspection
Staff Categories																			
All staff	M																		
HSPB members.																	M		
CE, Exec Directors and Directors.		M															M		
Group/Service Managers		M									R		R			M		R	R
Staff undertaking health and safety risk assessments				M	M								M			M		M	
Project leaders/Hosts		M																	
First Aiders								M	M										
Fire Wardens						M	M												
Staff who use computers > than 2 hours per day					M														
Staff who will be following up workstation risk assessments				M															
Staff who minimal manual handle												M							
Staff who work with chemicals			M																
Front line staff														M					
Staff that work alone/carry out visits/inspections										R									
Staff who manage premises/Site Managers															M				
Staff who work in partnerships	M																		

In all cases the appropriate training must be established using the Health and Safety risk assessment process.

R- Recommended - Determined by Risk

M- Mandatory - Required by Health and Safety Legislation

Appendix 3

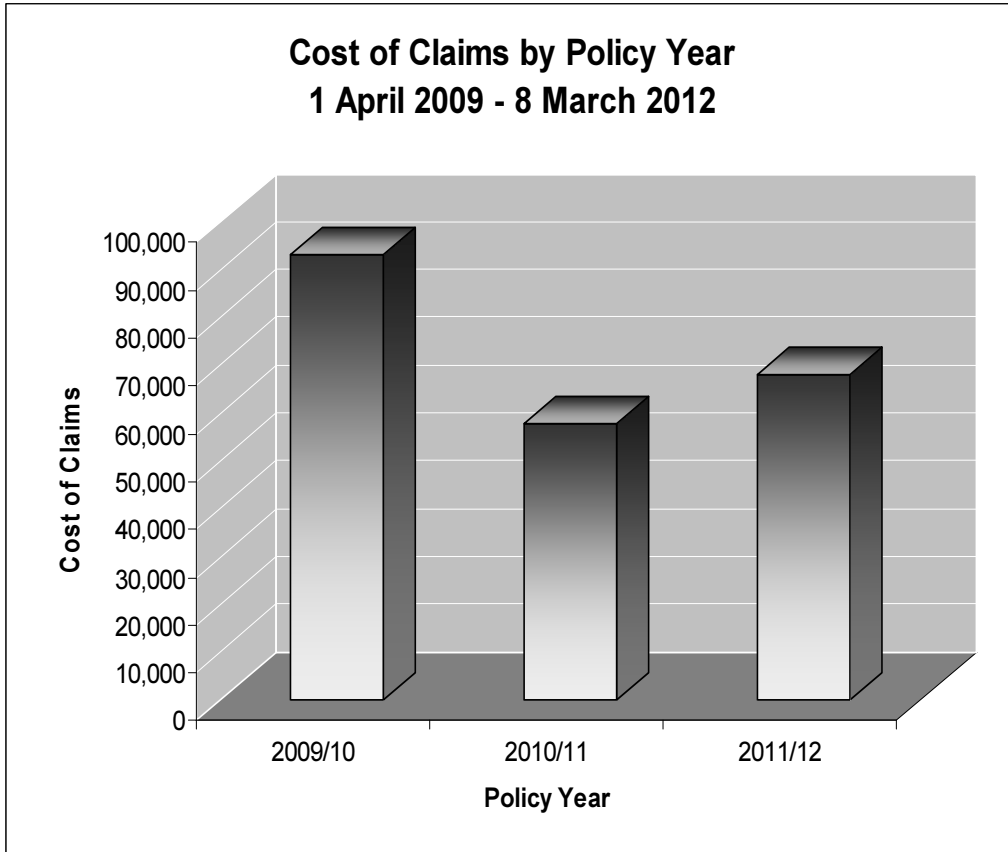
Main Health & Safety Training Courses Attendances 1/4/2011 – 01/03/2012

Directorates Courses /	Corporate Finance	Children's Services	Adults and Housing	Environment and Community	Chief Executive	Place Shaping	Total
Health and Safety Induction for staff	4	11	17	9	5	10	56
Health and Safety Induction for managers	1		3		1		5
Health and Safety Risk Assessment			28				28
Health and Safety for Premises managers		8	3	19			30
Stress Awareness							
Fire Marshals	2	1	33		2		38
Lone working			6	4			10
Personal safety		2					2
DSE users	3	1	1		1		6
DSE assessors	6	3	3		2		14
Stress awareness / risk assessment			16				16
COSHH awareness		5	21	1			27
Manual Handling		23	13	5			41
Fire safety awareness		240					240
Total	16	294	144	38	11	10	513

Note: The above data does not include bespoke training arranged by individual Services, e.g. Manual Handling training at the Depot.

