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**Service Director – Legal, Governance and
Commissioning**

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Friday 21 June 2019

Notice of Meeting

Dear Member

Personnel Committee

The **Personnel Committee** will meet in the **Leadership Meeting Room - 1st Floor, Civic Centre 3, Huddersfield, HD1 2TG** at **5.00 pm** on **Monday 1 July 2019**.

The items which will be discussed are described in the agenda and there are reports attached which give more details.

A handwritten signature in black ink, appearing to read 'Julie Muscroft', on a light-colored background.

Julie Muscroft

Service Director – Legal, Governance and Commissioning

Kirklees Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair/Clerk of their intentions prior to the meeting.

The Personnel Committee members are:-

Member

Councillor Shabir Pandor (Chair)
Councillor Graham Turner
Councillor Susan Lee-Richards
Councillor Naheed Mather
Councillor Peter McBride
Councillor John Taylor
Councillor David Hall
Councillor John Lawson
Councillor Rob Walker

When a Personnel Committee member cannot be at the meeting another member can attend in their place from the list below:-

Substitutes Panel

Conservative

N Patrick
B Armer
M Thompson

Green

K Allison

Independent

T Lyons
C Greaves

Labour

M Sokhal
S Hall
A Butt
E Hill
M Kaushik
Simpson

Liberal Democrat

A Pinnock
A Munro

Agenda

Reports or Explanatory Notes Attached

Pages

1: Membership of the Committee

This is where Councillors who are attending as substitutes will say for whom they are attending.

2: Minutes of Previous Meeting

1 - 6

To receive the Minutes of the previous meeting held on 14 March and 22 May 2019.

3: Interests

7 - 8

The Councillors will be asked to say if there are any items on the Agenda in which they have disclosable pecuniary interests, which would prevent them from participating in any discussion of the items or participating in any vote upon the items, or any other interests.

4: Admission of the Public

Most debates take place in public. This only changes when there is a need to consider certain issues, for instance, commercially sensitive information or details concerning an individual. You will be told at this point whether there are any items on the Agenda which are to be discussed in private.

5: Public Question Time

The Committee will hear any questions from the general public.

6: Deputation/Petitions

The Committee will receive any petitions and hear any deputations from members of the public.

A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also hand in a petition at the meeting but that petition should relate to something on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10 (2), Members of the Public should provide at least 24 hours' notice of presenting a deputation.

7: Revised Employee Relations Framework

9 - 26

To consider the Council's revised Employee Relations Framework.

Contact: Deborah Lucas, Head of People Services

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

PERSONNEL COMMITTEE

Thursday 14th March 2019

Present: Councillor Graham Turner (Chair)
Councillor David Sheard
Councillor John Taylor
Councillor John Lawson
Councillor Nigel Patrick

Apologies: Councillor Shabir Pandor
Councillor Naheed Mather

- 1 **Appointment of Chair**
RESOLVED - That Councillor Turner be appointed to Chair the meeting in the absence of Councillor Pandor.
- 2 **Membership of the Committee**
Apologies for absence were received on behalf of Councillors Mather and Pandor.

Councillor Patrick substituted for Councillor D Hall.
- 3 **Minutes of Previous Meeting**
RESOLVED – That the Minutes of the Meeting held on 29 October be approved as a correct record.
- 4 **Interests**
No interests were declared.
- 5 **Admission of the Public**
It was noted that all Agenda Items would be considered in public session.
- 6 **Deputation/Petitions**
No deputations or petitions were received.
- 7 **Public Question Time**
No questions were received.
- 8 **Pay Policy Statement**
The Committee received a report which set out a policy statement concerning the pay of the Council's Principal Chief Officers, in accordance with the requirements of Sections 38 to 43 of the Localism Act 2011. The report advised that Section 39 (1) of the Localism Act 2011 requires that an authority's pay policy statement must be approved by resolution before it comes into force and that each subsequent annual statement must be prepared and approved before the end of 31 March immediately preceding the financial year to which it relates.

Personnel Committee - 14 March 2019

Appendices to the considered report set out (i) the Kirklees pay Policy Statement 2019-2020 (ii) Remuneration of Chief Officers (iii) Kirklees Council Single Status Grades as at 1 April 2019 and (iv) policies relating to remuneration.

The Committee noted the content of the report and welcomed the review of apprenticeship rates of pay, which would increase from 1 April 2019. A request was made for information to be provided regarding the total salary payment of chief officers from the pre-austerity period compared to current figures.

