

## TONBRIDGE AND MALLING BOROUGH COUNCIL

### **JOINT EMPLOYEE CONSULTATIVE COMMITTEE**

#### OBJECTIVES, CONSTITUTION, PROCEDURE AND FUNCTIONS

1. Objectives
  - 1.1 To promote the closest understanding and cooperation between the Council and its employees, through their representatives.
  - 1.2 To provide a systematic means of communication between the Council and its employees, through their representatives.
  - 1.3 To give employees, through their representatives, the opportunity to discuss and express views about Council decisions which affect them.
  - 1.4 To provide an opportunity for employees, through their representatives, to identify and consider health & safety issues

2. Constitution

- 2.1 The Committee shall be composed of twelve employee representatives comprising two to be formally appointed by the recognised Trade Union, based on their comparative levels of membership and ten elected by staff in the Council's Services as follows:-

<u>Service</u>	<u>Representative(s)</u>
Central Services, Chief Executive's Service and IT Services	2
Financial Services	1
Planning, Leisure and Transportation Services	2
Environmental Health and Housing Services	1
Leisure Services Business Unit (one from each operational site)	3
Tonbridge Area Office	1

- 2.2 Nine employer representatives, (Council Members) shall be appointed (all of whom have voting rights) plus the Chief Executive, Central Services Director, Director of Finance, and Health & Safety Officer as invited representatives of management (without voting rights). Other Directors and Chief Officers will be invited as representatives of management to attend meetings as appropriate.
- 2.3 The Employee Side shall retain their right to meet the Council Members of the Joint Committee accompanied only by the Central Services Director if they so wish.

- 2.4 The Committee shall have the power to sub-divide where deemed necessary, in order to deal with matters particular to one category of employee.
- 2.5 A Chairman and Vice-Chairman shall be appointed by the Joint Committee for a period of twelve months commencing on 1 January each year. If the Chairman appointed is a Member of the Borough Council, the Vice-Chairman shall be appointed from the Employee Side and vice versa. In the absence from the meeting of the Chairman and Vice-Chairman, the Joint Committee shall appoint a presiding Chairman for that meeting.
- 2.6 An administrative Secretary will be provided for the Committee by the Central Services Director. For the time being the Secretary to the Committee will be the Committee Administrator.
- 2.7 Either side of the Committee shall have the right to co-opt an individual who may assist discussion on a particular item in an advisory capacity. A minimum of 24 hours' advance notice of this intention shall be given to the Secretary to the Committee.
- 2.8 At the request of either Side and with a minimum of 24 hours' notice, a full-time union officer of a recognised Trade Union may be invited to attend the discussion on a particular item in an advisory capacity.
- 2.9 By prior notification to the Secretary, substitute members may attend meetings of the Committee in place of the regular representatives who are unavoidably absent from that meeting. Substitute for members representing unions on the Employee Side must be properly elected representatives of the union.
- 2.10 Representatives shall hold office for two years and be eligible for re-election or re-appointment.
3. Procedure
  - 3.1 The Joint Committee shall meet as and when required but not less than once per year. The Chairman or Vice-Chairman may direct the Secretary to call a meeting at any time. A meeting shall be called within ten days of the receipt of a requisition signed by not less than one-half of the members of either Side.
  - 3.2 The quorum of the Committee shall be five representatives of the Employee Side and four representatives of the Employer Side.
  - 3.3 The agenda of business shall be submitted by the Secretary to each member of the Committee at least 72 hours before a meeting, except in the case of special meetings.
  - 3.4 No business other than that appearing on the agenda shall be transacted at any meeting unless both Sides agree to its introduction.
  - 3.5 No resolution shall be regarded as carried unless it has been approved by a majority of the representatives present on each Side of the Joint Committee. In the event of the Joint Committee being unable to arrive at an agreement on any issue, the matter may be referred to the appropriate Committee or Sub-Committee of the Council. If the Council then takes a decision which is not

acceptable to the Employee Side, the Employee Side shall have the right to refer the matter to the South Eastern Provincial Council. The Trade Union representatives, as a constituent part of the Employee Side, may similarly refer matters to the South Eastern Provincial Council, where the Employee Side as a whole does not wish to do so.

