

**MINUTES OF THE GENERAL PURPOSES COMMITTEE
WEDNESDAY, 4 MAY 2011**

Councillors Khan, Waters, Whyte, Wilson, Rice (Chair), Bloch and Browne

Apologies Councillor Meehan

Also Present: Councillor Browne, Jan Doust, Ian Bailey, Dave Burn, Steve Davis

MINUTE NO.	SUBJECT/DECISION
GPCO135	APOLOGIES FOR ABSENCE (IF ANY) Apologies for absence were received from Cllr Meehan, Chair of the Committee. In accordance with the Constitution rules on substitutions as set out in part 4, rules of procedures, section B, Committee rules, and paragraph 55, Cllr Browne substituted. Cllr Rice in his role as vice chair chaired the meeting.
GPCO136	URGENT BUSINESS There were no items of urgent business submitted.
GPCO137	DECLARATIONS OF INTEREST The Committee were handed a letter by a representative of the NUT, Tony Brockman, in reference to agenda item 6, Trade Union Facilities, Duties, Activities and Time off Arrangements. The letter claimed that there was a financial benefit to schools as a result of the proposed reduction in the Council funding of time off facilities for union branch officers. Julie Davies, representative of the NUT, advised the meeting that she was currently seconded to the union branch officer post and following proposals to reduce the time off facilities for union work she would return to her teaching post. This would mean that her school would have an additional funded teacher and would mean that other schools that have a teacher seconded to branch officer posts would be in similar beneficial position. Tony Brockman along with Julie Davies claimed that this constituted a prejudicial interest for some members of the Committee who were also governors at schools in the borough which they believed should be declared together with withdrawal from the meeting. The Chair asked the legal representative at the meeting to provide advice on the assertions made in the letter and Committee member's positions in relation to agenda item 6 as school governors. The Committee were informed, by the legal representative, that there was not a requisite degree of financial impact on schools or a financial gain to members personally to deem this a prejudicial interest. Further, the decision recommended from the Committee involved only an allocation of paid time to the NUT, which would then be the subject of further decisions by the NUT before its implementation at the level of any school. The legal representative advised that these were therefore personal interests as opposed to prejudicial interests. In response, to a query on legal advice provided at Planning Committees on personal and prejudicial interests when considering planning applications, the Committee were advised that in the consideration of some planning applications there could be circumstances where

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	<p>there was a direct impact on the financial position of the members involved or organisations that they, or close family members, were affiliated with which would need declaration and non participation in the meeting. In this case the direct financial effect on schools was not sufficient to warrant members of the Committee to declare a prejudicial interest. In response to the advice provided, Cllr Wilson declared a personal interest by virtue of his position as a school governor at Western Park Primary School. Cllr Rice declared a personal interest as a School Governor at John Loughborough School and Northumberland Park Secondary School and Cllr Waters declared a personal interest as a school governor at Risley Primary School. Cllr Browne declared a personal interest by virtue of his membership of National Union of Journalists, Equity (the performers' union) and sought advice from the legal representative on whether his lifelong honorary membership of the GMB, which was not active, would constitute a prejudicial interest. In answer to the latter declaration, the legal representative advised that this was a personal interest and not a prejudicial interest as this was not an active membership and not employment connected.</p>
<p>GPCO138</p>	<p>DEPUTATIONS/PETITIONS</p> <p>The Committee received deputations from Chris Taylor and Andrea Holden (Employee Side Representatives) on Agenda item 5) Youth Connexions and Participation - Agenda Item 6) Trade Union Facilities, Duties, Activities, and Time Off Across the Council. Deputations were also received from the Teaching side of the Employee side – Tony Brockman and Julie Davies in relation to Agenda Item 6) Trade Union Facilities, Duties, Activities, and Time Off Across the Council.</p> <p>Details of their comments and representations are recorded under the relevant minute below.</p>
<p>GPCO139</p>	<p>YOUTH CONNEXIONS AND PARTICIPATION</p> <p>Members of the Committee considered a report on the proposals for the restructure of the Council's Youth, Connexions and Participation services. The context behind the recommendations and necessity for this report were the requirement for the local authority to make savings of over 84 million over the next 3 years. As part of this, the Children and Young People's service were required to restructure the service to reduce spending by 14.1m whilst ensuring that it fulfilled its statutory duties and protected services to the borough's most vulnerable children. The proposition was to reorganise the Council's Youth Service, Connexions Service, and Children and Young People, Parent & Community Participation Service into a revised Youth, Participation and Community service to achieve required savings of £3,298,443 whilst keeping to the following responsibilities:</p> <ul style="list-style-type: none"> • Delivering statutory responsibilities for the Local Authority • Prioritising provision for at risk vulnerable groups • Meeting the needs of the community and the aspirations of young people <p>It was noted that 105 staff were affected by the review which equated to 85.9 Full Time Equivalents. It involved the deletion of 44 vacant posts (30.9 Full Time Equivalent posts). The full employment position of the staff members included in the restructure was set out in section 5 of appendix 1. The Committee learned</p>