The Committee agreed that the report would be presented to Council on 20 March 2019 with a recommendation that the Pay Policy Statement 2019-2020 be approved.

RESOLVED - That the report be noted and submitted to the meeting of Council on 20 March 2019 with a recommendation that the Pay Policy Statement 2019-2020 be approved.

9 **New Employee Relations Framework**

The Committee received an update from the Head of People's Services, which provided an overview of a revised Employee Relations Framework, following negotiations with Trade Unions.

The Committee were advised that the revised framework aimed to provide a structured framework for consultations and negotiations to take place, by providing a modernised and transparent model which provided clarity on the processes of consultations, negotiations, decision making and dispute escalation and resolution.

It was noted that a report setting out the framework would be submitted to the next meeting of Personnel Committee, and it was requested that once the framework had been formally signed off, a copy be circulated to the members of Personnel Committee.

RESOLVED - That the update on the new Employee Relations Framework be noted.

10 **Senior Management Structure - Update**

The Committee received an update from the Head of People's Services regarding recent senior management appointments within the Council, namely;

- (i) the post of Service Director for Environment had been subject to advert and that the appointment would be via an Elected Member Panel.
- (ii) recruitment to the post of Strategic Director for Commissioning and Public Health was now complete and that Rachel Spencer-Henshall had been permanently appointed to the role.
- (iii) the Service Director post, previously filled by Rachel Spencer-Henshall, would be subject to advert, and that the appointment would be via an Elected Member Panel.
- (iv) Angela Blake had now commenced in the role of Service Director for Economy and Regeneration and had been in post since the end of January 2019.

Personnel Committee - 14 March 2019

- (v) Mel Meggs had now commenced in the role of Strategic Director for Children's Services and had been in post since December 2018.

RESOLVED - That the update on senior management arrangements be noted.

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Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

PERSONNEL COMMITTEE

Wednesday 22nd May 2019

Present: Councillor Shabir Pandor (Chair)
Councillor Graham Turner
Councillor John Taylor
Councillor David Hall
Councillor John Lawson
Councillor Rob Walker
Councillor Susan Lee-Richards
Councillor Peter McBride

1 Admission of the Public

RESOLVED – That the business for the meeting be considered in public.

2 Appointment of the Employee Relations Sub-Committee

It was moved by Councillor McBride, seconded by Councillor Turner and;

RESOLVED -

(1) That the appointment of the Employee Relations Sub Committee be approved and that the Membership of the Sub Committee be drawn from the Membership of the Personnel Committee as set out in the report at Item 18 of the Agenda of Annual Council.

(2) That Councillor Pandor be appointed as Chair of the Sub Committee.

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KIRKLEES COUNCIL			
COUNCIL/CABINET/COMMITTEE MEETINGS ETC			
DECLARATION OF INTERESTS			
Personnel Committee			
Name of Councillor			
Item in which you have an interest	Type of interest (eg a disclosable pecuniary interest or an "Other Interest")	Does the nature of the interest require you to withdraw from the meeting while the item in which you have an interest is under consideration? [Y/N]	Brief description of your interest

Signed: Dated:

NOTES

Disclosable Pecuniary Interests

If you have any of the following pecuniary interests, they are your disclosable pecuniary interests under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) - the landlord is your council or authority; and the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

- (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
- (b) either -

the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Personnel Committee – 1st July 2019
 Corporate Governance & Audit Committee – 5th July 2019

Title of Report: A Revised Employee Relations Framework

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Not applicable
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	Not applicable
The Decision - Is it eligible for call in by Scrutiny?	No
Date signed off by <u>Strategic Director</u> & name	Rachel Spencer-Henshall, Strategic Director Corporate Strategy, Commissioning and Public Health
Is it also signed off by the Service Director for Finance	Eamonn Croston
Is it also signed off by the Service Director for Legal Governance and Commissioning Support?	Julie Muscroft
Cabinet member portfolio	Councillor G Turner

Electoral wards affected: Not Applicable

Ward councillors consulted: Not Applicable

Public or private: Public

1.0 Purpose of report

- 1.1 The purpose of this report is to provide an update for consideration by Personnel Committee and Corporate Governance & Audit Committee on the Council's revised Employee Relations (ER) Framework; it is also to seek support to recommend to Council the deletion of the ER Sub-Committee.

