

Council Procedure Rules

Section 3 – Panels and Consultative Bodies

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1. **Consultative bodies**

The Council has established consultative bodies for the purpose of consultation with the trades unions, and determined their constitution and terms of reference. They do not discharge statutory functions and are not Council committees. Their Constitutions are attached as Appendices 1, and 2. Their membership is set out below:

Body	Council Members	Substitute Members	Employees' Side Members
Corporate Joint Negotiation and Consultation Committee	16	5	19
Corporate Health and Safety Joint Negotiation and Consultation Committee	6	6	10

2. **Other boards and panels**

- 2.1 The Democratic Services Manager is authorised to appoint, nominate and convene boards and panels for specific statutory purposes.

Explanatory note – substitute members

This standing order enables the Democratic Services Manager to make all the necessary arrangements for bodies which are set up by the Council, which:

- Are not effectively external bodies to which the Council nominates members; and
- Are not committees or sub-committees.

These bodies are:

- (1) The following boards and panels appointed by the Democratic Services Manager under delegated powers:
 - Social Services Review Panels (Children and Community Care)

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- (2) School Admission and Exclusion Panels are nominated by the Democratic Services Manager under delegated powers.
- (3) The following bodies which are treated as outside bodies to which appointments are made by the Council:
- Standing Council for Religious Education
 - Adoption and Permanency Panel

2.2 The Council shall appoint members to the School Organisation Committee, which is a statutory body but not a committee of the Council, at its Annual Meeting or when vacancies arise.

3. Other advisory or consultative bodies

The Council and its committees and sub-committees can establish other informal advisory or consultative bodies, which are not Council committees or sub-committees.

CONSTITUTION OF THE CORPORATE JOINT NEGOTIATION AND CONSULTATION COMMITTEE

1. Title

- 1.1 The Committee shall be called the “London Borough of Barnet Corporate Joint Negotiation and Consultative Committee (“the committee”).

2. Representation

- 2.1 The Committee will represent all employees covered by:
 - i. Barnet Council terms and conditions
 - ii. Teaching terms and conditions
 - iii. Soulbury terms and conditions
 - iv. Schools local terms and conditions

For clarity, the Committee will represent all maintained schools including voluntary aided and foundation.

3. Objectives

- 3.1 To provide a forum for discussion of matters between the employers and the recognised trade unions.
- 3.2 To ensure the best possible employee relations.
- 3.3 To provide a forum for the discussion and negotiation of all service and working conditions.

4. Constitution

- 4.1 The Committee shall be composed of;
 - (a) representatives of the Employers and
 - (b) representatives of the Employees

Chief Officers (or their representatives) and full-time trade union Regional Officials and up to two local lay officials of each of the constituent trade unions shall be entitled to attend in an advisory capacity at all meetings of the Committee. They will not, however, be entitled to vote.

The Chairman of the Committee shall be appointed by the Council. The Vice-Chairman shall be appointed by the trade unions.

- 4.2 The Council Side and the Trade Union Side shall each appoint a secretary. The secretaries shall be Joint Secretaries of the Committee. In the case of the Employees' Side it shall be a member of the committee. The Secretaries will have no executive role beyond that which is delegated to them by the committee, but will liaise and consult across the respective management and trade union sides.
- 4.3 The Democratic Services Manager shall appoint a Clerk to the Committee, who shall be a member of Democratic Services. The Clerk will be responsible for securing the agreement of agenda items between the Joint Secretaries of the Trade Union Side and the Employer Side; the distribution of agenda, the drafting of minutes but not agenda setting arrangements set out at 8.6.
- 4.4 Any constituent union may request a review of membership at any time following the receipt of which the Democratic Services Manager will institute a review under the constitution and determine the Employees' Side composition to take effect from the next Annual Meeting of the Council.

5. Employees' Side of the Committee

- 5.1 The Employees' Side current composition will be:-

UNISON - 8 seats + 2 substitutes

GMB - 4 seats + 1 substitute

Teaching unions - 7 + 2 substitutes to be nominated by the:-

- National Association of Schoolmasters and Union Women Teachers
- National Union of Teachers
- National Association of Head Teachers
- Association of School and College Leaders
- Association of Teachers & Lecturers
- Professional Association of Teachers.

- 5.2 Representatives shall be appointed by the appropriate trade unions and notified to the Employees' Side Secretary.
- 5.3 Should a vacancy occur, a successor shall be appointed within a reasonable period from the occurrence of the vacancy and notified to the Employers' Side Secretary and the Clerk to the Committee.