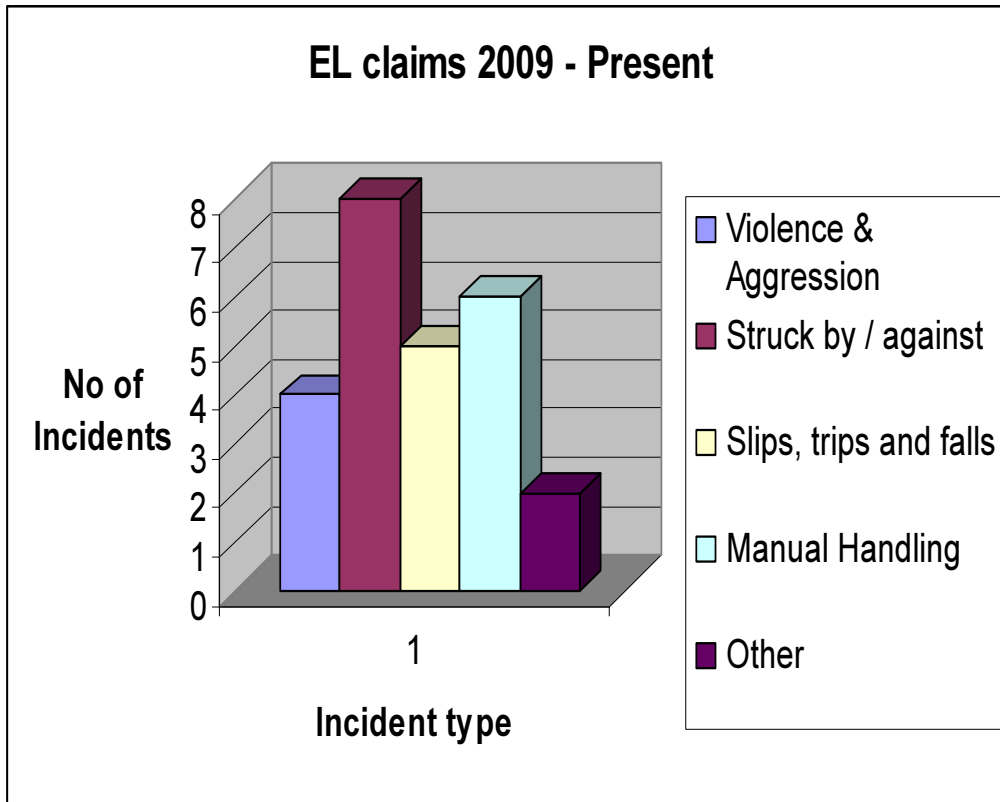
Appendix 4

Cost of claims (excluding schools)



Appendix 5

Incident type for claims (excluding schools)



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EMPLOYEES' SIDE REPORT ON: Relating to Health and Safety Policy and Procedures and ongoing Health and Safety Issues.

SUMMARY AND DECISION REQUESTED

We require a rapid and full and comprehensive report from Health and Safety Group on issues raised by Unison on the Health and Safety Policy, Audit report and Communications Code of Practice. We also seek a resolution to various matters subjected to a refusal to properly address the issues. Those responsible should be held fully accountable through the Council's internal employment procedures.