2.0 Background

- 2.1 The previous ER Framework (known as the IR Strategy Framework) was agreed in March 2017 and is attached for information at Appendix 1.
- 2.2 Following the appointment of a new Head of People Services in February 2018, a review of the ER Framework was undertaken, with views sought from trade union colleagues, managers and staff within People Services on the effectiveness of that framework. Feedback highlighted that the framework was complex and not easy to navigate, which led to confusion about where consultation and negotiation should

properly take place; feedback also highlighted that there was a lack of clarity about the route for decision-making within the framework.

- 2.3 As a result of this, a review of the framework was undertaken and a revised framework was jointly developed by management from People Services, trade union colleagues (representing support staff and teaching staff) and the portfolio holder for HR matters. This revised framework is based upon a standard model that is in place across a range of other local authorities.

3.0 Key issues

- 3.1 The revised ER Framework is attached at Appendix 2. The new framework is modern and transparent, clearly setting out the arrangements for engagement with trade unions at a local, directorate and corporate level. It also provides clarity on:
- Where consultation takes place;
 - Where negotiation takes place;
 - Where decision making takes place;
 - How disputes should be escalated and resolved.
- 3.2 The framework also provides clarity on the scope of attendees at each meeting, the minimum frequency of those meetings and, most importantly, terms of reference for each meeting, along with standard agendas and a requirement for formal minutes to be taken. This ensures that there is a clear and consistent approach to our engagement with trade union colleagues across the organisation (including schools) and gives transparency around decision-making.
- 3.3 In terms of dispute resolution, the new framework allows for workplace issues to continue to be managed at a local level with a clear escalation route for unresolved issues to be raised at a formal directorate meeting, chaired by the Strategic Director, a corporate meeting, chaired by the portfolio holder for HR matters and ultimately to the relevant Joint Secretaries for resolution. Implementation of any associated resolution is then delegated back to the appropriate Strategic Director. The new framework therefore sets out a clear pathway for dispute resolution and negates the requirement for a formally constituted ER Sub-Committee, which formed part of the previous framework.
- 3.4 The spirit of the new framework is one of inclusion and working collaboratively with trade unions colleagues; it is not one rooted in conflict. This is evidenced by the inclusion of teaching and non-teaching unions in the agreement and also by the use of joint working groups to work collaboratively on pieces of work such as policy development and terms and conditions reviews. These were not features of the previous framework.
- 3.5 The agreement has been accepted by all trade union colleagues, including the teaching unions and by the Head of People Services.
- 3.6 We are currently in the process of transitioning to the new framework and have convened a number of initial JCG meetings at a directorate level, with meetings scheduled as per Appendix 3. Early feedback is that the meetings are positive and welcomed by all parties.

3.7 Outside the formal framework, the Head of People Services continues to meet on a monthly basis with trade union colleagues to share information, resolve any issues at the lowest level and plan any additional agenda items for the formal meetings. These meetings are known as 'Workforce Matters' meetings.

3.8 There is a commitment to jointly review the effectiveness of the new framework after 12 months.

4.0 Impact of the Revised ER Framework

4.1 The aim of the revised framework is to improve engagement and relationships with the trade unions across the organisation and to resolve conflict at the lowest level and in a constructive and transparent way.

4.2 As a result of the changes, there is a requirement to make some constitutional amendments as there will no longer be a need for the ER Sub-Committee.

5.0 Relationship to the Corporate Plan

5.1 The principles of our Corporate Plan are integral to this new framework; in particular, the spirit of the framework is based upon working together, with a common sense of purpose and values.

5.2 The new framework also supports us to achieve our shared outcome of working smartly to be efficient and effective.

6.0 Recommendations

6.1 That Personnel Committee approves the revised ER Framework and supports a recommendation to Council to approve the constitutional amendment with regard to the deletion of the ER Sub-Committee.

6.2 That the Corporate Governance & Audit Committee considers and recommends to Council the deletion of the ER Sub Committee.

