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1. Policy Statement

Fife Council recognises that it is to the mutual benefit of the Council and its employees that employees are represented by Trade Unions. Fife Council's terms and conditions of employment for the Council's Single Status employees and Craft Operatives have been agreed locally with the Joint Trade Unions.

The Council is committed to the principle of collective bargaining at both national and local level. The Council recognises the important role of Trade Unions in promoting and developing good employee relations and health and safety practices.

The purpose of this Agreement is to provide a robust partnership framework between the Council and the Trade Unions which fosters and supports the effective involvement of employees, and their Representatives, at the earliest possible stage in influencing decisions and in joint information sharing, learning and problem solving. In so doing, this supports the provision of high quality services to the community as well as improving the quality of working life for employees.

A list of Trade Unions recognised by the Council for collective bargaining purposes, showing the extent of recognition by reference to the relevant employee groups covered is attached as Appendix 1. The terms of recognition stated in Appendix 1 reflect current arrangements at a national level. It is Fife Council's intention to mirror national collective bargaining arrangements and the Recognition Agreement will be reviewed as required to ensure this position is maintained.

In the event of an amalgamation and other organisational changes within or between unions, the list will be amended accordingly following agreement at national level and by the Council's Joint Negotiation and Consultation Forum (JNCF).

2. General Principles

The Council and the recognised Trade Unions have a common objective in ensuring the long term efficiency and success of the Council, its employees and the community it serves.

Both sides recognise that their pursuit of this common objective under this Agreement shall be by:

- Discussion: informal discussions between managers, employees or Trade Union Representatives on daily operational matters or in the early stages of proposals for change.
- Exchange of information: released by managers to the Secretary/designated Representative of the recognised Trade Unions of information which will assist in the collective bargaining or consultation process and vice versa.
- Consultation: the exchange of views based on the general principle that meaningful consultation involves the opportunity to influence decisions and their application.

- Negotiation: the process of collective bargaining that leads to reaching a collective agreement between the Council and the recognised Trade Unions on working practices or on terms and conditions of employment. Once a collective agreement is signed it will automatically be included in the terms and conditions of employment of those employees covered by the agreement, in accordance with the clause in employees' Written Statement referring to this point. Meaningful negotiations can only be held where both parties actively work towards reaching an agreement, which may require the need to compromise on both sides.
- The Unions recognise and accept management's responsibility to plan, organise and manage the activities of the Council in accordance with the objectives set by the Council.
- The Council recognises and accepts the Unions responsibility to represent the interests of their members and to work towards improved conditions of employment and work, according to the Unions' policies.
- Both parties are committed to Social Inclusion that operates effectively with the democratic structures of Local and National Governments.

3. Negotiation & Consultation Framework in Fife Council

Appendix 2 summarises the structural arrangements for Fife Council's negotiation and consultation framework. The framework comprises the Joint Negotiation and Consultation Forum (JNCF), the Education & Learning Negotiation and Consultation Forum and a number of Service Consultation Forums. The operating principles for each of these Forums are attached as separate appendices.

4. Representatives: Numbers and Constituencies

The Council recognises the right of Trade Union members to elect Representatives to act on their behalf in accordance with the terms of this Agreement. The election of Representatives will be in accordance with the respective rules of the Unions.

The level of representation across Services should be adequate and proportionate to Trade Union membership numbers and distribution.

On an annual basis the number of accredited Representatives within the Council who will have access to time-off and facilities will be agreed. In support of this the Trade Unions will be required to submit the following information:

- Membership numbers, broken down by Service;
- Confirmation of Representatives [Trade Union Representatives, Health & Safety Representatives, Union Learning Representatives (ULRs), Equality Representatives etc] – names, roles, Service and workplace location;
- Dates for all national/ regional conferences, training events and all other known scheduled events; and

- The proposed number of accredited Trade Union Representatives, which includes, Safety Reps, ULRs, Equality Reps and funded facility time Reps for the following year.

This information will form the basis for discussions between each Trade Union and the HR Service Manager to agree appropriate numbers of Trade Union Representatives, Safety Reps, Equality and ULRs for each Service.

Membership information; confirmation of Representatives and dates for all national/ regional conferences, training events and known scheduled events must be submitted each year by each of the Trade Unions. Reviews of agreed levels of representation and funded facility time out-with the annual cycle may be undertaken if circumstances so justify.

Should a Trade Union fail to supply membership information as required, reference will be made to the number of members whose Trade Union subscriptions are deducted from payroll. This figure will be used to estimate membership levels for the following year.

