

# **REPORT FOR: EMPLOYEES' CONSULTATIVE FORUM**

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**Date of Meeting:** 27 October 2010

**Subject:** **INFORMATION REPORT –**  
Non-contractual employment  
Procedures

**Responsible Officer:** Jon Turner, Divisional Director, Human  
Resource and Development

**Exempt:** No

**Enclosures:** Appendix 1 – Letter from UNISON  
Branch Secretary dated 15 October  
2010

## **Section 1 – Summary**

This report sets out the current position following the Portfolio Holder decision to commence consultation with Unison and GMB, to implement the ECF recommendation that employment polices be contractual and the associated Best Practice Notes and Toolkits be non-contractual.

**FOR INFORMATION**

## **Section 2 – Report**

The Portfolio Holder decision that consultation commences with Unison and GMB to implement the Employee Consultative Forum's recommendation on 30 June 2010, that employment policies be contractual and the associated Best Practice Notes and Toolkit non-contractual became effective on 23 September 2010.

The notes of the Corporate Joint Committee (CJC) on 14 July 2010 record that, at that time and as understood by both parties, the discussions between officers and the unions were being held on all employment policies and procedures.

Initial meetings with GMB and Unison were held on 24 September 2010, to establish a joint understanding of what constitutes 'policy' and these were positive meetings with good contributions made by both sides.

However, at a follow up meeting on 1 October 2010, both Trade Unions withdrew from the process stating, that they were not prepared to enter into discussions about all employment policies. The reason given was they believed that the Portfolio Holder's decision only applied to the three currently non-contractual procedures – Capability, Conduct and Dignity at Work.

A further attempt to get the consultation process back on track was made at the Corporate Joint Committee (CJC) meeting of 12 October 2010 but the Trade Unions reiterated their position of not wanting to enter into discussions about all employment policies and procedures and requested clarification of the Portfolio Holder's decision.

A meeting was convened with the Portfolio Holder on 14 October 2010 where both Unions agreed to contribute to the consultation process concerning all employment policies and procedures.

It was therefore very disappointing to receive a letter the next day from the Unison Branch Secretary (Appendix 1), stating various conditions to which further consultation about employment policies and procedures would be subject.

Officers will continue to work to engage both Trade Unions in the consultation process with the aim of reaching an agreement about what constitutes employment policy, which will be contractual and what is guidance or best practice and therefore non-contractual.

## **Section 3 – Further Information**

There will be a further update at the ECF meeting on 25 January 2011, where a report will be submitted on the outcome of consultation.

## **Section 4 – Financial Implications**

None

## **Section 5 – Corporate Priorities**

The report supports delivery of all the three corporate priorities as it facilitates development of employment policies in a positive employee relations environment.

Name: Steve Tingle	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 20 October 2010		

## **Section 6 - Contact Details and Background Papers**

**Contact:** Lesley Clarke, OD Manager, 020 8420 9309

### **Background Papers:**

Record of Performance, Customer Service and Corporate Services Portfolio Holder's Decision upon Receipt of Recommendation from the Employees Consultative Forum meeting held on 30 June 2010.

<http://modern.gov:8080/ieDecisionDetails.aspx?ID=60265>