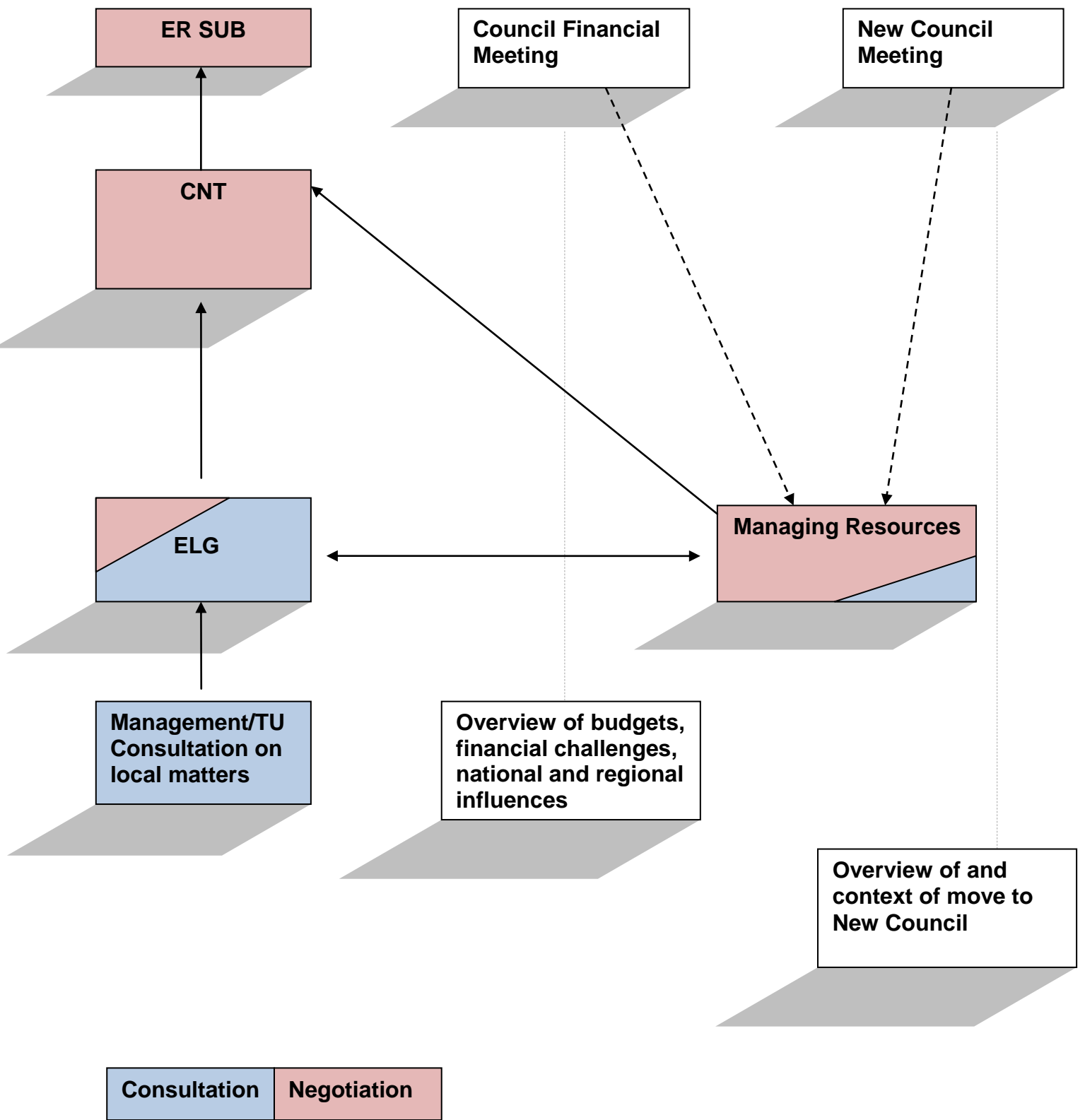
Report Sponsor: Rachel Spencer-Henshall Strategic Director – Strategy, Commissioning & Public Health	Contact Officer: Deborah Lucas Head of People Services
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IR STRATEGY FRAMEWORK (2017)

Consultation/Negotiation

Cultural Change



ELG **Employee Liaison Group (ELG)** is a consultation forum based at service level i.e. the area of responsibility of one Service Director, recognising there are some exceptions where alternate arrangements make sense (e.g., Soulbury ELG, Teachers/Support Staff ELG).

Below this level, ongoing management/TU engagement should take place as fits the needs of that particular area, so not necessarily formalised and scheduled but could be.

CNT **Central Negotiating Team (CNT)** will have two distinct functions; one as the “Appeal” mechanism where there is disagreement over decisions taken in earlier stages of the IR process: one as a last negotiating body to reflect the new context of IR. As we move into New Council the balance should shift increasingly towards the second remit.

