

EMPLOYEES' CONSULTATIVE FORUM: 15TH OCTOBER 2012

UNISON REPORT ON MATTERS REFERRED FROM CORPORATE JOINT COMMITTEE

SUMMARY AND DECISION REQUESTED

UNISON debated four matters at Corporate Joint Committee (CJC) with HRD officers in August 2012 relating to the application of the Council's Code of Conduct, Amendments to the Conduct Procedure, and the implementation of the recommendations within Agenda Item 10 of April 2012 ECF meeting. Unfortunately agreement was not possible with the Officer's responsible. The report clearly formats the matters to be considered, the disagreements and resolutions of each issue for ECF decision and implementation.

CHRONOLOGY

DATE	ACTION	OUTCOME
21 st August 2012	Debated Code of Conduct, Conduct Procedure amendments & Agenda Item 10 Employment Procedures Monitoring (ECF, 18 April 2012)	No decision obtained within Corporate Joint Committee. UNISON informed Chair of CJC and accepted that matters would be deferred by UNISON to ECF for resolution.

REPORT

At Corporate Joint Committee (CJC) on Tuesday 21st August 2012, and in debate with the responsible HRD Officer, UNISON could not resolve several matters. The matters are listed below detailing the nature of the item, the disagreement between parties and the resolution sought for discussion at this evening's ECF.

Issue 1	Disagreement	Resolution required
Code of Conduct		
In a Dignity At Work (DAW) Appeal outcome, the Director of Finance failed to recognise the Code of Conduct in altering Council documentation as stated in 4.3 of the Council's Code of Conduct, 3 rd paragraph; "Documents and records should be kept in an honest way and never altered, damaged or falsified".	UNISON believe that the Code of Conduct should be applied consistently, not ignored or disregarded on the opinions of those more senior as this substantially impacts on the corporate governance of the Authority and the culture which should be exemplary in any local Council. The HRD Officer responsible, acting as Chair of CJC, attempted	That this element of the DAW Appeal, specifically in relation to 4.3 of the Code of Conduct, should be reviewed and, if found that the Code of Conduct was not applied correctly, then it must be enforced and the Officer held accountable for failure to comply with the Council's statutory Code.

	to defer this issue back to the relevant Directorate Joint Committee even though the DAW Appeal and use of Corporate Directors is a rotating corporate function and should be debated within the remit of issues CJC is responsible for.	
Issue 2	Disagreement	Resolution required
Amendments to Conduct Procedure: Best Practice Note 2		
Amendments to the Conduct Procedure were tabled at CJC on the 24 th April 2012. UNISON provided a response to comments following Branch Executive discussion which were discussed at CJC on 21 st August 2012. UNISON requested an amendment that both parties should agree should timescales need to be extended.	The Chair of CJC referred to a meeting held in March 2012 with GMB and UNISON and Agenda Item 10 of the ECF meeting dated 18 th April 2012. This was not UNISON's recollection of discussions held in March and the ECF report referred to is not reflective of this.	That the reasonable amendment to Best Practice Note 2 be agreed and inserted into the Conduct Procedure.
Issue 3	Disagreement	Resolution required
Amendments to Conduct Procedure: Best Practice Note 10 Section 10.4		
Amendments to the Conduct Procedure were tabled at CJC on the 24 th April 2012. UNISON provided a response to comments following Branch Executive discussion which were discussed at CJC on 21 st August 2012. UNISON requested that Members should hear First or Final Written warnings. In dismissal cases, Members Panel should hear the case, no others. This ensures natural justice and full use of the employer structure.	This amendment was 'noted' by the Chair but not accepted or agreed despite our reminder that this is a reasonable request of a large employer and fulfils the obligations of natural justice.	That the reasonable amendment to Best Practice Note 10 Section 10.4 be agreed and inserted into the Conduct Procedure.
Issue 4	Disagreement	Resolution required
Decision required of trade unions: Agreement to implement ECF Information Report on Employment Procedures Monitoring, paragraph 5 (ECF, Agenda Item		

10, 18 April 2012)		
<p>UNISON was asked to agree Agenda Item 10 for implementation at CJC on 24th April 2012. This formalised a discussion convened with unions in March 2012. UNISON provided a response to be discussed at CJC in August 2012 regarding vital omissions which had been discussed in March 2012 with HRD but left out.</p>	<p>HRD disagreed with UNISON's omission to be added stating that this was not supported by their own personal notes.</p>	<p>That the following UNISON omissions be included for agreement within Agenda Item 10, ECF 18 April 2012 to be applied to Fair Treatment procedures;</p> <ul style="list-style-type: none"> - Any extension to timescales must be agreed in writing by both parties beforehand - Management are required to produce evidence to support their outcomes in Dignity at Work complaints/appeals - Managers must be held accountable if they have not followed correct procedures

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