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**REPORT FOR: CABINET**

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<b>Date of Meeting:</b>	20 January 2016
<b>Subject:</b>	Resolution from the Employees' Consultative Forum
<b>Key Decision:</b>	No
<b>Responsible Officer:</b>	Tom Whiting, Corporate Director Resources and Commercial
<b>Portfolio Holder:</b>	Councillor Kiran Ramchandani, Portfolio Holder for Performance, Corporate Resources and Policy Development
<b>Exempt:</b>	No
<b>Decision subject to Call-in:</b>	Yes
<b>Wards affected:</b>	All
<b>Enclosures:</b>	Recommendation from the Employees' Consultative Forum meeting held on 12 November 2015 <a href="http://www.harrow.gov.uk/www2/ieListDocuments.aspx?CId=265&amp;MId=62633">http://www.harrow.gov.uk/www2/ieListDocuments.aspx?CId=265&amp;MId=62633</a>

## **Section 1 – Summary and Recommendations**

This report sets out the background to a resolution from the Employees' Consultative Forum meeting held on 12 November 2015.

## **Recommendations:**

Cabinet is requested to agree that in the event that the enactment of the Trade Union Bill includes abolition of 'check off' arrangements for trade unions, and there being no legal impediment to the Council continuing those arrangements, that the council agree the recommendation from the Employees' Consultative Forum to 'enter into an urgent local agreement with the recognised trade unions to continue Harrow Council's self-determination of facility time agreements and the existing check off arrangements.'

## **Reason: (For recommendations)**

Resolution from the Employees' Consultative Forum.

## **Section 2 – Report**

### **Introductory paragraph**

The Council recognises a number of trade unions and in common with the majority of the public sector and many other large employers has arrangements in place whereby employees who are trade union members can have their trade union membership contributions deducted directly from their pay. These are commonly known as 'check off' or deduction of contributions at source (DOCAS) arrangements.

Employers can charge trade unions a fee to cover the cost of administering check off arrangements and the Council currently charges a fee equating to 2.5% of the contributions deducted.

The Council supports the system of collective bargaining and believes in the principle of solving employee relations problems by discussion and agreement. The Council recognises the positive role our recognised trade unions play in maintaining good employee relations and supporting Council staff.

### **Background**

Parliament is currently considering the Trade Union (TU) Bill, which, if enacted, will make significant changes to the legislative framework within which trade unions operate, particularly those in the public sector.

Although the TU Bill does not include provisions relating to 'check off' arrangements, the Government has indicated it intends to introduce amendments to the TU Bill which will abolish check off arrangements for public sector employers. It is not yet clear whether this provision will be introduced nor, if it is, how it would be enacted, however the trade unions are concerned that this would adversely impact on their membership.

At the Council's meeting of its Employees' Consultative Forum on 12 November 2015, the Forum received a report from Unison setting out their

concerns and requested the Council's 'enter into an urgent local agreement with the recognised trade unions to continue Harrow Council's self-determination of facility time agreements and the existing check off arrangements.'

Having considered Unison's report and representations from the trade unions and members of the Forum, the Minutes of the meeting record that the Forum

**Resolved to RECOMMEND:** (to Cabinet)

That, Cabinet/Full Council enter into an urgent local agreement with the recognised trade unions to continue Harrow Council's self-determination of facility time agreements and the existing check off arrangements.

### **Options considered**

In the event that there is no legal impediment, the Council could decide not to continue with the 'check off' arrangements.

This option is not recommended as it would potentially have a detrimental impact on the Council's relationships with its recognised trade unions.

### **Implications of the Recommendation**

#### **Performance Issues**

In the event that the Council is legally prevented from undertaking check off, or decides not to enter into a local agreement to enable the continuance of these arrangements, there would be a reduction in the work of the payroll service and a commensurate reduction in income from fees. However, the impact would not be so significant that it would have a detrimental effect on service performance.

#### **Environmental Implications**

No significant issues

#### **Risk Management Implications**

Subject to there being no legal impediment, continuance of the check off arrangements, would mitigate the potential risk of any detrimental impact on the Council's relationships with its recognised trade unions.

Risk included on Directorate risk register? No

Separate risk register in place? No

#### **Legal Implications**

The Council currently has an agreement with the recognised trade unions to operate the check off system. If the Trade Union Bill includes clauses that prohibit the Council operating the check off in the future and the Bill becomes

law, then the Council will only be able to enter into a local agreement to maintain the check off in so far as it complies with the Trade Union Act.

## Financial Implications

The Council charges the trade unions a 2.5% fee to cover the cost of administration of the check off arrangements. The fees for 2014/15 amounted to £5775.44

In the event that the Council is legally prevented from undertaking check off, or decides not to enter into a local agreement to enable the continuance of these arrangements, there would be a reduction in income from fees, which would have to be absorbed within the service budget.

## Equalities implications / Public Sector Equality Duty

No significant issues.

## Council Priorities

The Council's vision:

### Working Together to Make a Difference for Harrow

The recommendation enables, subject there being no legal impediment, continuation of arrangements which facilitate the positive relationships with the Council's recognised trade unions and as such contributes to the effective delivery of all the Council's priorities.

- Making a difference for the vulnerable
- Making a difference for communities
- Making a difference for local businesses
- Making a difference for families

## Section 3 - Statutory Officer Clearance

Name: Dawn Calvert



Chief Financial Officer

Date: 4 December 2015

Name: Linda Cohen



on behalf of the  
Monitoring Officer

Date: 4 December 2015

**Ward Councillors notified:**

**NO, as it impacts on all Wards**

**EqIA carried out:**

**NO**  
*See section on Equalities Implications above*

## **Section 4 - Contact Details and Background Papers**

Contact: Jon Turner, Divisional Director HR & OD,  
DD: 020 8424 1225  
Email: jon.turner@harrow.gov.uk

### **Background Papers:**

Agenda Reports Pack and Printed Minutes of the meeting of the Employees Consultative Forum on 12 November 2015

<http://www.harrow.gov.uk/www2/ieListDocuments.aspx?CId=265&MId=62633>

**Call-In Waived by the Chairman of Overview and Scrutiny Committee**

**NOT APPLICABLE**

*[Call-in applies]*