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that the restructure had sought to achieve a balance between full and part time posts as working in youth service involved flexibility and working outside normal working hours.

The key aim of the new service was to target children most at risk. This would be achieved through maximising frontline services so that through partnership with statutory and community organisations there was focus on working with young people and families which were known to the Council to have enhanced risk factors. A further priority of the new service would be community development and quality assurance which would entail developing, agreeing and monitoring clear quality standards in conjunction with young people for services that were managed by the Council, commissioned, or those that the Council signposted to in the voluntary, community and third sector. The Council would be seeking to develop relationships with these sectors to ensure that there was a shared understanding of the meaning of quality services across the borough. This would further include: addressing professional issues where required, training, staff development, ensuring safeguarding protocols were in place and that tracking systems, which provided schools with and other agencies with data information on learning, and employment destinations of young people were maintained to a high level. The third key priority was citizenship and involvement of young people and ensuring that they were routinely involved and engaged in decision making, shaping, and planning the service. This would include working with children and young people through the Youth Council and CIC Council and ensuring that consultation on broader developments of the service included young people. In relation to the connection of this priority to the Voluntary Sector this would involve liaising with HAVCO to make sure that there were skilled and trained workers in the voluntary sector. In terms of volunteering, the new service would record young people's volunteering and offer accredited training if appropriate.

Members were pointed to the new staffing structure of the service which was set out in Appendix A and asked to agree the recommendations of the report.

The Employee side were invited by the Chair to address the meeting and raise their concerns about the report and its recommendations. They began by expressing their immediate concern; on how the prevention agenda would continue to be adhered to as they felt it would be hindered greatly by the level of budget reductions to this service and they felt that in the long term there would be a greater cost to the community and the local authority. In response to this it was noted that prevention would continue as a key aim of the service and would include working with children in care colleagues to provide targeted services rather than a broad service. The Employee side referred to the formal feedback provided by Unison to the consultation which was appended to the report as part of Appendix 5 and sought the following clarifications.

- Youth Development Officer post was marked as an open ring fence post – The Deputy Director Prevention and Early Intervention agreed to review this ringfence proposal.
- Single status evaluations for Frontline workers - the consultation period had been extended to allow evaluations for single status to be undertaken. Any potential payments associated with single status claims would be met

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within the budget for the service.

- New Job Descriptions for Connexions employees indicated working 4 evenings a week which had implications for the work life balance of these employees. In response it was noted that the job descriptions were compiled on the pretext of meeting the needs of young people. The figure of 4 evenings a week was a guide and it was not envisaged that this many working evening would be needed per week. The previous job descriptions for this role set evening work at one evening per week and this was altered to reflect Youth workers job descriptions which indicated as a guide working 4 evenings per week. In response to this clarification, the Employee side pointed to the difference between part time youth workers and the Connexions post holders who were working full time hours and expected to work evenings. The committee noted that the need to meet the availability of young people made it essential for these post holders to be available in the evenings. However, it was reiterated by Officers, that 4 evenings was a guide and it was unlikely that post holders would be expected to work this number of evenings per week.
- Participation Strategy Officer and Community Participation Officer Job description changes - It was explained that these two posts had been transferred from Children and Young People service along with their budget to be located in the proposed new structure of the Youth, Connexions and Participation service. There were no changes currently proposed to these job descriptions and therefore no current issues to resolve on ring fences. There would follow, in future, a review of these posts.