CHRONOLOGY:

DATE	ACTION	OUTCOME
	HS Policy review and COP Through Health and Safety Manager and Corporate HS Group	On going issue, poor response through various inconclusive meetings
	Academies Director HR	No indication during negotiations that the HS SLA would not be honoured. Representative involvement in health and safety has been ignored. Ongoing issue
	Schools Health and Safety Department and Director No infrastructure arrangements to allow health and safety meetings and poor response to our communications.	On going issue
	Health and Safety Department. Health and Safety Department and Director Lack of effective involvement of the Unions in health and safety investigations. Failure to obtain a Health and safety partnership agreement.	On going issue
	Housing Health and Safety Department and Director. Director C+E. Director Housing Kenmore Hall asbestos removal No proper evidence or due diligence that shows whether people were put at risk. Refusal to register those possibly affected. An inadequate report that failed to address all the issues.	On going issue

	<p>Bomb scare Procedure Director C+E and Facilities Management No effort to resolve the issues or adequately explain. The Unions have been ignored and various ineffective operational changes made without consultation putting people at risk.</p>	<p>Protracted issue no adequate response. A determined effort by the Director to avoid accountability.</p>
	<p>Two Gas incidents at the Depot site Director C+E and Facilities Management Health and Safety Department and Director No effort to involve Unions in the investigation or provide their investigation reports. Failure to properly identify or interview key witnesses.</p>	<p>Ongoing issue no adequate response</p>
	<p>Depot toilets Director C+E and Facilities Management Health and Safety Department and Director A correction is required to the claims by facilities management that the work was carried out by a competent contractor. Further remedial work is necessary.</p>	<p>Protracted issue no adequate response. Inaccurate information provided. Outstanding defects remain.</p>
	<p>Civic Centre 2nd Floor Refurbishment Director C+E. Head of Property Various defects and poor installation were identified. Promises of an investigation were not honoured and union queries were ignored.</p>	<p>Protracted issue no adequate response</p>

REPORT

Unison submits this report in line with the requirements of Council policy on Health and Safety and the Partnership working policy of the Council.

Due to the actions or inactions by Directors and managers the Branch is left with no alternative but to bring matters to the senior forum.

Unison ECF Health and Safety Report January 2012

This has been a mixed year with some success but also a failure to address some issues.

We now have all Directorate health and safety groups functioning with well managed and proactive Place Shaping Directorate meetings now being held.

Last year saw the publishing of the Jane Don audit into the management of health and safety. Health and safety Department has moved on significantly introducing on line accident / incident reporting and an audit programme. We are still waiting however to see the results of the trial.

We are not satisfied that issues in the Audit report including management accountability have been addressed in the health and safety policy or the code of practice. The documents do not properly relate to each other or the Audit report and a number of our comments have been ignored. The consultation process has been flawed and since we have given detailed written comments some time ago there is no excuse for the anomalies to remain in the documents. We have made it plain at Corporate Health and Safety Group that this Unison Branch will not legitimise the flawed HS Policy or code of practice.

No Academy school has signed up to continue with the services of the Council's health and safety department (or offer an alternative). As we were not told this during the negotiations we want to know if we were misled and we will take a jaundiced view in any future applications for Academy status. Also no Academy has replied to a formal request to set up a representative health and safety meeting during the three month deadline.

However despite our formal letter request to set up a representative health and safety meeting at each School Unison has not been invited to one health and safety meeting. As this is a legal requirement under health and safety legislation we will increasingly continue to press our case. For representation to be effective organisational changes such as hub groups and a common format are necessary and this planning is not evident. The deadline for the affirmative replies is imminent

We need to clarify what the Council means when it says the Unions can be part of the investigation into accidents or incidents. If a report is written and then amended by negotiations with respective departments before we are informed we cannot be said to be included in the investigations. Our perception is that the culture of secrecy and silo management is still flourishing in the Council. There has also been a failure to obtain agreement to a Partnership Agreement with all unions. The reasons for the failure need to be explained.

Housing Kenmore Hall asbestos removal - it appears there is no proof that the asbestos was removed, transported or disposed of properly. Since there is no due diligence we want all possibly affected people to be registered as at risk. This was an inadequate report that provided no adequate indication or investigation into work practice or safe disposal of ACMs.