In agreeing a reasonable level of representation for each of the Trade Unions the Council will, as a general guide, apply a ratio of 1 Steward for every 40 members. Where additional Stewards are requested by a Trade Union, reference will be made to:

- membership numbers;
- the size of the workplace and the variety of workplace locations;
- the variety of different occupations;
- the operation of shift systems; and
- the national rules of the respective Trade Union.

In the Education and Learning Directorate reference will be made to ensuring there is appropriate representation in every school.

In determining appropriate numbers of Safety Reps, reference will be made to the nature of the work and its inherent dangers, in addition to the above factors.

5. Appointment of Representatives

Throughout the course of the year, each Trade Union will be responsible for informing the Council through HR of changes in their elected Representatives, including resignations and appointments. In relation to appointments, the Trade Union should forward HR confirmation of:

- The name of the Representative;
- Role, i.e. Steward, Safety Rep or ULR;
- Work area/employment group represented;
- Expected length of appointment;
- Name of Representative replaced;
- Service and section in which the Representative will be based; and

- Confirmation that membership levels support either the provision of a replacement or additional Representative.

Accreditation will be confirmed by HR to the relevant Trade Union and the line manager of the elected Representative.

In order to qualify for paid time off any Union Learning Representatives elected must be sufficiently trained to carry out their duties as a learning representative. At the point of accreditation, the Trade Union will therefore be required to confirm details of training received or provide notice to the Council of the date by which the employee will complete training. This training should ideally be completed within the six months following their date of election. Where training is not available within this timescale, the Trade Union will be responsible for advising HR and confirming the first date of available training.

A central database of all Representatives will be maintained for reference purposes.

No Representative will be entitled to access time off for duties and activities or facilities until confirmation of their accreditation by the Council has been received by their Trade Union and line manager.

The Council recognises the rights of members and local Representatives to have the assistance of Full Time Trade Union Officers who will be permitted to advise and assist members and Representatives. With the exception of Full Time Trade Union Officers, all Representatives must be employees of the Council.

The Council will not take disciplinary action against accredited Representatives without first discussing the matter with the Representative's Full Time Trade Union Officer.

It is the responsibility of the Unions to ensure that their Representatives are appropriately briefed on and trained in their duties, the rules and practices of their Union, the appropriate agreements and procedures.

6. Definition of Representative Roles and Responsibilities

The Council recognises that different terminology may be adopted by the Trade Unions to describe the different Trade Union roles. For the purposes of consistency and ease of understanding the following titles will be adopted by the Council.

Full time Trade Union Officer – a Trade Union employed Officer providing support and guidance to Trade Union elected Representatives within various organisations across a specified Region.

Trade Union Representative – an employee of Fife Council who has been elected or appointed in accordance with the rules of the Union to be a Representative of all or some of the union's members.

Senior Trade Union Representative – an employee of Fife Council who has been elected or appointed in accordance with the rules of the Union to be a Representative of all or some of the Union's members. As an experienced Representative within the Union, the Union has nominated the Representative to be awarded a proportion of its share of funded facility time provided by the Council.

Workplace Representative – an employee of Fife Council who has been elected or appointed in accordance with the rules of the Union to be a Representative of all or some of the Union’s members. This role is primarily focused on information sharing and will typically be found in the Education Services.

Joint Trade Union Secretary – a Representative of the joint Trade Unions, nominated by all of the Unions. The nomination process will take place every four years following local government elections. In circumstances where consensus between the Unions cannot be reached, it will be assumed the Joint Trade Union Secretary will be a Representative of the largest Trade Union.

Health & Safety Representative – an employee of Fife Council who has been elected or appointed in accordance with the rules of the Union to be a Representative of all or some of the Union’s members on health and safety issues. The responsibilities of this role may be combined with that of Steward or Senior Steward.

Union Learning Representative (ULR) – an employee of Fife Council who has been elected or appointed in accordance with the rules of the Union to provide advice to union members about their training, educational and developmental needs.

Equality Representative – an employee of Fife Council who has been elected or appointed in accordance with the rules of the Union to provide advice to union members about a wide range of diversity issues.

Representative – collective term to refer to all Fife Council accredited Trade Union Representative, Senior Trade Union Representative, Workplace Representative, Health & Safety Representatives and Union Learning Representatives.

Responsibilities and Duties of Accredited Representatives

The section below summarises the key activities and responsibilities of the different accredited Representatives’ roles, as confirmed by the Council and the Unions. The summary lists provided are not intended to be exhaustive or prescriptive. Reference should also be made to the rules and good practice guidance of each of the respective Trade Unions.