- 5.4 The representatives of the Employees shall, provided they remain in the service of the Employers, hold office for one year and shall be eligible for re-election.

6. Employer's Side of Committee

- 6.1 The number of representatives of the employers shall be 16 Councillors.
- 6.2 The representatives shall be appointed by the employers at their Annual Meeting or as soon as practicable thereafter. The representatives shall, provided they remain members of the Council, hold office during the ensuing municipal year and shall be eligible for re-appointment.
- 6.3 Should a vacancy occur a successor shall be appointed by the Council within a reasonable period, from the occurrence of the vacancy.
- 6.4 The Secretary of the Employees' Side shall ensure that the names of the Employees' Side representatives (and the trade union which they represent) are communicated to the Secretary of the Employers' Side. Following the Annual Meeting of the Council, the Secretary of the Employers' Side shall also inform the Secretary of the Employees' Side of the names of the Employers' representatives. These Employers' Side and Employees' Side representatives will remain the representatives of the Committee for the municipal year.

7. Substitute Members

- 7.1 Five substitute members will be appointed by each side at the beginning of the municipal year to serve for a full year with these names communicated to the Secretary of the other side. In the event of any member of the committee being unable to attend a meeting they shall notify the Clerk of the Committee at least two days before the meeting, when a substitute member shall then be entitled to attend the meeting, take part in the discussion and vote.

8. Procedure

- 8.1 Meetings of the Committee shall be held quarterly and during school term time. One of the meetings shall always be held in January each year to discuss the staffing implications of the budget set for the following financial year and will include other agenda items.
- 8.2 Provided that the Chairman and Vice Chairman are satisfied that the amount of business does not justify the convening of a meeting, they may agree to a cancellation.

- 8.3 A meeting may be postponed if the Chairman is unable to attend, however an alternative meeting must be reconvened within 2 weeks.
- 8.4 All meetings shall be held after 6pm.
- 8.5 An agenda-setting meeting shall be called by the Secretary of the Employers' Side at least ten working days before the Committee meets. The Secretary shall meet with the Secretary of the Employees' Side and agree the items for discussion at the next Committee meeting. Any item requiring investigation or joint secretarial conciliation will be submitted to the next Committee meeting.
- 8.6 An extraordinary meeting of the Committee shall be held within ten working days of a written request being received by the Clerk of the Committee from the Chairman or Vice Chairman. In the event of an extraordinary meeting of the committee, an agenda-setting meeting shall be called by the Secretary of the Employer's Side at least five working days before the committee meets. The Secretary shall meet with the Secretary of the Employees' Side and exchange details of agenda items which have been notified by their respective sides. Any constituent union of the Employees' Side may place an item on the agenda.
- 8.7 The agenda of business shall be submitted by the Secretary of the Employers' Side to each member of the Committee at least 72 hours before a meeting, except in the case of extraordinary meetings.
- 8.8 No business other than that appearing on the Agenda shall be transacted at any meeting unless both sides agree to its introduction.
- 8.9 Five members of the Employee's Side plus five members of the Employers' Side of the Committee shall constitute a quorum.
- 8.10 Reasonable facilities shall be provided for meetings of both sides. The facilities for the Employees' Side will be identified in the Facilities Agreement in force.
- 8.11 The administrative expenses of the Committee shall be paid by the Employers' Side.
- 8.12 Minutes of any meetings of the Committee shall be signed by the Chairman and the Vice-Chairman and submitted to the General Functions Committee of the Council.
- 8.13 Minutes of meetings of the Committee shall be kept by the Clerk of the Committee and copies of the Minutes of the Committee shall be circulated

to all members of the Committee as soon as may be after the meeting to which the minutes relate.

- 8.14 Decisions shall be arrived at only by agreement between the two sides of the Committee. In the case of the Employers, by a majority vote of those present and in the case of the Employees, by the agreement of each union represented at the meeting.
- 8.15 For issues solely affecting non teaching staff, the teaching unions shall not be party to the decision making process. They are, however entitled to put forward their views in support of the non teaching unions.
- 8.16 For issues solely affecting teaching staff, the non teaching unions shall not be party to the decision making process. They are, however entitled to put forward their views in support of the teaching unions.
- 8.17 In the event of the Committee being unable to arrive at an agreement on a motion, the matters will be referred to the General Functions Committee who may make such recommendation to the Council as they think appropriate. Alternatively the matter may be referred back to the Committee with the views or recommendations of the General Functions Committee.
- 8.18 Following consideration by General Functions Committee, a failure to reach agreement will be dealt with as necessary under the agreed disputes procedure. If the matter relates to national or regional conditions of service, the regional Joint Secretaries may be notified in accordance with the disputes procedures operating at that level.

