

Finance and Resources Committee

10.00am, Tuesday, 23 January 2018

Joint Consultative Group (JCG): Amendment of Constitution

Item number	7.20
Report number	
Executive/routine	
Wards	
Council Commitments:	None

Executive Summary

To request the Finance and Resources Committee to approve changes to the constitution for the Joint Consultative Group.

Joint Consultative Group: Amendment of Constitution

1 Recommendation

- 1.1 To approve the revised constitution for the City of Edinburgh Council Joint Consultative Group

2 Background

- 2.1 The Joint Consultative Group (JCG) is constituted with the purpose of providing a means of regular consultation between the City of Edinburgh Council and its employees and, where appropriate, submitting views to the Finance and Resources Committee of the Council for consideration.
- 2.2 The functions of the JCG are:-
- (a) to inform employee representatives on the activities, economic situation and development of the Council and to consult on the structure and development of employment within the Council;
 - (b) to inform and consult employee representatives on any proposals made by the City of Edinburgh Council involving substantial changes in the organisation of work and their effects on employment relations; and
 - (c) to consider any matter relating to the employment of Council employees which may be referred to the JCG by the City of Edinburgh Council or by any of the Trades Unions, including matters referred for consideration by directorate Joint Consultative Committees; provided that no question of an individual's employment circumstances (e.g. pay, wage, grading, discipline, promotion, efficiency, etc) shall be within the scope of the JCG.

3 Main report

- 3.1 At the meeting of the JCG on 16 November 2017 the membership agreed that the Constitution should be amended to reflect the changes to the Council and Staff Side. The revised Constitution is attached as an appendix to this report.

- 3.2 The proposed changes to the Constitution are:
- a) To change elected member representation from 6 to 7 to reflect the increase in elected members from 58 to 63 and to reflect the overall political balance on the Council;
 - b) Change of name to GMB (formally General, Municipal, Boilermakers and Allied Trades Union);
 - c) Amend the staff side membership for UNITE to 4 following its merger with UCATT (Union of Construction, Allied Trades and Technicians); and
 - d) Amend references to the Head of Legal, Risk and Compliance to Head of Strategy and Insight.

4 Measures of success

- 4.1 Not applicable.

5 Financial impact

- 5.1 The resources for the JCG will be met from existing directorate budgets.

6 Risk, policy, compliance and governance impact

- 6.1 The JCG representation should adequately represent the composition of the Council and trade union membership.

7 Equalities impact

- 7.1 There are no equality impacts as a result of this report.

8 Sustainability impact

- 8.1 There is no sustainability impact as a result of this report.

9 Consultation and engagement

- 9.1 The notice required to be given in the Constitution has been carried out.

10 Background reading/external references

- 10.1 None

Andrew Kerr

Chief Executive

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Appendices

Appendix 1 – Joint Consultative Group - Constitution

**THE CITY OF EDINBURGH COUNCIL
JOINT CONSULTATIVE GROUP**

CONSTITUTION

1. TITLE

- 1.1 The Group shall be called "the City of Edinburgh Council Joint Consultative Group", referred to hereinafter as the "JCG".

2. SCOPE

- 2.1 The JCG shall cover all employee groups within the City of Edinburgh Council.

3. REPRESENTATION

- 3.1 The JCG shall be formed from the Council Side and the Joint Employees Side and the membership of the JCG shall be:-

- (a) For the Council Side, seven Elected Members appointed by the City of Edinburgh Council, (nominated and selected on a cross party basis)
(7 members)

- (b) For the Joint Employees Side, **15** representatives appointed by the recognised Trade Unions as follows:-

UNISON (5 representatives)

UNITE (4 representatives)

GMB 1 (representative)

Educational Institute of Scotland (3 representatives)

Scottish Secondary Teachers' Association (1 representative)

National Association of Schoolteachers/Union of Women Teachers (1 representative)

- 3.2 The Head of Strategy and Insight shall maintain a register of JCG membership. The Head of Head of Strategy and Insight shall invite the Council to fill any Council side vacancy on the JCG. In the event of a vacancy on the Joint Employees Side, the Joint Employees' Side Secretary shall notify the Head of Strategy and Insight of the new member.

- 3.3 In their absence, each member of the Joint Group shall be entitled to

nominate a substitute member to attend a meeting of the JCG. Details of such substitution shall be notified to the Head of Strategy and Insight in advance of the JCG meeting.

