

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://modern.gov:8080/ieListDocuments.aspx?CId=249&MId=60644&Ver=4>