

MINUTE

of

JOINT CONSULTATIVE COMMITTEE (FIRST TIER)

Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Giffnock on 9 October 2014.

Present:

Councillor Jim Fletcher
Councillor Charlie Gilbert

Councillor Ralph Robertson

Union Representatives:

Mr Alan Cameron (UNITE)
Ms Tracey Dalling (UNISON)
Mr Steven Larkin (UNISON)
Mr Gordon Lees (UNISON)

Mr William McShane (UCATT)
Mr Alan Munro (EIS)
Mr Alan Scott (UNISON)

Mr Cameron in Chair

Attending:

Caroline Innes, Deputy Chief Executive; Julie Murray, Director of Community Health and Care Partnership; Marie Shaw, Director of Education; Louise Pringle, Head of Customer and Business Change Services; Iain MacLean, Head of Environment (Planning, Property and Regeneration); Sharon Beattie, Human Resources Manager; Barbara Clark, Chief Accountant; Phil Daws, Housing Services Manager; and Linda Hutchison, Senior Committee Services Officer.

Apologies:

Mr Paul Bennett (UCATT); Mr John Guidi (SSTA); and Fiona Shannon (EIS).

MINUTE OF PREVIOUS MEETING

1. The committee considered and approved as a correct record the Minute of the meeting held on 30 January 2014.

POTENTIAL MOVE TO LEISURE TRUST

2. Mr Larkin requested an update on the potential establishment of a Leisure Trust, related information provided to Members thus far and the extent to which the final position had been determined.

Councillor Fletcher emphasised that no formal decision to establish a Trust had been taken, clarifying that the proposal remained under consideration as part of budget discussions given potential savings and that, if the option was not pursued, alternative savings would need to be found. Having confirmed that all departments had been asked to identify possible

savings and how challenging that was, Councillor Fletcher referred to the forthcoming public consultation event on budget proposals scheduled for November. He added that if the Trust proposals did not receive the required support or if suitable alternative proposals were put forward, the position on these could be considered further. He reiterated that future years would be very challenging financially, stressing that the Council was trying to be as open as possible about this. He also reported it was likely that in February the Council would consider budget proposals for the remainder of the Administration, approval of which would though be subject to anticipated levels of funding from The Scottish Government being forthcoming in future.

Mr Larkin summarised Unison's concerns about the proposed Trust, including in terms of loss of accountability linked to it operating outwith the Council's direct public control; how some Trusts established elsewhere had operated; projected long term savings; and a lack of assurances for staff on management arrangements, also seeking a commitment that the Council would retain services. Having commented on other issues including TUPE protection for staff transferring to a Trust; commercial pressures it would face; and potential for the public to consider the Council at fault if the Trust did not deliver services in a way considered acceptable to them, Mr Larkin expressed hope that Members would be candid with the public on the financial position it faced, the potential implication of cuts and where control would rest if a Trust was established. He argued that recent Council investment in sport and leisure facilities would effectively be given away if a Trust was established. Mr Larkin also commented that if the Trust opted not to continue to deliver some services which the Council needed to provide, it would fall to the authority to resume responsibility for these which was an argument in favour of retaining them in the first place. He urged Members to reflect carefully on their responsibilities and the full implications of the proposal.

Having acknowledged the comments, Councillor Fletcher referred to various issues including the benefits of the charitable status the Trust would have, plans to ensure those appointed to the Board would have required expertise, elected Member representation on the Board and potential for the Trust to further develop services and increase footfall through innovation. He emphasised that the Trust would not have ability to close services, adding that the Council would not transfer loss making facilities but rather determine their future itself. Referring to the establishment or potential establishment of Trusts by some other authorities, he reported that employee terms and conditions had been maintained in many and that Trust status arguably offered some additional protection to staff because the Trust would not face the need to make the same level of savings in future the Council might have to face. He stressed that Members were fully aware of the potential ramifications of progressing the proposal, wished to ensure that establishment of the Board reflected best practice, and that there were savings for the authority attached to establishing a Trust.