Joint Trade Union Secretary

The main responsibilities of the Joint Trade Union Secretary include the following activities:

- Represent and respond to the organisation on behalf of the joint trade unions on issues with corporate wide implications;
- Co-ordinate appropriate collective bargaining and consultation arrangements on behalf of the joint trade unions at a corporate level;
- Liaise with the Political Administration on matters affecting the trade unions;
- Act as spokesperson for the joint trade unions at JNCF, co-ordinating responses and feedback to key items and matters for discussion;

- Act as a communication channel between the joint trade unions and management, co-ordinating and passing on relevant information on a wide range of issues such as change management;
- Act as a sounding board for Senior Management and Human Resources with regards to corporate people issues, giving the opportunity to impart the Trade Union viewpoint on many areas pertinent to the workforce;
- A proportion of time will be spent working with Human Resources on important issues/projects relating to the employee agenda where trade union expertise and support are imperative.

The Council provides an agreed level of funded facility time to the Joint Trade Union Secretary.

Senior Trade Union Representative with funded facility time

The role of Senior Trade Union Representative, with funded facility time agreed by the Council, includes the following activities:

- Participate in negotiation/consultation processes at a corporate and strategic service level, particularly in relation to matters affecting pay and terms and conditions of employment;
- Support/ take lead TU responsibility for complex employee relations issues and case work, including attendance management, grievance, disciplinary cases and appeals;
- Represent TU members on joint Council/TU working groups;
- Liaise with the Full-time Trade Union Officer on matters relating to negotiation/ consultation/ member representation etc;
- Participate in consultation/ negotiation relating to changes to the Council's framework for consultation and negotiation;
- Participate in discussions regarding the provision of facilities for Trade Union duties and activities e.g. accommodation, equipment, communication systems;
- Organise the work of the local TU Branch and support the development of Trade Union Representatives, Health & Safety Reps and ULRs;
- Represent the branch at national/regional TU conferences and events, in line with the Councils Facilities and Time Off Agreement;
- Develop and maintain appropriate channels of communication with Trade Union Representatives, Health & Safety Reps, Workplace Representatives, ULRs and TU members;
- Develop and maintain appropriate channels of communication with Strategic Service management teams, HR and elected members; and
- Develop and implement appropriate recruitment and retention strategies for TU members.

Trade Union Representative

The role of Trade Union Representative includes the following activities:

- Participate in consultation processes at Service level by attending relevant Service Consultation Forums;
- Represent TU members in grievance, disciplinary and appeal hearings; and attendance management meetings, as appropriate;
- Support and advise members on workplace issues;
- Act as a spokesperson for members and inform and involve members in branch activity.
- In conjunction with the Senior Trade Union Representatives, develop and maintain appropriate channels of communication with TU members;
- In conjunction with the Senior Trade Union Representatives, develop and maintain appropriate channels of communication with Service managers and HR;
- In conjunction with the Senior Trade Union Representatives, develop and maintain appropriate recruitment and retention strategies for TU members; and
- Deputise for a Senior Trade Union Representative, as directed and where appropriate.

Workplace Representative

The role of Workplace Representative includes the following activities:

- Act as an initial point of contact for the Trade Union in a specific workplace;
- Distribute information and Trade Union communications to members/employees;
- Support Trade Union Representatives / Senior Trade Union Representatives to arrange and hold workplace meetings;
- With the support/ direction of the Senior Trade Union Representative, attend appropriate management meetings;
- With the support/ direction of the Senior Trade Union Representative, attend appropriate meetings with Trade Union members.

Union Learning Representative (ULR)

The role of Union Learning Representative may vary, but will generally include the following activities:

- analysing learning or training needs;
- providing information and advice about learning or training matters;
- providing information to members about learning opportunities within and outside the workplace;
- arranging and supporting learning and training; and
- promoting the value of learning and training.

In some cases therefore it may be helpful if Union Learning Representatives attend meetings concerned with agreeing and promoting learning agreements and meetings with external partners.

Health & Safety Representative

The role of Health and Safety Representatives includes the following activities, as defined by the Safety Representatives and Safety Committees Regulations 1977:

- representing both members and non-members at relevant consultative Committees and Forums in discussions with the Council on health, safety or welfare issues;
- being involved with risk assessment procedures;
- attending safety committee meetings;
- inspecting the workplace;
- investigating potential hazards;
- investigating notifiable accidents, cases of diseases or ill health, and dangerous occurrences; and
- investigating employees' complaints.

7. Time off for Equality Representative Duties

Equality Representatives have no statutory rights to time off, training or facilities. In Fife Council typically the role will be merged or absorbed into the role of existing reps.