- 3.6 Voting at meetings of the Joint Committee shall be by show of hands. The voting on any question shall not be recorded so as to show whether each member present and voting gave his/her vote for or against that question.
- 3.7 The proceedings of any meeting of the Joint Committee and its Operational Working Group referred to in Section 6 below, shall be widely distributed throughout the Council and reported to the appropriate Committee or Sub-Committee following the signature of the report by the Chairman and Vice-Chairman of the Joint Committee.
- 3.8 Reasonable facilities and paid time off shall be provided for meetings of the Employee Side of the Committee, normally immediately prior to the meetings of the Joint Committee.
- 3.9 Employee representatives will receive normal pay for hours of attendance at Joint Committee meetings.
- 3.10 No matters which fall within the scope of the Council's local disciplinary and grievance procedures shall come before the Joint Committee for consideration, unless those procedures so provide.

#### 4. Functions

##### 4.1 To consider:-

- (i) reports as appropriate on the Council's general plans and developments;
  - (ii) proposals relating to Council-wide or major Service reorganisations;
  - (iii) proposals relating to employee/industrial relations policies and procedures;
  - (iv) proposals relating to the implementation of new national employment terms/regulations or /legislation, etc;
  - (v) local terms and conditions of employment as the need arises;
  - (vi) reports from the Health and Safety Officer;
  - (vii) health & safety issues, information and reports;
  - (viii) any matters generally applicable to all employees, raised by the Employee Side;
- and
- (ix) any other matters agreed by the Chairman and Vice-Chairman of the Joint Committee to be appropriate for consideration.

5. Appointment of Members of the Employee Side

- 5.1 This section relates to the twelve representatives elected by staff in the Council's Services.
- 5.2 Any permanent employee of the Council will be eligible for election to represent his/her Service on the Employee Side, subject to him/her having been nominated and seconded by two or more employees of that Service.
- 5.3 Proposers and seconders must be permanently employed by the Council in the same Service as their nominee.
- 5.4 All permanent employees and fixed term contract employees engaged for a minimum of six months in a Service for which a representative is being elected, will be eligible to vote.
- 5.5 Elections will be administered by the Central Services Director.

6. Operational Working Group

- 6.1 The Joint Committee may appoint a standing Operational Group comprising the employee representatives, Chief Executive, Central Services Director, Director of Finance and other senior managers as may be appropriate from time to time.
- 6.2 The Operational Working Group will meet as and when required but programmed not less than three times per year.
- 6.3 The major function of the Group will be to facilitate informal discussion between the employee representatives and senior management on operational and organisational issues raised by both Sides of the Group.

June 2010

## **ANNEX to JECC Constitution**

### **The role of the employee representative**

The role of the employee representative is to share information, and to facilitate consultation and discussion with those they represent, being the other staff in their Service. It is also their responsibility to present the views and ideas that they have gathered at JECC meetings to those they represent.

The employee representatives will fulfil their role by:

- i) Listening to the views of those they represent.
- ii) Attending meetings of the JECC and preparing for the meetings by reading all circulated reports.
- iii) Listening to the views of other contributors at JECC meetings, including those who present the views of the Council.
- iv) Being available to brief and inform those whom they represent on reports presented or matters discussed at the JECC.
- v) Raising relevant issues and concerns at JECC meetings. Items should normally be included on the agenda.
- vi) Understanding what issues are appropriate to raise at JECC meetings.
- vii) Ensuring that any action points attributed to them at JECC meetings are followed up in advance of the next meeting.
- viii) To act as a representative of staff in matters concerning health and safety, principally in relation to:
  - specific matters on which the Council must consult staff;
  - general matters affecting the health and safety of staff; and
  - potential hazards and dangerous occurrences.

June 2010