



## **EMPLOYMENT COMMITTEE – 29 JUNE 2018**

### **TRADE UNION RECOGNITION AND PROCEDURAL AGREEMENT**

#### **REPORT OF THE DIRECTOR OF CORPORATE RESOURCES**

##### **Purpose of the Report**

1. The purpose of this report is to update the Employment Committee on the progress made in agreeing a revised corporate Trade Union Recognition and Procedural Agreement.

##### **Policy Framework and Previous Decisions**

2. The Council's Trade Union Recognition and Procedural Agreement outlines the agreed framework that underpins the collective bargaining, consultation, and negotiation processes in effect between the Council and its recognised Trade Unions. These processes form the mechanisms through which policies and matters affecting terms and conditions of employment at the Council are agreed. The proposed revisions to the Trade Union Recognition and Procedural Agreement are not expected to affect the Corporate Policy Framework.

##### **Background**

3. The Council's existing Trade Union Recognition and Procedural Agreement was implemented in 2009. The Agreement covers only those employees with National Joint Council (NJC or "Green Book") terms and conditions of service.
4. Since the Agreement was made, the mechanisms by which consultation and collective bargaining (and where appropriate, negotiation) are conducted have evolved as a consequence of various changes within the organisation. It is therefore necessary to revise and update the Agreement to reflect the mechanisms in place.
5. It is important to note that the proposed revised version of the Agreement does not seek to change the mechanisms for consultation and collective bargaining; it merely seeks to record them accurately. It is

generally agreed that the Council and its recognised Trade Unions already enjoy an effective and productive working relationship.

### **Revisions to the Trade Union Recognition and Procedural Agreement**

6. The main changes to the Agreement which have been proposed are as follows:
  - i) Scope: The revised version covers all employees of the Council including, for example, Chief Officers and those employees who are based in schools with delegated budgets. Further, it is proposed that the corporate Agreement should note all recognised Trade Unions and their participation in the various consultation and collective bargaining processes as appropriate. The current version is limited to three Trade Unions - Unison, GMB, and Unite the Union.
  - ii) Health and Safety Consultation: There is a statutory requirement for the Council to consult with workplace representatives on matters of health and safety and this occurs as part of the Corporate Negotiating and Consultative Committee, Children and Family Services Departmental Negotiating and Consultative Committee and departmental consultative meetings. It is necessary for the whole workplace to be represented, which differs from collective bargaining, but there is currently no agreement in place with the recognised Trade Unions that confirms these arrangements.
  - iii) Joint Trade Union Side: The proposed Agreement clarifies that the recognised Trade Unions engage with the Management Side in the format of a Joint Trade Union Side for the purposes of collective bargaining, consultation and negotiation. The alternative would be to implement a system of proportionate representation with voting to reach agreement, which is significantly more challenging for both sides to manage and increases the likelihood of matters entering dispute.

### **Trade Union Facilities**

7. There are no proposed changes to the facilities afforded to nominated Trade Union representatives by the Council. These are detailed in the Trade Union Facilities Agreement.

### **Current Position**

8. The revised Agreement must be agreed by the Chairs of the Joint Trade Union Side and the Council following consultation regarding its content.

9. The proposed revised Agreement has been presented to the Trade Unions for review and discussion at Informal Trade Union Meetings. Several matters were raised by the Trade Unions, such as queries about the processes for consultation within departments, which have now been addressed and agreed amendments made to the revised Agreement.
10. At the time of writing, discussions with the Trade Union Side are yet to be held and a meeting has been scheduled with the Chair of the Trade Union Side on 25 June 2018. The outcome of this meeting will be reported to the Committee at the meeting.

### **Recommendations**

11. The Employment Committee is asked to note the contents of this report.

### **Background Papers**

12. None.

### **Circulation under the Local Issues Alert Procedure**

13. None.

### **Officer to Contact**

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### **List of Appendices**

14. None.

### **Equality and Human Rights Implications**

15. An Equality and Human Rights Impact Assessment Screening will be completed prior to the completion of negotiations and any matters identified will be addressed.

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