Equality Representatives can be concerned with a wide range of diversity issues from the promotion of diversity management to helping ensure legal compliance and conducting audits. They can also:

- help raise awareness of issues related to equality and diversity
- raise the profile of equal treatment of workers on the grounds of age, religion or belief, race, sex or sexual orientation, disability, gender reassignment, marriage & civil partnership, pregnancy & maternity
- engage with the Council on a range of equality issues

8 Disclosure of Information and Confidentiality

In the spirit of this agreement, Trade Union Representatives will be expected to respect and maintain the confidentiality of information they are given access to where, the disclosure would seriously harm the functioning of, or would be prejudicial to, the Council, while at the same time maintaining the right to raise genuine concerns.

9. Review

This Agreement including its appendices will be reviewed every two years.

Agreed at Joint Negotiation and Consultation Forum (JNCF) 28 March 2008
Updated in line with the agreement in principle made at JNCF on 13 March
2013

*Produced by Fife Council Human Resources Section
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Review: February 2020*

Appendix 1: Summary of Recognised Trade Unions

<u>Trade Union</u>	<u>Extent of Recognition</u>
UNISON	Recognised for collective bargaining purposes for Single Status employees covered by SJC National Agreement on Pay & Conditions of Service and Chief Officials covered by the Scheme of Salaries and Conditions of Service for Chief Officials.
GMB	Recognised for collective bargaining purposes for Single Status employees covered by SJC National Agreement on Pay & Conditions of Service and Craft employees covered by the Craft Operatives Scheme of Pay and Conditions of Service.
UNITE	Recognised for collective bargaining purposes for Single Status employees covered by SJC National Agreement on Pay & Conditions of Service and Craft employees covered by the Craft Operatives Scheme of Pay and Conditions of Service.
EIS	Recognised for collective bargaining purposes for employees covered by the SNCT Handbook of Conditions of Service.
SSTA	Recognised for collective bargaining purposes for employees covered by the SNCT Handbook of Conditions of Service.
VOICE	Recognised for collective bargaining purposes for employees covered by

the SNCT Handbook of Conditions of Service.

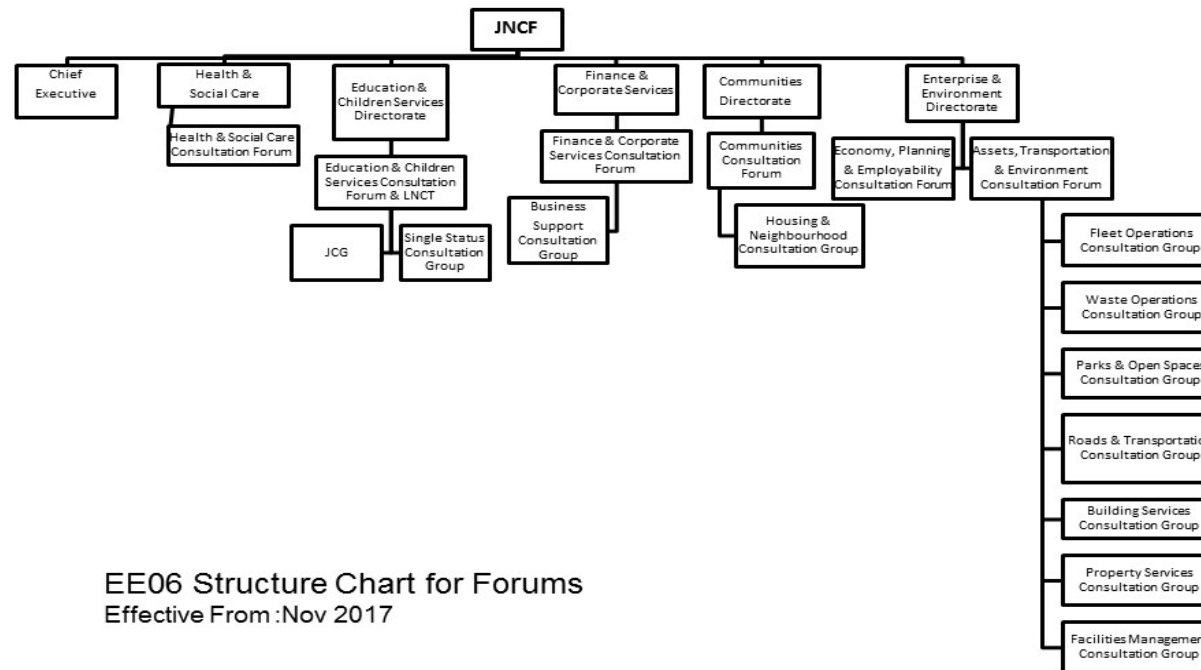
NASUWT

Recognised for collective bargaining purposes for employees covered by the SNCT Handbook of Conditions of Service.

The collective bargaining rights outlined above are in addition to the rights of all Trade Unions to represent their members on an individual basis.