Cashiers

The project to re-site Cashiers into the old post room has not introduced any changes to reduce the damaging noise levels from the coin counting machine as required by the HSE. Despite various interventions by Unison management insist on relying on staff wearing ear defenders all day long. This is not practical, contrary to HSE guidance and putting staff at risk. A proper assessment of the risks in moving cash and coins has not been provided.

Outstanding issues remain with the community and Environments Directorate:

The various changes to the bomb scare procedure still have not been properly explained but it is clear that staff and public were put at risk unnecessarily. The procedures in an evacuation are also flawed as shown by two false alarms and management still do not have competent plans. While management have been denying disclosure they have allowed a flawed and unsafe process to continue. When we approached the police they were unaware of any official advice having been offered to the Council despite contrary indications from Facilities Management.

There have been two gas incidents at the Depot Site and again we have not been included in the investigations or even knowledge of the reports.

Depot toilets - we need a correction to the statement made at ECF by facilities management that the work was of high standard and all carried out by a competent contractor. Also the defective work needs to be rectified.

Civic One Second floor refurbishment Project safety concerns- No reply has been received from the Head of Property. Despite various reminders from us and an assurance that an investigation would take place there has been a refusal to inform the Unions.

We look forward to a more cooperative effort between management and Unions in the New Year.

**REPORT FOR: Employees' Consultative
Forum**

Date of Meeting: 24 January 2012

Subject: **INFORMATION REPORT**
Management's Response to
Employees' Side Report on Health and
Safety Policy and Procedures and
Ongoing Health and Safety Issues.

Responsible Officer: Tom Whiting, Assistant Chief Executive

Exempt: No

Enclosures: Appendix: Unison report to January
2012 ECF

Section 1 – Summary

This report provides the requested response to the Unison health and safety report.

FOR INFORMATION

Section 2 – Report

Introduction

- 2.1 This report sets out to provide responses to the matters raised by Unison to the Forum.
- 2.2 As previously reported (and refer also to the half year health and safety report elsewhere on this agenda) the council is continuing to deliver the 2 year health and safety improvement plan and a number of positive outcomes have already been delivered with Trade Union input and support, which will continue to be developed.
- 2.3 Our joint interests in health and safety matters is essential and Unison's continued commitment to health and safety is appreciated.
- 2.4 The following paragraphs set out the issues raised and the council's response:
- 2.5 *Unison Comment 1*

This has been a mixed year with some success but also a failure to address some issues. We now have all Directorate health and safety groups functioning with well managed and proactive Place Shaping Directorate meetings now being held.

Last year saw the publishing of the Jane Don audit into the management of health and safety. Health and safety Department has moved on significantly introducing on line accident / incident reporting and an audit programme. We are still waiting however to see the results of the trial.

- 2.6 Council response

The trial results and subsequent actions will be discussed at the next Community and Environment Health and Safety group to be held in February 2012. Papers will be circulated prior to the meeting to group members, including the Unison representative.

The joint work to reinvigorate the directorate health and safety groups is appreciated.

- 2.7 *Unison Comment 2*

We are not satisfied that issues in the Audit report including management accountability have been addressed in the health and safety policy or the code of practice. The documents do not properly relate to each other or the Audit report and a number of our comments have been ignored. The consultation process has been flawed and since we have given detailed written comments some time ago there is no excuse for the anomalies to remain in the documents. We have

made it plain at Corporate Health and Safety Group that this Unison Branch will not legitimise the flawed HS Policy or code of practice.

2.8 Council response

This has been an issue of debate between Unison, the Corporate Health and Safety Service and the Corporate Health and Safety group in the last few months. As previously explained it is a legal requirement under the Health and Safety At Work Act 1974 for this organisation to have a written Health and Safety Policy. This policy has to be a fluid document that evolves as the organisation evolves. As such it is under review in line with the senior management restructure to ensure that roles and responsibilities are correctly defined. Unison has been invited to participate in this review and we welcome their valuable input.

