



PERSONNEL COMMITTEE

This meeting will be recorded and the sound recording subsequently made available via the Council's website: charnwood.gov.uk/pages/committees

Please also note that under the Openness of Local Government Bodies Regulations 2014 that other people may film, record, tweet or blog from this meeting. The use of any images or sound recordings is not under the Council's control.

To: Councillors Morgan (Chair), Boldrin (Vice-Chair), Barkley, Brennan, Poland, Shepherd and Snartt (For attention)

All other members of the Council
(For information)

You are requested to attend the meeting of the Personnel Committee to be held in the Preston Room, Woodgate Chambers, Woodgate, Loughborough on Monday, 16th August 2021 at 5.00 pm for the following business.

Chief Executive

Southfields
Loughborough

6th August 2021

AGENDA

1. APOLOGIES
2. MINUTES OF THE PREVIOUS MEETING 3 - 4

To confirm as a correct record the minutes of the meeting held on 30th March 2021.

3. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

4. QUESTIONS UNDER COMMITTEE PROCEDURES 12.8

No questions were submitted.

5. JNCC APPOINTMENT OF COUNCILLORS 2021-22

5 - 11

A report of the Strategic Director, Environmental and Corporate Services.

6. APPOINTMENT TO PANELS 2021-22

12 - 14

A report of the Strategic Director, Environmental and Corporate Services.

FUTURE MEETING DATES

Please note further meetings of the Committee for 2021-22 are scheduled as follows:

5th October 2021

21st December 2021

29th March 2022

PERSONNEL COMMITTEE 30TH MARCH 2021

PRESENT: The Chair (Councillor Morgan)
The Vice Chair (Councillor Boldrin)
Councillors Barkley, Brennan, Lowe, Poland and
Shepherd

Strategic Director; Environmental and Corporate
Services
Charnwood HR Manager
Organisational Development Manager
Democratic Services Officer (NC)

APOLOGIES: none

The Chair stated that the meeting would be live streamed and the recording subsequently made available via the Council's website. He also advised that, under the Openness of Local Government Bodies Regulations 2014, other people may film, record, tweet or blog from this meeting, and the use of any such images or sound recordings was not under the Council's control.

23. MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 12th January 2021 was confirmed as a correct record and signed.

24. DISCLOSURES OF PECUNIARY AND PERSONAL INTERESTS

No disclosures were made.

25. QUESTIONS UNDER COMMITTEE PROCEDURES 12.8

No questions had been submitted.

26. PERSONNEL COMMITTEE PANELS - UPDATE

The Chair wished to note that a Panel of the Personnel Committee had met to complete the Chief Executive's probationary review on 3rd February 2020 and would have reported this to the next Committee meeting, but it had to be cancelled due to the Coronavirus pandemic. The Panel had also met on 12th March 2021 to complete the Chief Executive's annual personal review.

27. AGILE WORKING POLICY AND RELATED POLICY AMENDMENTS

A report of the Strategic Director of Environment and Corporate Services was submitted to agree the proposed Agile Working Policy (item 6 on the agenda filed with these minutes).

The HR Manager noted that Council officers had been working agilely for 12 months already and that this showed the proposed policy was workable. She also explained that there had been extensive consultation with Trade Unions and staff and amendments had been made.

RESOLVED that the proposed Agile Working Policy and the recommended amendments to policies related to agile working be agreed.

Reason

The Council has, for some time, been considering the principles of agile working and this, combined with the impact of COVID-19, has made it necessary to review working arrangements across the Council. It is therefore proposed to broaden the scope of the Council's current arrangements by introducing the Agile Working Policy.

NOTES:

1. No reference may be made to these minutes at the next ordinary Council meeting unless notice to that effect is given to the Democratic Services Manager by five members of the Council by noon on the fifth working day following publication of these minutes.
2. These minutes are subject to confirmation as a correct record at the next meeting of the Personnel Committee.

PERSONNEL COMMITTEE – 16TH AUGUST 2021

Report of the Strategic Director, Environmental and Corporate Services

Part A

ITEM 5 JOINT NEGOTIATING AND CONSULTATIVE COMMITTEE (JNCC) – APPOINTMENT OF COUNCILLORS 2021-22

Purpose of Report

To appoint councillor representatives to the Joint Negotiating and Consultative Committee (JNCC) for 2021/22.

Recommendation

That 4 councillors be appointed as representatives on the Joint Negotiating and Consultative Committee for 2021/22.

Reason

To enable the operation of the Joint Negotiating and Consultative Committee in accordance with its constitution and, therefore, negotiation and consultation to take place between the Council as an employer and its employees.