Appendix 1 Date: 18/12/2017

Appendix 2: Fife Council Negotiation & Consultation Framework
Structure Chart for Forums



EE06 Structure Chart for Forums
 Effective From :Nov 2017

Appendix 3: Fife Council Joint Negotiation & Consultation Forum Operating Principles

TITLE

- 1 The Forum is called the Joint Negotiation and Consultation Forum (**NB** the shortened title will be the JNCF).

PURPOSE

- 2 In accordance with the Council's Corporate Values, the purpose of the Forum is as follows:-
 - a) To encourage a joint approach to managing change and resolving difficulties and differences of view in the spirit of openness and accountability.
 - b) To provide a regular means of negotiation, consultation and communication between representatives of the Council, Management, Human Resources and employees through their Trade Unions, thus encouraging employee participation and involvement.
 - c) To consider matters which have a corporate impact or are specifically referred by the national negotiating machinery; by Fife Council or any of its Committees, Groups or Sub-Committees; or by any of the Service Consultation Forums.

Where appropriate, the JNCF will refer matters to Service Consultation Forums, for example, matters affecting only one Service will normally be dealt with by the appropriate Service Consultation Forum and/ or matters which have not been exhausted at Service level.

Issues relating to individual employees will be excluded from consideration by the Forum as will Service issues which could more appropriately be dealt with by the appropriate Service Consultation Forum.

SCOPE

- 3 In fulfilling its purpose the Forum will negotiate and consult on matters which affect employees in the following categories:-
 - a) Single Status Employees.
 - b) Craft.
 - c) Teachers.
 - d) Chief Officers.

MEMBERSHIP

4 The membership of the Forum will be:-

- a) Council Representatives
Co-Chairs of the Policy & Co-ordination Committee
HR Spokesperson(s)
Representative of the opposition parties
- b) Management Representatives
Executive Director Finance & Corporate Services
Head of Revenue and Commercial Services
- c) Human Resources
Head of HR
HR Service Manager (Policy & Employee Relations)
- d) Trade Unions
 - Joint Trade Union Secretary 1 representative
 - UNISON 5 representatives
 - UNITE 1 representative
 - GMB 2 representatives
 - UCATT 1 representative
 - EIS 3 representatives
 - SSTA 1 representative
 - NASUWT 1 representative
 - VOICE 1 representative

The trade union membership is calculated on the following basis to allocate the 15 available seats:

Number of TU members	Number of JNCF seats
1-1000 members	1
1001 – 2000 members	2
2001 – 3500 members	3
3501 – 5500 members	4
5501+ members	5

Trade Union Representation may consist of appropriate Full-Time Trade Union Officers and Senior Trade Union Representatives. Attending Full-Time Trade Union Officers should be included within the total number of

attending Representatives for each Trade Union and not in addition to the maximum numbers stated above.

The membership numbers outlined above will not be exceeded unless it is appropriate and necessary to facilitate negotiation and/or the consultation process. Where the Trade Unions wish to request the attendance of additional representatives prior approval should be sought via the Head of HR or HR Service Manager (Policy & Reward).

The membership numbers outlined above will be reviewed periodically to ensure they continue to be proportionate to the membership numbers for each Trade Union within the relevant work group represented.

- 5 The Forum may agree to the attendance of advisers on an ad hoc basis where this would facilitate the negotiations and/or consultation process. For example, it may be appropriate to request the attendance of advisers from the Human Resources Service or from other Negotiation/Consultation Forums. The Trade Unions will also have the right to invite advisers.
- 6 On matters for negotiation, it will always be the Council's intention to reach agreement with the Trade Unions. However, where a joint agreement with all of the Trade Unions cannot be reached, the position of the majority Trade Unions will take precedence, as determined by the membership numbers of the recognised Trade Unions. In determining membership numbers, reference will be made to the membership information submitted annually by each of the Trade Unions or, where this information is not available, accessed through the payroll system.

MATTERS FOR NEGOTIATION AND CONSULTATION

- 7 The Council is committed to working in partnership with the Trade Unions towards reaching agreement through negotiation on those matters which come under the scope of collective bargaining, for example NJC proposals/ agreements and terms and conditions of employment.

Where the matter for negotiation impacts only on specific employee groups, discussions on this issue will involve only those Trade Unions with collective bargaining rights in relation to the effected employee groups.
- 8 The Council is also committed to effective consultation by providing the Trade Unions with an opportunity to exchange views at the earliest possible time and influence decisions and their application. Matters for consultation may include, for example, corporate strategy, business information and Best Value.