Following the Employee side deputation, members of the Committee put forward further questions on the restructure of the service to officers. The Committee understood that there would be a significant reduction in the size of the service and this would necessitate effective targeted intervention with children most in need of the service. The Committee sought assurances on the effectiveness of the evidence source of the Children's service to ensure that young people most in need of the new Youth, Connexions and Participation service were located and service provided. They also sought clarification on how the reliability of this source would continue to be monitored and asked how examples of previous good practices were to be shared in the service and referred to as to ensure the success of the new service going forward. The Committee were informed that the main feedback received from young people about the service was their satisfaction with the one to one support given and there were good working relationships developed with their workers; however this was not measurable in the quantitative format. The key information source used by the service was the database which recorded the number of Children Not in Education or, Employment or Training (NEET). This database assisted the service greatly in knowing the location and situation of all young people in the borough. The information on this database was monitored consistently as there was an overriding aim to keep the number of children classed NEET low. This was also information which was reported to the Government on a regular basis. Where there was uncertainty about the employment, training and education situation of a young person, there were efforts made to contact them to ensure that overall the

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data was continually robust.

Clarification was sought on how the services provided by the Youth Offending Service would be continued in the new service. It was reported that the Youth Offending service had transferred to the Children and Young People's service recently following the overall Council re-organisation report on the Council, Rethinking Haringey. A further task would be to examine the working relationship of the Youth Offending team and the new Youth, Connexions and Participation service over the coming year.

In response to a Committee question on the responsibility for young people with disabilities, it was reported that they would be one of the groups targeted by the new service for support.

Members referred to Appendix 6 of the report which set out the structure of the service and enquired how many of the staff listed were frontline staff. It was noted that all staff listed could be thought of as frontline staff; including the management staff as they would all in some capacity have contact with the users of the service. It was clarified that the team leader's primary function was to lead the teams, whilst also supervising case loads to ensure that they were manageable. They would themselves also retain a small number of cases. The tracking assistants listed in the structure also had a frontline role as part of the interface with young people was through the youth space website where feedback from young people was collected. In response to a query on the geographical areas in the borough covered by the teams, it was clarified that the children's network geographical model had been used to mark the responsibility for areas. Assurances were given that no area of the borough had been missed.

Having considered the information provided at the meeting and further to considering the report, the following resolutions were made:

RESOLVED

- i. That it be noted the formal consultation on the proposals contained in the report began on 11 February 2011 and was concluded on the 20 April 2011.
- ii. That the comments from staff and trades unions and the management response to them set out in appendix 5 be noted.
- iii. That the Equalities Impact Assessments relating to these proposals set out in appendices 2 and 3 be noted.
- iv. That the proposed staffing restructure as set out in the consultation document in Appendix 1 be agreed. This decision took account of the outcome of the staff consultation and management response (appendices 5&6) and gave due regard to the Council's public sector equalities duties.

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The Head of Human Resources introduced the report which sought the Committee's agreement for amendments to trade union facilities, duties activities and time off arrangements across the Council with a view to reducing expenditure on current time off provision. The Head of Human Resources referred to paragraph 6, which reported that a number of meetings had taken place between himself and the Head of Schools Personnel, Deputy Director of Business Support & Development, Children and Young People's service and representatives on the trades unions. The Head of Human Resources had allocated reasonable time off for branch officer roles to all trades unions by taking into account the following criteria:

- Union Membership numbers
- The volume and complexities of Corporate and Local Industrial Relations issues taking place in the organisation
- A minimum of 0.1 facility time would be granted to each recognised trade union. In addition for unions with 0.1 or 0.2 facility time reasonable time off will be also granted in recognition of casework preparation and representation at meetings.

The Committee learned that the total current time off allocated to all the trades unions was 12.1 Full Time Equivalent posts which were proposed to be reduced to 7.5 Full Time Equivalent posts, a reduction of 4.6 full time equivalents. It was clarified to the Committee that, the figure of 0.1 (the number of days off allowed to deal with Union duties) was equitable to half a day off per week.