2.9 Unison Comment 3

No academy school has signed up to continue with the services of the Council's health and safety department (or offer an alternative). As we were not told this during the negotiations we want to know if we were misled and we will take a jaundiced view in any future applications for Academy status. Also no Academy has replied to a formal request to set up a representative health and safety meeting during the three month deadline.

However despite our formal letter request to set up a representative health and safety meeting at each school Unison has not been invited to one health and safety meeting. As this is a legal requirement under health and safety legislation we will increasingly continue to press our case. For representation to be effective organisational changes such as hub groups and a common format are necessary and this planning is not evident. The deadline for the affirmative replies is imminent.

2.10 Council response

The issue of internal health and safety meetings within schools is a matter for individual school management. Health and safety consultation and communication between the council and schools is performed through the Schools Health and Safety Forum which meets termly. Minutes are distributed to each school and Unison representatives attend the Forum meetings.

The council is unable to comment on any relationship between Unison and Academies. However it has been repeatedly stated at the Monthly Health & Safety Partnership meetings, which Unison representatives attend, that the seven High Schools that chose to become Academies were invited to purchase a health and safety service level agreement with the Council. The seven Academies declined to purchase this agreement.

2.11 *Unison Comment 4*

We need to clarify what the Council means when it says the Unions can be part of the investigation into accidents or incidents. If a report is written and then amended by negotiations with respective departments before we are informed we cannot be said to be included in the investigations. Our perception is that the culture of secrecy and silo management is still flourishing in the Council. There has also been a failure to obtain agreement to a Partnership Agreement with all unions. The reason for the failure need to be explained.

2.12 Council response

As part of our partnership arrangement with Unions and in line with the requirements of the Safety Representatives and Safety Committees Regulations 1977 we welcome the appropriate involvement of Union representatives in accident investigation. Regular communication takes place at the monthly partnership meetings to ensure the Unison representative is aware of incidents and Unison have taken an active part in a number of recent investigations e.g. the recent site visit to Seneca Waste Disposal Facility.

The legal duty to investigate incidents is on the Council as the employer. In this investigations it is paramount that facts are checked will all relevant parties so that root causes can be determined and appropriate actions with appropriate action owners can be allocated. In a large multifunctional organisation this naturally takes time. Investigation reports can become legal documents and, as such, it is good practice that members of the Corporate Health and Safety Team conducting the investigations are thorough. This does not represent a culture of secrecy and silo management.

Regarding the partnership agreement, the council took the initiative to draft such an agreement and it is understood that this is a matter for the Trade unions to agree.

2.13 *Unison Comment 5*

Housing Kenmore Hall asbestos removal - it appears there is no proof that the asbestos was removed, transported or disposed of properly. Since there is no due diligence we want all possibly affected people to be registered as at risk. This was an inadequate report that provided no adequate indication or investigation into work practice or safe disposal of ACM's.

2.14 Council response

The Kenmore Hall centre was closed in January 2008 due to a leaking, damaged roof. The roof was subsequently repaired in October 2008, and the heating repaired in April 2009. The surface coating on the ceiling in the hall and lobby had been identified as containing asbestos on Harrow Council's asbestos register. The repairs therefore included

the removal of asbestos containing materials (damaged ceiling, contaminated carpet tiles), which were removed in line with the Control of Asbestos Regulations 2006.

An investigation subsequently followed which determined a number of issues which were managed through an action plan. The investigation also determined that any exposure had been sporadic and of low intensity. The terms of reference for this investigation limited the time period to be considered to January 2008 to January 2010. Following the issuing of the investigation report Unison were concerned that there may have been persons exposed to asbestos fibres prior to the centre being closed and therefore asked that the investigation was extended to include the time period from January 2006 to January 2008.

Work activities were therefore considered during this timeframe thus considering remedial work required as a result of damage to the building. An inventory has been prepared which considers the potential for the release of asbestos fibres. There have been difficulties in collating historical records but a report will be issued shortly and discussed with Trade Unions which will consider each of the maintenance activities and any potential for exposure to asbestos fibres.