CONDUCT OF MEETINGS

- 9 A Co-Chair of the Policy and Co-ordination Committee or an HR Spokesperson will chair the meetings.
- 10 The Human Resources Service will be responsible for the provision of agendas, minutes and general secretarial support.
- 11 Agenda items should be submitted to Human Resources at least ten working days in advance of meetings. The agenda will be distributed to all Forum members no later than five working days before the meeting.

SUBSTITUTES

- 12 Substitutes should not normally attend the Forum. However the attendance of appropriate substitutes will be acceptable provided the required time off has been authorised by the relevant line manager or authorising manager.

EMPLOYER/EMPLOYEE SECRETARIES

- 13 To help facilitate the work of the JNCF, the Head of Human Resources will act as the Employer's Secretary and the Trade Unions will agree an Employees' Secretary.

FREQUENCY OF MEETINGS

- 14 Meetings will be arranged in advance and will be held at agreed intervals, currently six weekly. Special meetings may be requested by either Management or the Trade Unions where the need arises. In addition, if Management and the Trade Unions agree there is no business for the scheduled meeting, it need not be held. The frequency of meetings will be subject to review as required.

PROGRESSING NEGOTIATION AND CONSULTATION

- 15 Once an issue has been considered by the JNCF, it may be appropriate, in order to progress items in acceptable timescales, to meet in Sub-Groups outside of the Forum. The membership of such Sub-Groups should be reflective of the issue under discussion.

AMENDING THE OPERATING PRINCIPLES

- 16 No amendment to the Forum Operating Principles will be made unilaterally. However, if agreement cannot be reached, either side can give three months notice of withdrawal.

Appendix 4: Fife Council Service Consultation Forum Operating Principles

- Effective 12th September 2012

TITLE

- 1 The Forum is called the [NAME OF SERVICE] Consultation Forum (NB the shortened title will be the Service Forum).

PURPOSE

- 2 In accordance with the Council's Corporate Values the purpose of the Forum is as follows:-
 - a) to provide a regular means of consultation and communication between representatives of Management, Human Resources and employees through their Trade Unions, thus encouraging employee participation and involvement.
 - b) to consider matters which have a Service impact or are specifically referred to it by the JNCF, by local management and/or local Trade Unions. Where appropriate, the Forum will refer matters to the JNCF if there are corporate wide implications.
 - c) to encourage a joint approach to managing change and resolving difficulties and differences of view in the spirit of openness and accountability.
 - d) to ensure, following meetings of the Consultation Forum, summary update information is forwarded to all employees within the Service.
 - e) To consider and implement, on an annual basis, appropriate structures for consultation at a Section level. This may include for example the establishment of working groups or permanent Consultative Groups.

Where appropriate, the Service Forum will refer matters to Consultative Groups, for example matters affecting only one Section.

SCOPE

- 3 In fulfilling its purpose the Forum will consult on matters which affect employees in the following categories:-
 - a) Single Status Employees
 - b) Craft
[delete where not applicable]

MEMBERSHIP

- 4 Service Management Representatives and the recognised Trade Unions

will have due regard to the need to limit the number of representatives attending Consultation Forums to ensure efficient and speedy resolution of mutually agreed agenda items. Reference should be made to the Protocol: Membership of Service Consultation Forums in determining appropriate maximum numbers of Management and Trade Union Representatives.

The membership of the Forum will be:-

a) Management Representatives

[HEAD OF SERVICE]

[OTHER REPRESENTATIVES, e.g. Area Managers/Team Leaders, etc.]

The maximum number of Management Representatives will be [number of reps].

b) Trade Unions Representatives

UNISON [NUMBER OF REPRESENTATIVES]

GMB [NUMBER OF REPRESENTATIVES]

UNITE [NUMBER OF REPRESENTATIVES]

(* delete Trade Union if not applicable or add another)

The recommended maximum number of Trade Union Representatives will be [number of reps].

The agreed membership numbers will not be exceeded unless it is appropriate and necessary to facilitate the consultation process. Where the Trade Unions wish to request the attendance of additional representatives prior approval should be sought via the Head of Service.

The membership numbers outlined above will be reviewed periodically to ensure they continue to be proportionate to the membership numbers for each Trade Union within the relevant work group represented.

Trade Union Representatives must be elected Trade Union Representatives employed by Fife Council. Trade Union Full Time Officials may attend, but not as official members of the Forum.

c) Human Resources Representatives

1 HR Lead Officer or HR Business Partner

5 Attendance of Elected Members

It will be appropriate to invite Elected Members to attend Service Consultation Forums under the following circumstances:

- Where the Forum covers a Directorate/ Service with statutory obligations and the Elected Member acts as the spokesperson for a portfolio relating specifically to that Directorate/ Service;
- Where there is agreement across the Directorate Management Team, Trade Union members of the Forum and the appropriate Elected Member, that Elected Member attendance would be beneficial and enhance arrangements for communication and consultation; and
- Where the Forum operates at a Directorate level.