4. PURPOSE AND FUNCTIONS

4.1 The JCG shall be constituted with the purpose of providing a means of regular consultation between the City of Edinburgh Council and its employees and, where appropriate, submitting views to the Finance and Resources Committee of the Council for consideration.

4.2 The functions of the JCG shall be:-

(a) to inform employee representatives on the activities, economic situation and development of the Council and to consult on the structure and development of employment within the Council;

(b) to inform and consult employee representatives on any proposals made by the City of Edinburgh Council involving substantial changes in the organisation of work and their effects on employment relations; and

(c) to consider any matter relating to the employment of Council employees which may be referred to the JCG by the City of Edinburgh Council or by any of the Trades Unions, including matters referred for consideration by Departmental Joint Consultative Committees; provided that no question of an individual's employment circumstances (e.g. pay, wage, grading, discipline, promotion, efficiency, etc) shall be within the scope of the JCG.

4.3 Agreement reached through joint discussions at the JCG shall not automatically be deemed to constitute a local collective agreement. The Council's normal decision making processes shall continue to apply in respect of changes to employees' terms and conditions of employment.

4.4 The Council's Head of HR (or representative(s)) shall attend the meetings of the JCG to provide advice and support. The JCG may also invite the attendance of any other person, including officials of the City of Edinburgh Council to any meeting of the JCG, in furtherance of the above.

5. CONDUCT OF BUSINESS

5.1 Convener and Vice-Convener

The Council shall appoint a Convener to the JCG, who is a representative of the Council Side. A Vice-Convener, who is a representative of the Joint Employees' Side*, shall also be appointed. The Convener, and in his/her absence the Vice-Convener, shall preside at meetings of the JCG. In the absence of both the Convener and Vice-Convener, the members present shall elect one of the members to preside at that meeting of the JCG.

5.2 Joint Employees' Side Secretary

The employee representatives shall appoint a Joint Employees' Side Secretary to the JCG from amongst their members for the purpose of communicating and co-ordinating issues for all the trade unions recognised by the Council, including notification and submission of agenda items to be raised by the Joint Employees' Side.

5.3 Agenda Construction

The Head of Strategy and Insight shall construct the agenda for meetings of the JCG.

5.4 The agenda shall be formed in three parts, as follows:

Part 1 Matters concerning all Council Employees;

Part 2 Matters concerning Council Employees, excluding Teaching staff; and

Part 3 Matters concerning School Teaching staff**.

5.5 The Council Side members of the JCG shall attend for all agenda items as shall the Vice-Convenor and the Joint Employees' Side Secretary.

5.6 Minutes and Reports

The Head of Strategy and Insight shall be clerk to the JCG and shall keep minutes of the meetings. Where required by the JCG, the Head of Strategy and Insight will report any views of the JCG to the Finance and Resources Committee of the Council for its interest.

** Where the Joint Employees' Side Secretary is appointed from amongst the Teachers' Side Trade Unions the Vice-Convenor should be appointed from amongst the representatives of the other Trade Unions, and vice versa.*

***The above order for Parts 2 and 3 shall be reversed for alternate meetings (i.e. matters concerning Teaching staff shall form Part 2 of the agenda and Matters concerning Council Employees, excluding Teaching Staff shall form Part 3 of the agenda).*

5.7 Meetings

The JCG shall meet in private, normally at quarterly intervals (in accordance with a programme of meetings determined by the JCG, on the advice of the Head of Strategy and Insight). Special meetings of the JCG can be arranged as and when required, subject to the agreement of both the Council Side and the Joint Employees' Side. Meetings will normally be called by notice in writing not less than seven days before the date of the meeting and the notice shall include the agenda of items to be discussed.

5.8 **Quorum**

The quorum of the Council Side of the JCG shall be 3 members

The quorum of the Joint Employees' Side shall be 5 members.

Business relating to all trade unions - five members.

Business relating to non-school teacher trade unions – three members.

Business relating to teacher trade unions – two members.

5.9 **Facilities**

The City of Edinburgh Council shall provide accommodation for meetings of the JCG.

5.10 **Amendments to Constitution**

The Council will keep this Constitution under review and may be required to make changes to the arrangements detailed above having regard to changing legislation in respect of informing and consulting employees. Either party desiring a variation or modification to the Constitution shall give the other party eight weeks notice of the proposed variation or modification.

January 2018