2.15 *Unison Comment 6*

Cashiers

The project to re-site Cashiers into the old post room has not introduced any changes to reduce the damaging noise levels from the coin counting machine as required by the HSE. Despite various interventions by Unison management insist on relying on staff wearing ear defenders all day long. This is not practical, contrary to HSE guidance and putting staff at risk. A proper assessment of the risks in moving cash and coins has not been provided.

2.16 Council response

The corporate health and safety team have investigated this and are currently liaising with the supplier and the manufacturer of the equipment to establish whether noise reduction mechanisms are available. This is an ongoing work stream.

2.17 *Unison Comment 7*

Outstanding issues remain with the community and Environments Directorate:

The various changes to the bomb scare procedure still have not been properly explained but it is clear that staff and public were put at risk unnecessarily. The procedures in an evacuation are also flawed as

shown by two false alarms and management still do not have competent plans. While management have been denying disclosure they have allowed a flawed and unsafe process to continue. When we approached the police they were unaware of any official advice having been offered to the Council despite contrary indications from Facilities Management.

2.18 Council response

There is a bomb scare evacuation procedure currently in place, and there has been a safe and effective evacuation in response to a number of incidents. It is good practice to review procedures regularly and after significant events and work is taking place on improving the procedure. The Trade Unions have been made aware of this work and have contributed ideas and suggestions to the drafts. The final draft has not yet been released but will be provided to the Trade Unions for comment once it is ready. This issue was raised at the last Corporate Health and Safety Group meeting held in December 2011 and an action has been raised to ensure the bomb evacuation procedure is implemented and communicated.

Facilities Management will arrange training for marshals in relation to any changes. It should be noted that actions have been ongoing throughout 2011 e.g. the recent introduction of a tannoy system, which will allow communication and instruction for occupiers of the Civic Centre tailored to the particular circumstances of the incident. Community and Environment have had many meetings with the police about potential terrorist incidents and the tactics for responding to the threat, and the advice is incorporated into the Council's work.

2.19 *Unison Comment 8*

There have been two gas incidents at the Depot Site and again we have not been included in the investigations or even knowledge of the reports.

2.20 Council response

The two gas incidents referred to relate to the gas cookers in the Milap Kitchen and to a gas leak at unit 5, the Fraikin's office. Remedial work was done immediately at the Fraikin's office where the source of the leak was the breakdown of a joint in a high level gas governor. Kier attended site and removed the governor which was no longer in use, and replaced a section of pipe. An investigation has been undertaken into the incident at the Milap Kitchen. Unison has again been kept apprised of the incidents at the monthly Partnership meetings and the Milap investigation report will be issued shortly.

2.21 *Unison Comment 9*

Depot toilets - we need a correction to the statement made at ECF by facilities management that the work was of high standard and all

carried out by a competent contractor. Also the defective work needs to be rectified.

2.22 Council response

ECF has been concerned previously with work on the female toilets and the issue was resolved at the ECF meeting on 25 January 2011. The depot toilets have been inspected by a number of different council officers who have all been unable to understand Unison's concerns. The toilets appear functional and clean.

2.23 *Unison Comment 10*

Civic One Second floor refurbishment Project safety concerns- No reply has been received from the Head of Property. Despite various reminders from us and an assurance that an investigation would take place there has been a refusal to inform the Unions.

2.24 Council response

The work on the second floor of the Civic Centre is a significant project and consequently it has involved a number of health and safety plans, procedures and considerations. Inevitably on a project of this nature there are issues that arise and a number have been suggested by Unison. All reported issues have been taken into account and measures and actions put in place as appropriate.

Unison have raised these issues directly with contract management staff, at the Property Services Health and Safety meeting and at the Community and Environment Health and Safety group, and they have been provided with lengthy responses at both of the last two meetings. Incidentally, a Health and Safety Executive Inspector visited the site during the asbestos removal stage of the second floor refurbishment project and was entirely satisfied with arrangements in place.

2.25 *Unison Comment 11*

We look forward to a cooperative effort between management and Unions in the New Year.

2.26 Council response

This is welcomed and reciprocated.

Section 3 – Further Information

3.1 None

Section 4 – Financial Implications

4.1 The council's health and safety functions and management responsibilities are discharged within existing service budgets.