The Chair asked the deputation from the NUT to address the meeting and raise their views in regards to the report and its proposals.

Tony Brockman, representing the NUT, voiced opposition to the proposals contained in the report as they would mean a reduction in Council funding to teaching unions. Tony Brockman proposals were not seen as equitable in comparison to the reductions proposed to the other non teaching unions and the deputation asked the proposals to be repelled. Tony Brockman expressed concern that there had not been prior discussion of the proposed reductions through the form of a negotiating body or through the CEJCC. He disputed the membership numbers listed in the report and pointed to the lack of provision given to time off facilities for branch officers undertaking national union duties. Allocation of Health & Safety duties were also matters for resolution between the Council and the teaching unions as there was currently no provision in schools rules to accommodate these functions. Therefore there was a need to resolve the allocation of school safety issues and the learning representative duties which were now to be allocated to schools but which were previously carried out by the Council.

Tony Brockman further challenged the membership figures set out in the report and claimed that they were not accurate. The teaching unions had a higher number of members than listed in the report and advised the figure to be 2067. He further questioned the benchmarking exercise undertaken with other boroughs on their membership numbers and used as a basis to form recommendations. Anecdotal research had found that other boroughs were increasing their facilities for teaching unions instead of decreasing them.

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Julie Davies continued with the deputation and highlighted the number of duties, representative roles, meetings attended as well as national duties carried out by the teaching union representatives. This would often entail working above and beyond Council funded union time off arrangements. She pointed to their key roles in relation to resolving grievances at an early stage and limiting the number of grievances. Further she referred to the allocation of time off for health and safety work and the union learning representative roles which she contended were better provided to schools by one person with full time off arrangements.

The deputation in summary requested that the recommendations contained in the report should not be agreed as the formula used to calculate the allocation of union branch officer full time equivalents was not accurate. They believed the process had not been transparent or fair to all of the unions concerned.

Chris Taylor from Unison was the spokesperson for their deputation. He began by concurring that the NUT had been treated in a dissimilar manner to the other non teaching union trade unions. He requested that the implementation of the reduction in time off for Unison take effect from March 2012 instead of January 2012 to coincide with the annual trade union elections and enable the changes to be implemented following the annual meeting. Chris Taylor referred to the report which advised that the provisions for union time off facilities would be reviewed annually by the Head of Human Resources and he requested, on behalf of the Unison, that issues regarding provision are raised through the Employment Joint Consultative Committee (CEJCC). There was further reference to paragraph 4.4, Appendix A, which provided information on how time off arrangements would be applied for trade unions duties in relation to staffing restructures, attending meetings with members related to staff changes, attending steward meetings and representing members at formal meetings. The paragraph further advised that 2 hours would be allocated per week to these duties which the Employee side asked this is reconsidered because it was not a sufficient time to carry out these duties. They asked for some flexibility with time allocations and gave an example of situations when employees may prefer to be represented at certain meetings with a steward who they are familiar with as opposed to a branch officer.

The Chair asked the Head of Human Resources to respond to the points raised by the deputations from the NUT and the Employee side. The Head of Human Resources explained that the proposals regarding the change to trade union time off provisions was not a matter that required negotiation through formal bodies and that the decision was for the General Purposes Committee to make. The Council had a legal duty to provide reasonable time off facilities for trade unions which they were adhering to. There had also been consultation on the proposals prior to this Committee meeting as outlined in the introduction to the report. The Head of HR responded to the argument made that the membership levels were not a strong basis to base the recommendations of the report upon, and he advised that the criteria considered was not only membership numbers but the volume and range of issues dealt with at the local level by the unions together with the complexities of their casework. The criteria considered when revising the provision were set out in paragraph 6 of the main report. In relation to the concerns expressed about Health and Safety representation at school meetings, it was the obligation of employers to provide reasonable time off arrangements for attendance at these meetings. This did not rule out the NUT addressing the