9. Terms of Reference

- 9.1 To establish and support a Disputes Procedure for the resolution of all collective differences within the Council.
- 9.2 To establish a Facilities Agreement to be reviewed annually.
- 9.3 To make recommendations to General Functions Committee or consider items referred by General Functions Committee.
- 9.4 To consider matters on which there has been a failure to agree at an Area Joint Negotiation and Consultative Committee (JNCC). Any matters relating to a particular service area shall not be submitted unless there has been a failure to agree. Issues which are submitted to the Corporate Committee shall be supported by the minutes of the Area JNCC which considered the matter.

- 9.5 The issue and revision of rules and procedures affecting the workplace.
- 9.6 The consideration of the distribution of working hours, time recording, duty schedules, breaks, etc.
- 9.7 The consideration of payments of wages and salaries (time and method of payment).
- 9.8 Holiday arrangements.
- 9.9 Physical conditions of work which are not within the purview of the Health, and Safety Joint Consultative Committee.
- 9.10 The consideration of improvements in method and organisation of work.
- 9.11 The consideration of Sick Allowances and Pension Scheme benefits.
- 9.12 The consideration of equalities and diversity issues with policy implications.
- 9.13 The consideration of unresolved grievances with policy implications (in accordance with the Council's Grievance Procedures).
- 9.14 Changes to terms and conditions of employment not otherwise referred to above.
- 9.15 To consider any reports previously requested from council officers.

Appendix 2

Constitution of the Corporate Health and Safety Joint Negotiation and Consultation Committee

1. Title

- 1.1 The committee shall be called the “**Corporate Health and Safety Joint Negotiation and Consultation Committee**”.

2. Representation

- 2.1 The committee will cover all employees in the employment of the Council of the London Borough of Barnet (“the Employers”). The Trade Union Side will represent trade unions and non trade union employees for the purpose of consultation as specified by the Safety Representatives and Safety Committee Regulations 1997 and the Health and Safety (Consultation with Employees) Regulations 1996.

3. Objectives

- 3.1 To promote a healthy and safe working environment for all members of staff employed by the Council and to protect the public from any risk of danger that may arise as a result of the Council’s activities.
- 3.2 To monitor the welfare arrangements (facilities for eating, drinking, first aid and toilets etc) provided for employees.
- 3.3 To provide a forum for consultation and as necessary, negotiation on proposals put forward by management and the trade unions.
- 3.4 To change the way in which work is performed by the introduction of safe systems of work, procedures and arrangements, including those for the training of staff.

4. Constitution

- 4.1 The Chairman of the Committee shall be appointed by the Council and Vice-Chairman shall be appointed by the trade unions.
- 4.2 The Council Side (the Employer’s) and the Trade Union Side shall each appoint a secretary and such secretaries shall be Joint Secretaries of the Committee.
- 4.3 The Democratic Services Manager shall appoint a Clerk to the Committee, who shall be a member of Democratic Services. The Clerk will be responsible for securing the agreement of agenda items between the Joint Secretaries of the Trade Union Side and the Employer Side; the distribution of agenda, the drafting of minutes.
- 4.4 If a member of the committee ceases to be a member or an employee of the Local Authority they shall thereupon cease to be a member of the committee. Any vacancy shall be filled by the Council or by the appropriate employee organisation as the case may be.
- 4.5 The quorum of the committee shall be three members of the Council Side and three members of the Trade Union Side.

Trade Union Side of the Committee

- 4.6 The representation of the Trade Union Side shall be drawn from those Safety Representatives who are appointed by recognised unions for designated work areas of the council. Trade Union Safety Representatives are entitled to time off for trade union duties under the terms of the Facilities Agreement which is set out in the HR Procedures located on the Council's Intranet site.
- 4.7 The composition of the Trade Union Side shall be notified to the Clerk to the Committee at the beginning of each Municipal year.

The number of representatives of the Trade Union Side of the Committee shall be 10 at any one meeting including the Trade Union Side Vice-Chairman.

The representatives who may be available to serve at any time during the year shall be appointed by the appropriate trade union branches.

The normal distribution of seats will as closely as possible be proportionate to the number of Safety Representatives. Employee Side representatives of the Local Authority are to be appointed annually, but in any event to include:

- three teacher representatives, (including representation for head teachers) and
- seven representatives from all other areas of council work.