Managing Resources Maintains oversight and control of Policy and T&Cs. Changes to these need the approval of Managing Resources to ensure consistency, fairness and management of risk. Learning and good practice are also shared.

The Council Financial Meeting will continue to provide the overarching financial context together with national and regional influences. In addition, the **New Council Meeting** will set out the high level context, direction of travel and overarching conceptual principles as we move to ‘New Council’.

“Reviews” will be formally triggered in writing to all TU’s. The overview of consistency, pace and impact will be via **Redesign Board**, whilst lessons learnt, good practice, impact on current policy will be dealt with at Managing Resources.

Definitions

Consultation

We consult on a range of issues including for example – changes in working practices, new job profiles, organisational change, and office opening times. We must, by law, consult on redundancies and ways to mitigate against these.

Consultation is about asking for views and ideas, listening to the suggestions put forward and giving them consideration. Often proposals change in response to consultation but not always and consultation doesn’t mean agreeing.

Negotiation

We negotiate on a range of issues such as changes to T&C’s, pay, time off for Trade Union activity and this is with a view to reaching agreement.

Terms of Reference

Kirklees Joint Secretaries - the joint secretaries' roles are an important part of the effective use of the IR Framework and at key points their input is pivotal. Therefore, requests for a CNT, from either TU or management will be discussed and the outcome agreed between the two.

The minutes of CNT will be jointly agreed between the two.

The joint secretaries will agree which of the two remits of CNT is appropriate to the issue at hand.

Where referral to an elected member appeal is requested the joint secretaries will discuss the merits of the case, prior to a formal decision being made in consultation with the Resources portfolio holder.

Where agreement cannot be reached between the two Joint Secretaries the matter will be escalated directly to Jacqui Gedman to arbitrate.

Managing Resources – holds the overview and control of employee related policy and T&Cs. Changes to these may only be approved by Managing Resources. Sub groups may be used to work through details which must be ratified at the full meeting. Heads of Service from across the Council attend to ensure collective understanding and ownership. Matters for negotiation, where agreement cannot be agreed, will be referred via joint secretaries to **CNT**

Appropriate issues may be referred to ELG and vice versa for consideration

Management/TU Consultation – takes place within service departments on issues specific to that area. These should be part of an ongoing meaningful dialogue and the format will depend on what works best in that area. It may be a formalised regular meeting or ad hoc – or a combination of the two.

Employee Liaison Groups (ELG) – are part of the formal IR arrangements. The focus is predominantly around consultation on issues relevant to that Service/s* but could include negotiation where the issues involve changing how the T&CS apply. It should be noted that changes to the provision of T&C's in the Employee Handbook can only be agreed at Managing Resources and Local Agreements cannot be entered into between service managers and Union stewards. Where an issue relating to T&Cs/policy has a wider relevance than that one service* referral is made to Managing Resources and where agreement cannot be reached on other matters for negotiation, referral is made to the Central Negotiating Team

Membership will include relevant managers, e.g. Heads of specific functions/areas and relevant service TU stewards. However, if meaningful dialogue is to take place then numbers should be limited to those who can actively participate.

Good practice would indicate that meetings should be scheduled in at regular intervals to facilitate all parties having a service wide overview of current and forthcoming pressures and priorities.

Issues relating to changes to and/or interpretation of T&Cs and policy should be referred to **Managing Resources**

*Service equates to an area/s under the management of a Service Director

Council Financial Meeting – provides an overview of budgets, financial challenges, national and regional influences. Meetings are at key intervals aligned to budget process.

New Council Meeting - this meeting will mirror the Council Financial Meeting excepting that it will meet more frequently to:-

provide a high level overview of future changes as the organisation moves to New Council.

provide local, regional and national context, including political considerations

develop conceptual frameworks and principles to guide the organisation

Understand and influence the IR landscape

The meeting is to be chaired by the Deputy Chief Executive in the medium term

Central Negotiating Team (CNT)

This is the body to which :-

a “failure to agree” arising from Employee Liaison Groups or Managing Resources will be referred

CNT will provide an “appeal” mechanism

and/or

CNT will provide the facility of a final negotiating forum.

The role of Chair will be held by a Strategic or Service Director, noting that the role is to represent the interests of the Council overall.