Section 5 – Corporate Priorities

- 5.1 Communication and the monitoring and measurement of the Council's health and safety performance have the potential to impact on each of the Council's priorities.

Name: Steve Tingle



on behalf of the*
Chief Financial Officer

Date: 12th January 2012

Section 6 - Contact Details and Background Papers

Contact: Mark Riordan, Interim Health & Safety Lead, 0208 424 1521

Background Papers: None

EMPLOYEES' CONSULTATIVE FORUM: 24/01/2012

EMPLOYEES' SIDE REPORT ON: Relating to Health and Safety Policy and Procedures and ongoing Health and Safety Issues.

SUMMARY AND DECISION REQUESTED

We require a rapid and full and comprehensive report from Health and Safety Group on issues raised by Unison on the Health and Safety Policy, Audit report and Communications Code of Practice. We also seek a resolution to various matters subjected to a refusal to properly address the issues. Those responsible should be held fully accountable through the Council's internal employment procedures.

CHRONOLOGY:

DATE	ACTION	OUTCOME
	HS Policy review and COP Through Health and Safety Manager and Corporate HS Group	On going issue, poor response through various inconclusive meetings
	Academies Director HR	No indication during negotiations that the HS SLA would not be honoured. Representative involvement in health and safety has been ignored. Ongoing issue
	Schools Health and Safety Department and Director No infrastructure arrangements to allow health and safety meetings and poor response to our communications.	On going issue
	Health and Safety Department. Health and Safety Department and Director Lack of effective involvement of the Unions in health and safety investigations. Failure to obtain a Health and safety partnership agreement.	On going issue
	Housing Health and Safety Department and Director. Director C+E. Director Housing Kenmore Hall asbestos removal No proper evidence or due diligence that shows whether people were put at risk. Refusal to register those possibly affected. An inadequate report that failed to address all the issues.	On going issue

	Bomb scare Procedure Director C+E and Facilities Management No effort to resolve the issues or adequately explain. The Unions have been ignored and various ineffective operational changes made without consultation putting people at risk.	Protracted issue no adequate response. A determined effort by the Director to avoid accountability.
	Two Gas incidents at the Depot site Director C+E and Facilities Management Health and Safety Department and Director No effort to involve Unions in the investigation or provide their investigation reports. Failure to properly identify or interview key witnesses.	Ongoing issue no adequate response
	Depot toilets Director C+E and Facilities Management Health and Safety Department and Director A correction is required to the claims by facilities management that the work was carried out by a competent contractor. Further remedial work is necessary.	Protracted issue no adequate response. Inaccurate information provided. Outstanding defects remain.
	Civic Centre 2 nd Floor Refurbishment Director C+E. Head of Property Various defects and poor installation were identified. Promises of an investigation were not honoured and union queries were ignored.	Protracted issue no adequate response

REPORT

Unison submits this report in line with the requirements of Council policy on Health and Safety and the Partnership working policy of the Council.

Due to the actions or inactions by Directors and managers the Branch is left with no alternative but to bring matters to the senior forum.

Unison ECF Health and Safety Report January 2012

This has been a mixed year with some success but also a failure to address some issues.

We now have all Directorate health and safety groups functioning with well managed and proactive Place Shaping Directorate meetings now being held.

Last year saw the publishing of the Jane Don audit into the management of health and safety. Health and safety Department has moved on significantly introducing on line accident / incident reporting and an audit programme. We are still waiting however to see the results of the trial.

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We look forward to a more cooperative effort between management and Unions in the New Year.

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**REPORT FOR: EMPLOYEES
CONSULTATIVE FORUM**

Date of Meeting:	18 April 2012
Subject:	Public Realm Services IPADs and Training
Key Decision:	No
Responsible Officer:	John Edwards Divisional Director Environmental Services
Exempt:	No
Decision subject to Call-in:	Yes
Enclosures:	Appendix 1- Training for Employees of Public Realm Services

Section 1 – Summary and Recommendations

This report sets out information requested by the Employees Consultative Forum.