Policy Justification and Previous Decisions

The responsibilities of the Personnel Committee include the making of councillor appointments to the Joint Negotiating and Consultative Committee.

Implementation Timetable including Future Decisions

Once decided by the Committee, the appointments for 2021/22 will come into immediate effect.

Report Implications

The following implications have been identified for this report:

Financial Implications

None identified.

Risk Management

There are no specific risks associated with this decision.

Background Papers: None

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Part B

Background

1. The Joint Negotiating and Consultative Committee's functions are set out in its constitution, attached as an appendix to this report. This constitution states that the management side of the Committee shall include 4 councillors, to be confirmed annually.
2. A politically balanced approach would comprise 3 Conservative councillors and 1 Labour councillor, although there is no requirement for political balance in this case.
3. For the 2020-21 council year, the representatives appointed were Councillors Barkley, Boldrin, Morgan and Poland.

Appendix

Constitution of the Joint Negotiating and Consultative Committee.

CONSTITUTION OF THE JOINT NEGOTIATING AND CONSULTATIVE COMMITTEE

1. TITLE

- 1.1 The Committee shall be known as the Charnwood Borough Council Joint Negotiating and Consultative Committee (JNCC).

2. OBJECTIVE

- 2.1 To establish a workable and effective arrangement for good employee relations, for the avoidance of any misunderstanding and for the promotion of joint participation in all matters of common interest and concern on a genuine consultative and negotiating basis at Council level, as outlined in Clauses 7.3 and 7.4 of the Recognition and Procedural Agreement.

3. MEETINGS

- 3.1 Meetings of the JNCC shall be held quarterly, or by agreement.
- 3.2 Special meetings may be called by a written request to the Secretary from at least half the members of either side. Such meetings must be convened within 21 days, unless the side requesting the meeting agrees otherwise. Agendas and supporting paperwork should be provided in accordance with the provisions below unless otherwise agreed by the majority of JNCC members.

4. PRINCIPLES

- 4.1 The JNCC is authorised to undertake consultation and negotiation on all matters specified in Clauses 7.3 and 7.4 of the Recognition and Procedural Agreement.
- 4.2 JNCC will make recommendations to the appropriate Council body in relation to the terms and conditions and training and development of local government employees.
- 4.3 JNCC will undertake other functions assigned to it from appropriate Council bodies.
- 4.4 No issues in relation to specific individual cases shall be within the scope of JNCC.
- 4.5 Working groups or subcommittees can be constituted by a majority vote of JNCC.
- 4.6 Between meetings JNCC can commission further work from the Chair, Vice-chair or working groups/subcommittees.

5. REPRESENTATION

- 5.1 There shall be a Management Side and a Joint Trade Union Side.
- 5.2 The Management Side shall consist of 4 elected members and up to 4 senior managers of Charnwood Borough Council.
- 5.3 The Union Side shall consist of up to 8 elected representatives of the recognised trade unions who shall also be Council employees or appropriate paid officials. The number from each union shall be determined by the Union Side but shall reflect the approximate numbers of their members. Each recognised union will have a minimum of one seat.
- 5.4 If, for any reason, a particular union does not wish to participate in JNCC for a period, the vacancies may be appropriately taken up by other recognised unions. It will be for the union side to determine who takes up the vacancies.
- 5.5 If a JNCC member ceases to be an employee or paid Trade Union official (as appropriate) the member will no longer be eligible to participate in JNCC. The vacancy will be filled by the appropriate side.
- 5.6 Each side shall confirm the names of its representatives on an annual basis and inform the other immediately of any changes in the interim period.
- 5.7 Each side shall make every effort to ensure that its nominated representatives attend each meeting but substitution will be permitted on both sides where it cannot be avoided.
- 5.8 Both sides will be entitled to have advisors in attendance who will have speaking rights.
- 5.9 Meetings shall be deemed to be quorate if 3 members of each side are present. However, if less members of a side are present, that side may agree that the meeting shall be deemed to be quorate.

6. Chair

- 6.1 A Chair and a Vice-chair shall be appointed by the JNCC at their first meeting of each Council Year.
- 6.2 The Chair and Vice-chair shall be held in alternate years by a member of the management side and the union side unless the Committee agree otherwise.
- 6.3 In the absence of both the Chair and the Vice-chair, a Chair for the meeting will be appointed by the side holding the Chair.