Referral to CNT is made only via (and with the agreement of both) the Kirklees joint secretaries.

Protocols for conduct of CNT

In both cases, to enable the focus to be on negotiation and resolution the following will take place:-

- The documents to be used by both parties (the “bundle”) will be prepared and agreed in advance.
- Specialist advisors will be discussed and agreed in advance
- The negotiations are confidential to those in the room
- At the end of the meeting there will be an agreement about the timing, method and key messages for communications

Joint secretaries approve the minutes after the meeting

It is particularly important where the CNT is dealing with a “failure to agree”, that both sides only enter and leave the hearing together to ensure fairness and transparency. It is recognised that the formalities associated with a failure to agree may be relaxed in a negotiating forum.

To enable meaningful dialogue and negotiations to take place in either scenario then numbers should be limited to those who can actively participate.

Where CNT is hearing a failure to agree the numbers will be: - Unison (7max*) GMB (3 max*) Unite (2 Max*). The relevant Service Director/Head of Service will attend and be responsible for explaining management’s position and will participate in the ensuing negotiations.

To facilitate meaningful negotiations, the numbers attending CNT as the final negotiating forum should reflect the ability to actively participate in the issue. No more than 5 maximum* from either management or the collective TU’s will attend without the express permission of the Chair.

**These numbers allow for and are inclusive of the attendance of respective regional officer/s*

Employee Relations Sub Committee

Membership

8 members of the Council on a ratio of 4:3:1

Quorum

3 members (providing that these are not all from the same political group)

Terms of Reference

The Head of Human Resources in consultation with the Resources Portfolio Holder is the "gate keeper" in respect of referrals from the Officer Appeals Panel.

The ER Sub Committee will have delegated responsibility for:

1. Reviewing decisions of an Officer Appeal Panel relating to employment matters in situations where it is alleged that:
 - a. The findings of an Officer Appeal Panel are based on a judgement that is considered perverse i.e. the rationale for the decision of the Panel is not supported by the evidence submitted and there is evidence that is contrary to the findings; or
 - b. Due process has not been followed
2. Following the review, to make one of the following recommendations:
 - a. To confirm that the process followed by the Panel and/or the judgement reached by the Panel was appropriate and reasonable and that the final decision should stand;
 - b. To determine that the process followed by the Panel and/or judgement reached by the Panel was not appropriate and that either:
 - i. The Panel should reconsider it's findings in the light of the comments of the Sub Committee; or
 - ii. A new Officer Appeal Panel should be convened to re-hear the appeal.
 - c. To determine whether the process followed and/or judgement of the original service hearing was inappropriate and/or unreasonable and whether this had been taken into consideration by the Officer Appeal Panel and, if so:
 - i. To ask the Panel to reconsider the case taking these views into account; or
 - ii. If feasible, ask for the case to be re-investigated/re-heard with a new commissioning manager etc.
3. To hear disputes that have previously been presented to Central Negotiating Team and which resulted in either or both parties disagreeing with the outcome, so as to determine whether to support the management case or the Trade Union case or alternative clear direction as to the areas where they believe further negotiation is required.

A Framework for Engagement in Employee Relations between Kirklees Council and our Trade Unions



Our vision for Kirklees is that we will be a Council that...

Works with partners:

- we are stronger when we share our knowledge, skills and resources

Works 'with' people, not 'does to' them:

- working together with people and communities to solve problems and make the most of opportunities is at the heart of the way we work.

Recognises the importance of local identity and how needs differ in different places:

- the people and places of Kirklees are complex and varied. Our diversity is one of our strengths
- we will work in ways which draw on our diverse strengths to enable people to prosper

We will work together with a common sense of purpose and values:

We will be:

- Passionate - about the difference we make
- Confident - in our abilities to get things done
- Flexible - in doing what we can as well as we can

Purpose

This framework outlines the approach to employee relations between the Council and the trade unions.

It aims to bring clarity of roles and responsibilities, ensuring that employees are treated reasonably, with respect and fairness and have a 'voice' in key employment matters

Scope

The Council operates within a system of collective bargaining with recognised trade unions in order to effectively negotiate terms and conditions of employment for employees. Membership of one of the recognised trade unions therefore provides employees with an opportunity to actively engage in decisions which may impact upon their employment.