Where an Elected Member attends a Service Consultation Forum it will not be appropriate for he/she to chair the meetings.

- 6 The Forum may agree to the attendance of advisers on an ad hoc basis where this would facilitate the consultation process. For example, it may be appropriate to request the attendance of advisers from Finance Services. The Trade Unions will have the right to invite advisers, too.

MATTERS FOR CONSULTATION

7 Matters for consultation may include:-

Service implementation of Human Resource policies, including equality of opportunity

- a) Best Value
- b) Working practices
- c) Working environment
- d) Service development/business strategy
- e) Performance management/indicators
- f) Equipment, plant, vehicle materials issues
- g) Issues which affect the general wellbeing or interests of employees but not individual employee matters
- h) Equalities issue
- i) Health & safety issues
- j) Discipline/suspensions
- k) Budget

Please note this is not intended to be an exhaustive list and other items may be brought to the Service Forum which are felt will be of benefit to the Service and its employees.

Once an issue has been considered by the Service Consultation Forum, it may be appropriate to progress relevant items in specially convened Working-Groups outside of the Forum. For example, this would be appropriate to discuss or progress issues relevant only to specific Sections within the Service. The membership of any such Working Group should be reflective of the issue under discussion.

For some Services, Health & Safety issues may be discussed by separate

Health & Safety Forums. Where this is the case, and wherever possible, the Service Consultation Forum should meet on the same day as the Health & Safety Forum.

CONDUCT OF MEETINGS

- 8 The [EXECUTIVE DIRECTOR/HEAD OF SERVICE] will chair the meetings. A substitute chair can be nominated by Management as appropriate. The Service may also wish to consider rotating the role of chair between the Management and Trade Union sides.
- 9 Management will be responsible for the provision of agendas, minutes and general secretarial support.
- 10 The Trade Union side will nominate a Secretary to act as the contact for the Service Consultation Forum and they will be responsible for collating and agreeing the agenda with the appropriate Management side officer.
- 11 The agenda will be distributed to all Forum members not later than five working days before the meeting.

SUBSTITUTES

- 12 Members of the Forum can arrange substitutes when required. However, substitutes should be properly briefed and debriefed.

FREQUENCY OF MEETINGS

- 13 Meetings will be arranged in advance and will be held not less than quarterly. Special meetings may be requested by either Management or Trade Unions where the need arises. In addition, if Management and Trade Unions agree there is no business for the quarterly meeting, it need not be held. The frequency of meetings will be subject to a review on an annual basis.

CONSULTATIVE GROUPS

- 14 In order to promote effective consultation and communication at Section or workplace level, the Service Consultation Forum may wish to establish Consultative Groups. The purpose of these groups will be discuss and resolve issues specific to the relevant Section or workplace.

Permanent Consultative Groups established by the Service Consultation Forum will follow the principles outlined below in terms of their operation:

- In determining appropriate attending Representative numbers reference will be made to Protocol: Membership of Service Consultation Forums.
- Trade Union Representatives attending will be local Trade Union Representatives.
- Work undertaken by the Consultative Group will be recorded and

fed back to the Service Forum. Recommendations of the Group must be approved by the Service Forum prior to implementation.

- An appropriate Lead Officer for the Service will be responsible for organising arrangements for meetings.

WORKING GROUPS

- 15 In order to progress specific issues, the Service Forum may establish short term Working Groups. The membership of such Working Groups will be reflective of the issue under discussion and maximum numbers kept to a reasonable level. Timescales will be agreed at the point of establishment for the Working Group to submit final recommendations back to the Service Forum.

AMENDING THE OPERATING PRINCIPLES

- 16 No amendment to the Forum Operating Principles will be made unilaterally. Proposals for amendment should be referred to the JNCF.

Appendix 5: Local Negotiating Committee for Teachers and the Joint Negotiation and Consultation Committee Operating Principles

1. Title

The body shall be constituted as the Education and Learning Negotiation and Consultation Forum (the shortened title will be the Education and Learning Forum) and shall comprise the Joint Negotiation and Consultation Committee and the Fife Local Negotiating Committee for Teachers (Fife LNCT).