Recommendations:

The Employees Consultative Forum is requested to note the information provided.

Reason:

The information was requested at a previous meeting of the Employees Consultative Forum.

Section 2 – Report

1. This report provides information on the Individual Performance Appraisal and Development (IPAD) interviews and training taking place in Public Realm Services.
2. At the meeting on 24 January 2012, an item was discussed related to a grievance concerning Driver Team Leaders in the Public Realm Services part of Community and Environment. Points were made about training and IPAD interview completion and ECF decided, it would be helpful if a report was presented to the Forum at its next meeting relating to training (including on the job training) provided within Waste Services. It was expected that training opportunities would be addressed at the IPAD process.
3. The item at the 24 January meeting referred to the major transformation project that had been implemented in this services area. This had included significant restructuring and the implementation placed a number of employees in new roles. This had impacted on the IPAD scheme because of the induction to new roles and the need to place people in posts before completing the IPAD's. The IPAD process is now in full flow and at 9 March 2012 there was completion of 172 IPAD interviews (61%) with the remainder scheduled over the next month.
4. The training that has taken place and is planned in the near future in Public Realm Services is attached as appendix 1.

Financial Implications

There are no financial implications from the report.

Risk Management Implications

There are no risk management implications from the report.

Equalities implications

There are no direct equality implications from the report.

Corporate Priorities

The transformation project supports the corporate of Keeping neighbourhoods clean, green and safe.

Section 4 - Contact Details and Background Papers

Contact: John Edwards Divisional Director for Environment

Name: Kanta Hirani



on behalf of the
Chief Financial Officer

Date: 3rd April 2012

Appendix 1

Training for Employees of Public Realm Services

DATE	TRAINING	NUMBER OF ATTENDEES
March 2012	Amazone Profihopper Familiarisation	35
March 2012	Holland T5060 Tractor Installation /Familiarisation Training	5
August 2011 (ongoing)	Diploma in Workbased Horticulture	8
Jan 2011	Fine Turf Equipment Familiarisation Training	35
August 2011	C.A.T.S (Cable scanning training)	2
2011 / 2012	Johnson Mechanical Sweeper	6
2011	Full First Aid Training	2
19 th March 2012	Full First Aid Training	2
Jan 2011	Lone Working	12
Jan 2011	IOSH Roadside Working	20
Feb 2011	Team Briefing Skills	4
Feb 2011	IPAD Skills	14
Feb 2011	Manual Handling Traca Refresher (Pristine)	14
Feb 2011	Assertiveness Skills	1
27 th March 2012	Data Security Awareness	22
w.c 19 th March	Capability Process	19
March 2012	Outlook 2010 Training	5
March 2012	Emergency Planning	7
Nov 2011	'WAMITAB' Waste management qualification	2
Dec 11	Tuborg Lift Operation (refuse carts)	5
July – Aug 2011	Transformation Project – Operations Managers Skills Workshop	4
July – Aug 2011	Transformation Project – Team Leader Supervisory Skills	19
July – Aug 2011	Transformation Project – Team Leader IT Familiarisation	17
July – Aug 2011	Transformation Project – System Back Office training	29
July – Aug 2011	Transformation Project – PDA	69
Oct 2011	Fire Awareness	2

Nov 2011	Excel Intermediate	2
Nov 2011	Excel Advanced	2
Jan, Feb March 2012	ADDT Safe London Driving (TFL)	100
Jan, Feb, March 2012	CPC 'Customer Service and Corporate Image'	135
Sep, Oct, Nov 2011	CPC 'Health Road and Environment Safety	143
Oct, Nov 2011	Vehicle Familiarisation(Smart)	12
2012 – To be arranged April onwards	Customer Care	Waste Department Driver Team Leaders (41 staff)
2012 - To be arranged April onwards	Pristine Manual Handling Training	All Operational Staff (approx 300)
2012 -To be arranged April onwards	Emergency First Aid Training	Operational Staff – as required
2012 - To be arranged April onwards	Health and Safety Refresher	Operational Staff – as required

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