The Chairman of the Trade Union Side (Vice-Chairman of the Committee) shall normally be the main spokesperson for that side and shall be nominated by and from amongst those eligible to serve the Trade Union Side in the committee's affairs.

The Clerk to the Committee shall maintain an up to date record of recognised Safety Representatives and unions eligible for participation of the Committee.

The Secretary of the Trade Union side will be responsible for updating Committee's records as necessary.

Employer's Side of Committee

- 4.8 The Committee shall comprise six Members of the Council of the London Borough of Barnet to be appointed annually by the Council.
- 4.9 The Council's Health and Safety Strategist shall also attend meetings of the Committee. The Head of HR Strategy and the Health and Safety Manager will attend the meetings as and when necessary.
- 4.10 The Chief Officer or their representative shall attend when the report of that service area is before the committee.

5. Substitute Members

- 5.1 In addition to the members appointed to each side of the committee, five substitute members for the Employer's Side and four for the Trade Union Side shall be appointed. In the event of any member of the committee being unable to attend a meeting they shall notify the clerk to the Committee at least two days before the meeting, when a substitute member shall then be entitled to attend the meeting, take part in the discussion and vote. Trade Union substitute members will be Safety Representatives.

6. Joint Secretaries' Responsibilities

- 6.1 The Joint Secretaries will meet to consider the agenda items for the Committee meeting prior to the agenda being circulated.
- 6.2 They will advise the Clerk to the Committee, where appropriate, of any changes to the membership of the committee at least one day before the meeting.
- 6.3 The Joint Secretaries will attempt to resolve any issues relating to health and, safety matters between the meetings of the committee. If issues cannot be resolved, they will be referred to the next meeting of the Committee.
- 6.4 The Joint Secretaries will conciliate or advise on any local health and safety issues as requested by the Area Joint Negotiation and Consultative Committees (JNCC) resolutions.

7. Procedure

- 7.1 Meetings of the committee shall be held at least quarterly or as often as may be necessary, provided that when the Chairman and Vice-Chairman are satisfied that the amount of business does not justify the convening of any such meeting, they may authorise its cancellation.
- 7.2 An emergency meeting of the committee shall be held within 10 working days of a written request being received by the Clerk to the Committee from the Chairman or Vice-Chairman.
- 7.3 Items for consideration at any meeting of the committee may be submitted by either side and should be received by the Clerk to the Committee at least 10 working days before the meeting, except in the case of an emergency meeting.
- 7.4 The agenda of business shall be circulated by the Clerk to the Committee to each member of the Committee at least 7 working days before a meeting, except in the case of emergency meetings.
- 7.5 No business other than that appearing on the agenda shall be transacted at any meeting unless both sides agree to its introduction.
- 7.6 Reasonable facilities shall be provided for meetings of both sides. The administrative expenses of the committee shall be paid by the Employer's Side.
- 7.7 Minutes of meetings of the Committee and the preparation of official agendas shall be the responsibility of the Clerk. Copies of the minutes of the committee shall be circulated to all members of the committee.
- 7.8 Minutes of any meeting of the Committee shall be signed by the Chairman (or their representative), and the Vice-Chairman (or their representative).

- 7.9 Decisions shall be arrived at only by agreement between the two sides of the Committee. In the event of the Committee being unable to arrive at an agreement on a motion, the matters will be referred to the General Functions Committee who may make such recommendation to the Council as they think appropriate. They may refer the matter back to the Committee with the views or recommendations of the General Functions Committee.
- 7.10 The minutes of the meeting will record any decisions reached, the essence of discussions which do not require agreement and any formal failure to agree may be referred to the General Functions Committee for consideration.

8. Terms of reference

The terms of reference of the Committee shall be:

- 8.1 The examination of accident statistics and trends.
- 8.2 The examination of any reported notifiable diseases.
- 8.3 Examination of safety audit reports.
- 8.4 To receive and consider reports and factual information provided by Health and Safety Executive Inspectors appointed under the Health and Safety at Work, etc, Act 1974.
- 8.5 Subject to their submission to the appropriate Area JNCC in the first instance, consideration of reports which safety representatives may wish to submit together with the views of the appropriate Area JNCC.
- 8.6 Advice on the development of safe systems of work.
- 8.7 Approval of Council Health and Safety Arrangements.
- 8.8 Monitoring the adequacy of the safety content of employee training.
- 8.9 Monitoring the adequacy of safety and health communication and publicity in the workplace.
- 8.10 To maintain a link with the appropriate inspectorate of the enforcing authority.
- 8.11 Consideration of annual reports from the service areas.