2. Purpose

The purpose of the Forum shall be as follows:

- to provide a regular means of consultation and communication on Service specific issues between representatives of the Council, Management, Human Resources and employees through their Trade Unions, thus encouraging employee participation and involvement.
- to encourage a joint approach to managing change and resolving difficulties and differences of view in the spirit of openness and accountability.
- when constituted as Fife LNCT to negotiate on issues devolved for local bargaining in terms of SNCT 8.
- to consider matters specifically referred to it by the JNCF, by any of the other Sector/Service Forums, by Fife Council, any of its Committees or Policy Advisory Groups, or the Joint Consultative Committee for Teaching Staff (JCG). Where appropriate, the Forum will refer matters to the JNCF or to other Sector/Service Forums in accordance with the principle of devolved decision making. For example, matters affecting only one Sector/Service will be referred to the appropriate Sector/Service Forum.

3. Scope

In fulfilling its purpose the Forum will consult and negotiate on matters which affect employees in the following categories:

Teaching Staff
Education Support Employees (Single Status)

4. Membership

The membership of the Forum shall be:

- a) Council Representatives
 - Chair of the Education, Children, Young People and Families Policy Advisory Group
 - Spokesperson – School Children
 - Spokesperson – Cared for Children
 - One representative from the opposition parties from the Education, Children, Young People and Families Policy Advisory Group
- b) Management Representatives
 - Executive Director Education
 - Senior Manager (Education Service)
 - 2 Managers (Education Service)
- c) Human Resources
 - Human Resources Manager
 - Business Partner (Education)
- d) Trade Unions Teaching Unions: In terms of Sections 1, 6 and 8 of the Appendix to SNCT 8, but not exceeding 9 members.
 - Single Status Unions:
 - UNISON 6 representatives
 - UNITE Discretionary Seat
 - GMB Discretionary Seat
 - Representation may consist of appropriate Full Time and Local Association Branch officials.
- e) A quorum for meetings will be 3 representatives from each side, at least one to be a Council representative. For any particular agenda item the Forum may agree to the attendance of individuals to advise and/or report on an ad hoc basis where this would facilitate negotiation and/or consultation on that item.

In reaching agreement, or failing to reach agreement, the Forum will take account of the accepted membership of the recognised Trade Unions within the Education Service.

5. Matters for Consultation and Negotiation

Matters for negotiation may include:

- Matters devolved to Fife LNCT in terms of SNCT 8
- Implementation of Human Resources policies
- Working practices
- Health and Safety issues
- Restructuring of sections within the Education Service

Please Note – These are not exhaustive lists.

In terms of the powers delegated to the Head of Service by Fife Council the Fife LNCT is authorised to reach agreements on matters a-e above.

6. Matters for consultation may include:

- Items that have been referred from the JNCF
- Best Value
- Legislation changes
- Working environment
- Issues which affect the interests or well-being of employees, but not individual employee matters
- Service development, business strategy
- Business information
- Proposals for new management techniques
- Equality of opportunity
- Equipment, plant, vehicles etc
- Discipline/Suspensions
- Budget

Matters for consultation may lead to negotiation if the proposals ultimately affect employees' terms and conditions.

7. Conduct of Meetings

The Chair of the Education, Children, Young People and Families Policy Advisory Group will chair the meetings. Another Councillor will substitute, where necessary.

The Executive Director Education will be responsible for the provision of agendas, minutes and general secretarial support.

Agenda items should be submitted to the Head of Education not later than 7 working days before meetings. The agenda will be distributed to all Forum members not later than 5 working days before meetings. The Joint Negotiating and Consultative Committee shall meet and conclude its business. Thereafter Fife LNCT will be convened. The respective business for both committees shall be clearly identified on the agenda.

8. Substitutes

Members of the Forum can arrange substitutes when required. However, substitutes should be properly briefed and debriefed.

9. Non-Agreement Following Negotiation

Where issues have been subject to negotiation within the Forum and no agreement is reached, a failure to agree can be notified in accordance with agreed disputes procedures.

10. Employer/Employee Secretaries

To help facilitate the work of the Forum, the Executive Director Education or his appointee will act as the Employers' Employees' Secretary.

11. Frequency of Meetings

Meetings will be arranged in advance and will be held at least quarterly. Special meetings may be requested by either Management or Trade Unions where the need arises and as agreed by the Joint Secretaries. In addition, if Management and Trade Unions agree there is no business for the quarterly meetings it need not be held. The frequency of meetings will be subject to a review on an annual basis.

12. Processing Negotiation and Consultation

There shall be a Fife Joint Consultative Group (JCG) comprising representatives of management and the teaching trade unions to facilitate the process of consultation. The operational arrangements for the JCG shall be as agreed from time to time by Fife LNCT.

The Forum will have the power to appoint such committees as it deems necessary for the purpose of facilitating and expediting its business.

Reports and recommendations from all such committees shall be presented to each meeting of the Forum.

13. Amending the Operating Principles

The Constitution may only be amended with the agreement of the relevant Forum Committee.