7. OFFICERS

7.1 The Secretary for JNCC will be the Head of Strategic Support or other appropriate Council Officer.

7.2 Other officers shall attend JNCC as invited.

8. ADMINISTRATION

8.1 The JNCC Secretary will be responsible for arranging the meetings or to delegate this task to an appropriate other Council officer.

8.2 Either side should inform the Secretary of any agenda items and provide any supporting papers at least five working days before the final agenda is issued.

8.3 The JNCC Secretary will be responsible for preparing and issuing the final agenda and any supporting paperwork 10 working days before the meeting.

8.4 If the deadline for agenda items cannot be met, issues can be raised through the standing agenda item AOB (Any Other Business). Issues can be discussed if the majority of JNCC members present are in agreement.

8.5 The JNCC Secretary will ensure that minutes are taken and circulated. Minutes shall be subject to the agreement of the Committee and will be signed by the Chair of the meeting at which they are agreed.

9. STATUS OF RESOLUTIONS

9.1 Subject to section 9.4, agreements of the JNCC shall be binding on both sides so long as they have been the subject of consultation or negotiation and endorsement at a full meeting of the JNCC.

9.2 Agreements should be noted in the minutes of the meeting.

9.3 Where agreements constitute “collective agreements” or “local agreements” separate documents will be drawn up by the Secretary and signed by the Chair of the meeting where the agreement was reached.

9.4 Where required, agreements of the JNCC will not come into effect until ratified by the appropriate Council decision making body (e.g. full Council, Personnel Committee, or Cabinet).

10. COMMUNICATIONS

10.1 Either side can propose communication or consultation with the workforce on any issue raised at JNCC. Where agreement for wider

communication or consultation is reached this should be recorded in the minutes of the meeting.

10.2 As appropriate, members of the Trade Union Side shall be afforded reasonable facilities to visit and communicate with all workplaces and staff.

10.3 It is expected that as far as possible communication with staff will be by Joint Statements although this does not preclude either side from issuing their own communications.

11. DISPUTES

11.1 Where there is a breakdown/deadlock in respect of a matter under negotiation, both viewpoints will be presented to Personnel Committee for consideration.

11.2 Disputes should be resolved in line with the provisions set out in clause 9 of the Recognition Agreement.

PERSONNEL COMMITTEE – 16TH AUGUST 2021

Report of the Strategic Director, Environmental and Corporate Services

Part A

ITEM 6 APPOINTMENTS TO PANELS 2021-22

Purpose of Report

To consider appointments to Panels for 2021-22.

Recommendation

That Panels comprising 5 councillors be appointed for the Council year 2021-22 in respect of the following:

- a) To determine appeals by a JNC Officer against dismissal.
- b) To determine all other employment related appeals for JNC staff which are provided for in the Council's procedures.
- c) To make recommendations to Council on the appointment or dismissal of the Head of Paid Service.
- d) To make appointments to Chief Officer and Statutory Officer posts excluding the Head of Paid Service.
- e) To undertake the Chief Executive's Performance and Development Review.

Reason

Section 5.5 (e) of the Council's Constitution (Roles of decision taking Committees) states that the Personnel Committee will appoint Panels comprising 5 councillors (with a quorum of 3) for these functions. Appointing Panels to undertake these functions at the beginning of the Council year will prevent the need for a meeting of the Committee for the sole purpose of appointing a Panel and enable the functions to be dealt with in a timely manner.

Policy Justification and Previous Decisions

The responsibilities of the Personnel Committee include the appointment of Panels for the purposes set out.

Implementation Timetable including Future Decisions

Once decided by the Committee, the appointments will come into immediate effect for 2021 - 22.

Report Implications

The following implications have been identified for this report:

Financial Implications

None identified.

Risk Management

There are no specific risks associated with this decision.

Background Papers: None

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Part B

Background

1. A 5 Member Panel which reflects the political balance of the Council, will comprise 4 Conservative councillors and 1 Labour councillor.
2. In 2014/15, the Committee decided to appoint a single Panel for all of the functions set out in the recommendation. Alternatively, the Committee might wish to appoint Panels for some or all of the functions stated, only as they are needed in 2021-22.
3. In 2020-21 the Committee resolved to appoint Barkley, Brennan, Morgan Poland and Shepherd for a Panel in respect of the functions stated in the recommendation.
4. When the Committee appoints the Panel members, there is no requirement that Panel membership be drawn solely from that of the Personnel Committee but it is usual for this to be the case.
5. The Council's Constitution states that councillors should not participate in Personnel Committee and Panel meetings unless they have attended appropriate training on relevant personnel matters prescribed by the Head of Strategic Support.