The framework relates to employees of Kirklees Council. It covers the following recognised, trade unions: GMB, UNISON and Unite (known collectively as the Joint Trade Unions for staff covered by the Employee Handbook) plus the following teaching unions: ASCL, NAHT, NASUWT, NEU.

Framework Approach

Dialogue within the framework is based on an open approach which engenders solution focused discussions and reflects the Council's vision, values and behaviours.

A prerequisite of the involvement of all parties will be a commitment to ensuring positive and constructive input based on behaviours centred on transparency, integrity and a genuine commitment to working together as a team for Kirklees to resolve issues. Both management and trade unions will strive to make the Council an exemplar of good employment practice and a progressive force in shaping innovative and creative solutions to employment related challenges.

The Council and the trade unions recognise the need for a more pragmatic and joint approach towards employee relations. This approach will be underpinned by a commitment from the Council to ensure that consultation, negotiation and communication with the trade unions is undertaken at the earliest possible opportunity.

An effective relationship with the trade unions does not remove the right of leaders and managers to manage and take those difficult decisions. However, it does impose a genuine obligation of ensuring that the views of employees are sought and considered before decisions are taken, which may impact upon them.

Early Resolution of Issues

Wherever possible, issues should be raised, consulted and resolved at a local level within the relevant consultative framework being used and with appropriate input from People Services. Issues which have not been resolved through local discussions should be directed to the relevant HR Manager, who may respond directly or consult with the Head of People Services to facilitate an early resolution of the issue.

Issues referred for consideration to HR Managers (including the Head of People Services) are not meant as a means of circumventing the right of leaders and managers to take difficult decisions. Such referrals are an opportunity to try and resolve matters early and, if possible, avoid delays or escalation to external bodies such as Employment Tribunals. This arrangement is not meant as an automatic referral mechanism for issues which are the subject of general disagreement.

Dispute Resolution

Matters which are still unresolved following referral to HR Managers (including the Head of People Services) will be considered for further referral to other appropriate internal Council forums (e.g. Directorate or Corporate JCGs) with a view to exploring all possible avenues of resolution. In the event that it is not possible to resolve the matter within the Council, the matter(s) can be referred to the relevant negotiating body joint secretaries for conciliation / mediation.

Before either side is able to register a 'failure to agree' all levels of discussions, including those at a local level, Directorate Joint Consultative Group (JCG) and the Corporate JCG level, must have been exhausted at each stage before escalating to the next stage.

It is only at the Corporate Negotiating Group (CNG) that a "failure to agree" can be registered directly once discussions at that stage have not resolved matters.

This does not prevent both sides from holding informal discussions and seeking advice to try and resolve the dispute.

Any 'failure to agree' lodged will lead to referral to the relevant regional joint secretaries for conciliation / mediation.

Joint referral to Joint Secretaries

There may be occasions when both parties believe that a dispute would benefit from the involvement of the Joint Secretaries. When both parties agree then the Joint Secretaries may be invited to assist at any stage during the consultation / negotiation process.

Measuring Success

The success of the framework will be measured through the following:

- feedback from the annual Staff Survey
- improvements in performance data relating to the workforce
- reduction in unresolved issues being escalated to Strategic Directors, HR Managers, Head of People Services and trade union officials

