

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

