



LNCT

Fife Local Negotiating Committee for Teachers

Constitution

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Introduction

1. Fife has a long history of engaging with trade unions on a range of matters through both consultation and negotiation. The devolution, by the Scottish Negotiating Committee for Teachers (SNCT), of certain matters for local negotiations within a Local Negotiating Committee for Teachers has added a new dimension for negotiations with the teaching trade unions.
2. To satisfy the need to consult and negotiate with all employees in the Education Service the Education Negotiation and Consultation Forum has been constituted. This document sets out the constitution of the body.

Operating Principles

3. Title

The body shall be constituted as the Education Negotiation and Consultation Forum (the shortened title will be the Education Forum) and shall comprise the Joint Negotiation and Consultation Committee and the Fife Local Negotiating Committee for Teachers (Fife LNCT).

4. Purpose

The purpose of the Forum shall be as follows:

- a) to provide a regular means of consultation and communication on Service specific issues between representatives of the Council, Management, Human Resources and employees through their Trade Unions, thus encouraging employee participation and involvement.
- b) to encourage a joint approach to managing change and resolving difficulties and differences of view in the spirit of openness and accountability.
- c) when constituted as Fife LNCT to negotiate on issues devolved for local bargaining as set out in the SNCT Handbook of Conditions of Service, Part I Appendix I.3.
- d) to consider matters specifically referred to it by the JNCF, by any of the other Sector/Service Forums, by Fife Council, any of its Committees or Sub-Committees, or the Joint Consultative Committee for Teaching Staff (JCG). Where appropriate, the Forum will refer matters to the JNCF or to other Sector/Service Forums in accordance with the principle of devolved decision making. For example, matters affecting only one Sector/Service will be referred to the appropriate Sector/Service Forum.

5. Scope

In fulfilling its purpose the Forum will consult and negotiate on matters which affect employees of the Education Service

6. Membership

The membership of the Forum shall be:

a) Council Representatives

Chair of the Education and Children's Services Committee

Spokesperson – School Children

Spokesperson – Cared for Children

One representative from the opposition parties from the Education and Children's Services Committee

b) Management Representatives

Executive Director of Education Service

Senior Manager (Education Service)

2 Managers (Education Service)

c) Human Resources

Human Resources Manager

Team Leader (Education)

d) Trade Unions

Teaching Unions: As defined in the SNCT Handbook, but not exceeding 9 members.

Single Status Unions:

UNISON 4 representatives

T&GWU 1 representative

GMB 1 representative

Representation may consist of appropriate Full Time and Local Association Branch officials.

e) A quorum for meetings will be 3 representatives from each side, at least one to be a Council representative.

For any particular agenda item the Forum may agree to the attendance of individuals to advise and/or report on an ad hoc basis where this would facilitate negotiation and/or consultation on that item.

In reaching agreement, or failing to reach agreement, the Forum will take account of the accepted membership of the recognised Trade Unions within the Education Service.

7. Matters for Consultation and Negotiation

Matters for negotiation may include:

- a) Matters devolved to Fife LNCT in terms of SNCT 8
- b) Implementation of Human Resources policies
- c) Working practices
- d) Health and Safety issues
- e) Restructuring of sections within the Education Service

In terms of the powers delegated to the Executive Director by Fife Council the Fife LNCT is authorised to reach agreements on matters a-e above.

8. Matters for consultation may include:

- a) Items that have been referred from the JNCF
- b) Best Value
- c) Legislation changes
- d) Working environment
- e) Issues which affect the interests or well-being of employees, but not individual employee matters
- f) Service development, business strategy
- g) Business information
- h) Proposals for new management techniques
- i) Equality of opportunity
- j) Equipment, plant, vehicles etc

Matters for consultation may lead to negotiation if the proposals ultimately affect employees terms and conditions.

Please note – these are not exhaustive lists.

Conduct of Meetings

9. The Chair of the Education and Children's Services Committee will chair the meetings. Another Councillor will substitute, where necessary.

10. The Executive Director of Education will be responsible for the provision of agendas, minutes and general secretarial support.

11. Agenda items should be submitted to the Executive Director of Education not later than 7 working days before meetings. The agenda will be distributed to all Forum members not later than 5 working days before meetings. The Joint Negotiating and Consultative Committee shall meet and conclude its business. Thereafter Fife LNCT will be convened. The respective business for both committees shall be clearly identified on the agenda.

Substitutes

12. Members of the Forum can arrange substitutes when required. However, substitutes should be properly briefed and debriefed.

Non-Agreement Following Negotiation

13. Where issues have been subject to negotiation within the Forum and no agreement is reached, a failure to agree can be notified in accordance with agreed disputes procedures.

Employer/Employee Secretaries

14. To help facilitate the work of the Forum, the Executive Director of Education or his appointee will act as the Employers' Employees' Secretary.

Frequency of Meetings

15. Meetings will be arranged in advance and will be held at least quarterly. Special meetings may be requested by either Management or Trade Unions where the need arises and as agreed by the Joint Secretaries. In addition, if Management and Trade Unions agree there is no business for the quarterly meetings it need not be held. The frequency of meetings will be subject to a review on an annual basis.

Processing Negotiation and Consultation

16. There shall be a Fife Joint Consultative Group (JCG) comprising representatives of management and the teaching trade unions to facilitate the process of consultation. The operational arrangements for the JCG shall be as agreed from time to time by Fife LNCT.

The Forum will have the power to appoint such committees as it deems necessary for the purpose of facilitating and expediting its business.

Reports and recommendations from all such committees shall be presented to each meeting of the Forum.

Amending the Operating Principles

17. The Constitution may only be amended with the agreement of the relevant Forum Committee.

Tony Finn (Management Side)
Peter Quigley (Teachers' Side)
LNCT Joint Secretaries