Review of the Framework

The framework will be reviewed on an annual basis



APPENDIX 1 – FORMAL EMPLOYEE RELATIONS FRAMEWORK

	CONSULTATION			NEGOTIATION	JOINT WORKING
	Local consultation	Directorate/Schools Joint Consultative Groups	Corporate Joint Consultative Group	Corporate Negotiating Group	Joint Working Groups
Purpose	To share local information and respond to local issues and matters of change	To share information and consult on employment matters relating to the Directorate/schools which are not subject to negotiation; To provide an opportunity for effective contribution to health and safety issues	To inform and update trade union officials on Council-wide matters; To consult on Council-wide employment matters that are not subject to negotiation; To provide an opportunity for effective contribution to corporate health and safety issues	To negotiate on changes which may impact upon pay and/or terms and conditions of employment across the Council or in service areas.	To seek trade union involvement in projects or initiatives which impact upon the workforce. Working groups may be commissioned by Directorate/Corporate JCGs or the CNG.
Minimum Frequency	As required	Quarterly	Quarterly	As required	As required
Terms of Reference	Not applicable	Attached	Attached	Attached	Agreed individually based upon the nature of the working group subject matter
Attendees	As appropriate	Strategic Director (or nominee) to chair; Relevant Service Directors/Heads of Service; HR Manager/Partner; H&S Officer	Portfolio Holder (or nominee) to chair; Head of People Services (or nominee) vice chair; Strategic Directors (or nominees); relevant Service Directors/HoS (where appropriate); HR Managers; H&S Officer	Head of People Services (or nominee) to chair; relevant Strategic/Service Directors (or nominees) where appropriate; HR Manager(s); HR Partner(s) where appropriate	As appropriate
TU Level	As nominated	Relevant local official/local steward/H&S representative	Regional and / or relevant local officials/H&S representative	Regional and / or relevant local officials /relevant stewards	As appropriate
Additional information	Scope may include general local updates, change programmes, service reviews; or any specific local implementation of new working practices or arrangements	Scope includes directorate updates, service reviews, workforce updates, H&S updates, plus related items raised by TUs.	Scope includes corporate updates, corporate reviews, workforce updates, H&S updates, review of Directorate JCG minutes, plus related items raised by TUs and matters referred to the group by DCGs, CNG or other Working Groups.	Examples may include pay and grading matters, changes to Employee Handbook (T&C's), etc.	Examples may include pay and reward projects; health and wellbeing initiatives; review of policies and procedures; etc. The outcome of the working groups may be referred back to Directorate/Corporate JCGs or the CNG

ER Framework Meetings- JCG's

(2019)						
Directorate				Corporate		
	<i>w/c 17th June</i>	<i>w/c 9th September</i>	<i>w/c 9th December</i>	<i>w/c 8th July</i>	<i>w/c 30th September</i>	<i>w/c 30th December</i>
Rachel Spencer-Henshall Corporate Services	19.06.19 3.30pm-5pm CC3 Ga	11.09.19 9.30am-11am CC3 Ga	11.12.19 3.30pm-5pm CC3 Ga	Thursday 11 th July 1pm-3pm Huddersfield Town Hall	Monday 30 th September 11am-1pm Conference Room	Wednesday 8 th January 2pm-4pm Conference Room
Karl Battersby Economy & Infrastructure	18.06.19 1.30pm-3pm CC3 Conference Room	10.09.19 1.30pm-3pm CC3 Conference Room	11.12.19 1pm-2.30pm CC3 Conference Room			
Richard Parry Adults' Services	17.06.19 10.30am- 12.30pm CC3 Ga	09.09.19 10.30am- 12.30pm CC3 Ga	09.12.19 11am-1pm CC3 Ga			
Mel Meggs Children's Services	13.06.19 10am-12noon CC3 Leadership Room	12.09.19 10am-12noon CC3 Leadership Room	12.12.19 10am-12noon CC3 Leadership Room			

ER Framework Meetings- JCG's

(2020)								
Directorate				Corporate				
<i>w/c 2nd March</i>	<i>w/c 22nd June</i>	<i>w/c 14th September</i>	<i>w/c 7th December</i>	<i>w/c 23rd March</i>	<i>w/c 13th July</i>	<i>w/c 5th October</i>	<i>w/c 28th December</i>	
Rachel Spencer- Henshall Corporate Services	05.03.20 2pm-3.30pm CC3 Ga	25.06.20 10am-11.30am CC3 Ga	17.09.20 10.30am- 12noon CC3 Ga	10.12.20 10am-11.30am CC3 Ga	Wednesday 25 th March 3pm-5pm Conference Room	Wednesday 15 th July 2pm-4pm Conference Room	Wednesday 7 th October 2pm-4pm Conference Room	Wednesday 6 th January 2pm-4pm Conference Room
Karl Battersby Economy & Infrastructure	03.03.20 1pm-3pm CC3 Conference Room	23.06.20 1pm-3pm CC3 Conference Room	15.09.20 1pm-3pm CC3 Conference Room	08.12.20 1pm-3pm CC3 Conference Room				
Richard Parry Adults' Services	02.03.20 11am-1pm CC3 Ga	22.06.20 11am-1pm CC3 Ga	14.09.20 11am-1pm CC3 Ga	07.12.20 11am-1pm CC3 Ga				
Mel Meggs Children's Services	04.03.20 10am-12noon CC3 Leadership Room	22.06.20 10am-12noon CC3 Leadership Room	17.09.20 10am-12noon CC3 Leadership Room	10.12.20 10am-12noon CC3 Leadership Room				