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Schools Forum on their concerns about this and provisions for learning representative roles. The membership numbers for the teaching unions were to be confirmed at the time of the review but the Head of HR offered to amend the NASUWT Branch officer time off from 0.2 to 0.1 until the membership numbers were verified. The Head of Human Resources further advised the deputation from Employee side that the Committee would need to make the decision on whether to amend the implementation date for the reduction in time off facilities from January 2012 to April 2012. In terms of the timing of the review on the provision in 2012, the Head of Human Resources advised that the election arrangements of the trade unions would be taken into account. He further agreed that the EJCC could encompass the referral of concerns on the new proposed time off provisions. The matter of union stewards time off was responded to and the Committee advised that the figure of two hours off per week was provided as a guide and reasonable account would be taken of a steward's time for preparation of staff meetings and core meetings, and representation of staff at meetings.

The chair invited questions from the Committee members which followed along with input from the deputations.

Some members expressed concern on the application of proportionality and referred to the numbers of staff in the Council being reduced in comparison to the reductions in full time equivalent union representatives which was not in equal proportion. There were further questions from the NUT deputation on the comparative data and clarification sought on which other boroughs were reducing Council funding of teaching union provisions for time off. It was noted that the membership number listed for Unison was before the current staff reductions taking place and were the figures available at the time of writing the report. The Head of Human Resources reiterated that the membership numbers were not the sole criteria used for proposing changes to the union time off arrangements and explained that the current offers of provisions for teaching trade union time off facilities could not dictate the Council's proposals on this. He also pointed to the level of industrial relations and casework issues that would be dealt with by the Employee side through dealing with a broader membership. The deputation from the NUT continued to dispute the membership numbers and further spoke of their undocumented work in dealing with staff matters and grievances at an early stage meaning that there were very few cases which progressed to a hearing stage and therefore no requirement to record or have figures on. They referred to their case loads and offered to provide statistics from diaries on the number of casework and health and safety meetings attended. The Committee asked about the central funding received from NUT head office and whether increased claims could be made for funding especially to support the workloads of local NUT branch officers. In response it was noted that the NUT already had a significant staffing framework to support and this included the legal advisors which could be called upon if a staff grievance was formalised as these could be difficult and complex cases.

In response to a question on the school teacher membership of unions in relation to the number of schools in the borough it was clarified that the school academies and non maintained schools membership of the teaching union were not included in the membership numbers as they were not funded by the local authority. It was also important to note that teachers could be a member of more than one teaching union. This would be better known once the smaller teaching unions had

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	<p>verified their membership numbers.</p> <p>In answer to concerns about adequate time off for National Executive Union duties, assurance was given that there would be adequate time off provision provided, should a member of the unions have this national role. This was also something which was legally required.</p> <p>The Committee noted that an equalities impact assessment was not required on this report as the required EQIA screening tool had been applied and had determined this.</p> <p>The Committee agreed to the request of the Employee side to amend the implementation date for the reduction in time off for NUT and Unison. This would take effect from 01 April 2012 as opposed to the 01 January 2012 to allow for the annual trade union elections and enable the changes to be implemented following their Annual meetings.</p> <p>RESOLVED</p> <ul style="list-style-type: none">i. That the recommended changes to the trade union time off provision as described in paragraphs 7 be agreed . (In summary this meant a reduction of 4.6 full time equivalent (FTE) in Branch Officer and Employee side time off and a reduction in the scope of the paid time off for attendance at accredited conferences)ii. That the revised policy for Trade Union Facilities and Time off Arrangements at appendix A be agreed. That it be noted that these arrangements had now been harmonised to include teaching unions as well as the non teaching unions.iii. That the change in the time off agreements start from 1 April 2011 but the implementation of the reduction in time off for NUT and Unison take effect from 1 April 2012 to allow time for appropriate notice and furtherance of good employee relations during the coming months of further significant organisational change. Those changes for the other unions and employee side take place from 1 July 2011.iv. That these provisions be reviewed annually by the Head of Human Resources and reported to the new Corporate Committee if changes to the branch officer time off levels are recommended.v. That the abstentions of Cllr Bloch and Cllr Browne be noted in regard to the above recommendations.
GPCO141	ITEMS OF EXEMPT URGENT BUSINESS

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Councillor Reg Rice

Chair