The Director of Education referred to Trade Union involvement in a Steering Group established to consider Trust issues, adding that the Group was aware of the Board related proposals referred to by Councillor Fletcher and had discussed other matters including the transfer of employees. More generally she commented that ability to scrutinise the Trust's arrangements would not be lost if a Trust was established as accountability would be monitored including through the Cabinet, clarifying that it was the management of services that would transfer. Mr Cameron referred to the recent invitation UNITE had received and accepted to join the Steering Group.

In response to Mr Cameron, Councillor Fletcher confirmed that the potential composition of the Board was being examined and that this included considering models successful elsewhere, including an arrangement in East Dunbartonshire. Having stated he would welcome views on Board related issues, Mr Cameron undertook to provide feedback on what was considered best practice and otherwise elsewhere.

Referring to the Steering Group, Mr Lees welcomed the opportunity to participate in its discussions, adding that he was committed to this work but also to seeking assurances on issues. In response to a further comment he made that the projected Trust related savings were not particularly significant in the context of the Council's overall budget, Councillor Fletcher stressed the challenges of identifying savings at all, referred to the contribution the Trust could make to delivering savings, and confirmed that external consultants had only been engaged when considered necessary to help progress the proposals and to complement the work of officers in-house. The total spend projected on consultants was confirmed. Councillor Fletcher highlighted that if a Trust was to be established, associated preparations needed to start at an early date.

In response to Mr Lees, Councillor Fletcher commented on information made available to Members of both the Administration and Opposition on the proposals in the interests of transparency. In response to Mr Scott, Councillor Robertson and Councillor Gilbert expressed support for the proposed Trust, subject to savings and other benefits being as anticipated. Councillor Robertson added that revenue, footfall and service quality could potentially exceed the good standards already achieved and referred to the importance of balancing improvements, savings and jobs issues when considering the best way forward.

Mr Lees expressed concern that transformation programme work on sport and leisure services was progressing at the same time the Trust proposals were under consideration, suggesting it would be preferable to implement the transformation proposals first and gauge their success in advance of a Trust proposal being considered. Councillor Fletcher explained why it was considered prudent to proceed as planned.

The committee noted the position and comments made.

UNISON ETHICAL CARE CHARTER

3. Mr Scott referred to consideration by the CHCP of the adoption of the UNISON Ethical Care Charter, seeking confirmation that it had not been considered affordable. He asked if it could be adopted as part of other care related changes.

The Director of the CHCP, supported by Councillor Fletcher, confirmed that implementation costs were estimated to be at least £165,000, adding that much of the Charter's content was considered commendable and reflected current local practice but that financial pressures prevented its wholesale adoption at present. Mr Scott asked why a commitment to adhere to the terms of the Charter could not be secured from contractors through tenders and proposed that the Trade Union Management Group reconsider the position on the Charter to determine if potential barriers to its adoption could be overcome. Having heard Ms Dalling on contract compliance issues, Councillor Fletcher reiterated the support that existed for adopting as much of the Charter's terms as possible and affordable following which the Director of the CHCP stated that she would be delighted to work further with the Trade Unions to see if implementation barriers could be overcome. Regarding the contract issue raised, she added that she understood there to be procurement related legalities that might be difficult to surmount. Representatives of the Trade Unions supported further consideration of the Charter and expressed a willingness to contribute to related discussions.

The committee noted the position and that the matter could be considered further as suggested.

COUNCIL HEALTH AND SAFETY COMMITTEE

4. There were submitted the Minutes of the Council's Health and Safety Committee held on 22 January, 26 March and 23 July 2014.

In reply to Mr Munro who sought an update on the violent warning marker (VWM) scheme, Mr Murray confirmed that recently the initiative had been discussed and the system updated, that VWM co-ordinators were in place and that a review of those listed on the VWM register was underway. Approximately eight people were listed on it at present subject to three individuals being removed from the scheme shortly as anticipated. Mr Murray confirmed that no further individuals had been added to the list during the last three months and that the list was subject to periodic review, clarifying that any incident reported was considered in a stringent and auditable way. The Head of Environment added that a report on the number of those monitored under the scheme could be submitted to the Health and Safety Committee on a quarterly basis. This was considered helpful.

The committee noted the position and that statistics on those registered under the VWM scheme would be submitted to the Health and Safety Committee quarterly.

DATE OF NEXT MEETING

5. The committee noted that the next meeting was scheduled to take place on 21 January 2015.