

Fife Council Joint Negotiation & Consultation Forum **Operating Principles**

TITLE

- 1 The Forum is called the Joint Negotiation and Consultation Forum (**NB** the shortened title will be the JNCF).

PURPOSE

- 2 In accordance with the Council's Corporate Values, the purpose of the Forum is as follows:-
 - a) To encourage a joint approach to managing change and resolving difficulties and differences of view in the spirit of openness and accountability.
 - b) To provide a regular means of negotiation, consultation and communication between representatives of the Council, Management, Human Resources and employees through their Trade Unions, thus encouraging employee participation and involvement.
 - c) To consider matters which have a corporate impact or are specifically referred by the national negotiating machinery; by Fife Council or any of its Committees, Groups or Sub-Committees; or by any of the Service Consultation Forums.

Where appropriate, the JNCF will refer matters to Service Consultation Forums, for example, matters affecting only one Service will normally be dealt with by the appropriate Service Consultation Forum and/ or matters which have not been exhausted at Service level.

Issues relating to individual employees will be excluded from consideration by the Forum as will Service issues which could more appropriately be dealt with by the appropriate Service Consultation Forum.

SCOPE

- 3 In fulfilling its purpose the Forum will negotiate and consult on matters which affect employees in the following categories:-
 - a) Single Status Employees.
 - b) Craft.
 - c) Teachers.
 - d) Chief Officers.

MEMBERSHIP

4 The membership of the Forum will be:-

a) Council Representatives

4 Council representatives (to be determined by agreement)

The governance arrangements can change without consultation, but the total number of members will not increase without further engagement with all stakeholders.

b) Management Representatives

Executive Director Finance & Corporate Services
Head of Revenue and Commercial Services

c) Human Resources

Head of HR
HR Service Manager (Policy & Reward)

d) Trade Unions

Joint Trade Union Secretary	1 representative
UNISON	5 representatives
UNITE (incorporating previous UCATT membership)	2 representatives
GMB	2 representatives
EIS	3 representatives
SSTA	1 representative
NASUWT	1 representative
COMMUNITY	1 representative

The trade union membership is calculated on the following basis to allocate the 15 available seats:

Number of TU members	Number of JNCF seats
1-1000 members	1
1001 – 2000 members	2
2001 – 3500 members	3
3501 – 5500 members	4
5501+ members	5

Trade Union Representation may consist of appropriate Full-Time Trade Union Officers and Senior Trade Union Representatives. Attending Full-Time Trade Union Officers should be included within the total number of attending Representatives for each Trade Union and not in addition to the maximum numbers stated above.

The membership numbers outlined above will not be exceeded unless it is appropriate and necessary to facilitate negotiation and/or the consultation process. Where the Trade Unions wish to request the attendance of additional representatives prior approval should be sought via the Head of HR or HR Service Manager (Policy & Reward).

The membership numbers outlined above will be reviewed periodically to ensure they continue to be proportionate to the membership numbers for each Trade Union within the relevant work group represented.

- 5 The Forum may agree to the attendance of advisers on an ad hoc basis where this would facilitate the negotiations and/or consultation process. For example, it may be appropriate to request the attendance of advisers from the Human Resources Service or from other Negotiation/Consultation Forums. The Trade Unions will also have the right to invite advisers.
- 6 On matters for negotiation, it will always be the Council's intention to reach agreement with the Trade Unions. However, where a joint agreement with all of the Trade Unions cannot be reached, the position of the majority Trade Unions will take precedence, as determined by the membership numbers of the recognised Trade Unions. In determining membership numbers, reference will be made to the membership information submitted annually by each of the Trade Unions or, where this information is not available, accessed through the payroll system.

MATTERS FOR NEGOTIATION AND CONSULTATION

- 7 The Council is committed to working in partnership with the Trade Unions towards reaching agreement through negotiation on those matters which come under the scope of collective bargaining, for example NJC proposals/ agreements and terms and conditions of employment.

Where the matter for negotiation impacts only on specific employee groups, discussions on this issue will involve only those Trade Unions with collective bargaining rights in relation to the effected employee groups.

- 8 The Council is also committed to effective consultation by providing the Trade Unions with an opportunity to exchange views at the earliest possible time and influence decisions and their application. Matters for consultation may include, for example, corporate strategy, business information and Best Value.

CONDUCT OF MEETINGS

- 9 Chair of Cabinet Committee or nominated representative will chair the meetings.
- 10 The Human Resources Service will be responsible for the provision of agendas, minutes and general secretarial support.
- 11 Agenda items should be submitted to Human Resources at least ten working days in advance of meetings. The agenda will be distributed to all Forum members no later than five working days before the meeting.

SUBSTITUTES

- 12 Substitutes should not normally attend the Forum. However the attendance of appropriate substitutes will be acceptable provided the required time off has been authorised by the relevant line manager or authorising manager.

EMPLOYER/EMPLOYEE SECRETARIES

- 13 To help facilitate the work of the JNCF, the Head of Human Resources will act as the Employer's Secretary and the Trade Unions will agree an Employees' Secretary.

FREQUENCY OF MEETINGS

- 14 Meetings will be arranged in advance and will be held at agreed intervals, currently six weekly. Special meetings may be requested by either Management or the Trade Unions where the need arises. In addition, if Management and the Trade Unions agree there is no business for the scheduled meeting, it need not be held. The frequency of meetings will be subject to review as required.

PROGRESSING NEGOTIATION AND CONSULTATION

- 15 Once an issue has been considered by the JNCF, it may be appropriate, in order to progress items in acceptable timescales, to meet in Sub-Groups outside of the Forum. The membership of such Sub-Groups should be reflective of the issue under discussion.

AMENDING THE OPERATING PRINCIPLES

- 16 No amendment to the Forum Operating Principles will be made unilaterally. However, if agreement cannot be reached, either side can give three months notice of withdrawal.