

# Section 24

## Trade Union Consultative Forum

### 24.1 Status

The Trade Union Consultative Forum is a committee of the Council with the purpose of providing a means of joint consultation between Members of the Council and representatives of all employees of the Council, to consider matters of common interest, generally further good relations, and make recommendations to Council.

### 24.2 Membership and Method of Appointment

The Forum shall consist of:

- (i) A minimum of 5 Members of the Council appointed by Council in compliance with Section 15 of Schedule 1 of the Local Government and Housing Act 1989, concerning political balance, and
- (ii) A minimum of 11 employee representatives nominated to represent the employees of the Council. These employee representatives will be nominated shop stewards of the recognised trade unions and nominated jointly by them and ensuring fair representation based on proportionality of union membership; the number of employee representatives to be confirmed at the first meeting of the Forum in each municipal year.
- (iii) The full-time officials of the trade unions recognised by the Council for consultation and negotiating purposes may be called to meetings by the Chair or Vice-Chair of the Forum.
- (iv) Casual vacancies caused by death, resignation or disqualification of representatives shall be filled by the Council or employees, as the case may require.
- (v) The employee side may appoint substitutes to attend on their behalf.
- (vi) The Managing Director shall act as co-ordinator to the Trade Union Consultative Forum.

### 24.3 Chair and Vice-Chair

The Chair of the Forum shall be appointed from the employer's side in accordance with Council Procedure Rule 17 at the Annual Council Meeting.

The Forum shall appoint a Vice-Chair from the employee's side at the first meeting in a new municipal year.

#### **24.4 Quorum**

A quorum for the meeting shall be a minimum of three representatives from each side.

#### **24.5 Attendance by Councillors Who Are Not Members of the Forum**

The Council's Procedure Rule 6(6) shall apply.

Whenever matters relating to any particular Services(s) are under consideration, the Managing Director shall have the right to request the attendance of any person, being an employee of the Council or a Member thereof, for the purposes of conferring with the Forum. Similarly, the appropriate employee side representative shall have the right to request the attendance of advisers on specific issues.

Meetings of the Forum will not be open to members of the public because of the likely disclosure of exempt information as defined in paragraphs 1 and 11 of Part 1 of Schedule 12A of the Local Government Act 1972.

#### **24.6 Frequency of Meetings**

Meetings of the Forum will be held in accordance with the schedule of meetings agreed by the Council and other arrangements regarding the calling of meetings.

The Forum will be scheduled to meet a minimum of twice in a municipal year.

#### **24.7 Agenda**

Prior to the meeting of the Forum, the Managing Director will circulate to all elected Members on the Forum and the employee representatives on the Forum the Agenda and Reports to be considered.

The matters to be discussed at any meeting of the Forum shall be stated on the Agenda for the meeting.

Matters initiated for discussion on the Agenda for the next meeting shall be submitted in writing to the Managing Director at least 20 working days before the anticipated date of the meeting.

#### **24.8 Proceedings**

The Managing Director (or nominee) shall be the Clerk to the Forum.

#### **24.9 Reports to Cabinet**

Reports in the form of Minutes detailing recommendations made by this Forum will be submitted to the Cabinet, which may accept or reject any recommendations.

## 24.10 Functions

To undertake the following functions in accordance with the scheme of delegations and codes of conduct.

Without prejudice to the rights of Management to manage and of employees to make representations in their interests through their own organisations, the general functions and objectives of this Forum are:

- (a) To be a forum for discussion and to secure the largest possible measure of agreement for joint action between the Council and its employees for the development of good industrial relations.
- (b) To consider any matters which may affect the common interests of the Council and its employees and to make suggestions to the appropriate Committee of the Council, including terms and conditions of employment which are not reserved for negotiation at National, provincial or agreed local levels.
- (c) To receive the minutes of the Corporate Joint Consultative Committee and Corporate Joint Consultative Committee (Health and Safety).
- (d) To act as a forum for communication between the Council and its employees and to develop and carry out measures to ensure the health, safety and welfare of employees and make recommendations as to remedial action, as necessary.
- (e) To act as a focal point for employee participation in the prevention of accidents and avoidance of industrial diseases.

With regard to any of the functions of this Forum, when an individual employee or group of employees wish to refer any matter to the Forum, the process which must be followed is:

- (1) It should firstly be taken to their Service or Sectional Representative who shall endeavour to reach agreement on a course of action with the Section Head/Supervisor concerned in the first instance.
- (2) Failing to reach agreement at this level, the Section Head/Supervisor and the Representative should jointly refer the matter to the appropriate Manager/Head of Service.
- (3) Failing to reach agreement at this level, the matter shall be considered by the appropriate Departmental Joint Consultative Committee.
- (4) Failing to reach agreement at this level, the matter shall be considered by the Corporate Joint Consultative Committee or Corporate Joint Consultative Committee (Health and Safety) as appropriate, and if not resolved at this level, the matter shall come before this Forum.

In cases where the Forum cannot agree on an issue which is appropriate for consideration at a higher level, the initiative for raising the matter at such level will rest with the Council side or the employees' representation acting either

jointly or separately. Failing agreement at the higher level within the Authority, matters may be referred for consideration to provincial or national machinery.

The employees' representatives on the Forum shall be paid at their normal rates of pay during that time spent travelling to and from, as well as at any meeting of the Forum. Ordinary rates of pay include average bonus earnings and overtime (if appropriate). Hours of attendance at meetings are also subject to the hours set down in the Flexible Working Hours Scheme, if applicable. Every facility shall be afforded to the employees to enable them to be present at meetings which they are summoned to attend.

Facilities will be available for the employees' representatives to hold a pre-meeting prior to the formal meeting of the Forum.

The Forum shall have the power to appoint Working Groups to consider specific issues and report to the Forum unless an alternative reporting procedure has been agreed by the Forum.

The Forum shall not have power to make recommendations inconsistent with legislative requirements or decisions negotiated by the appropriate National or Provincial Council.

A copy of the Agenda and reports be circulated also to the full-time officials of the unions which are recognised by the Council for the purpose of consultation and negotiation.

#### **24.11 Delegated Powers**

The Forum has no delegated powers.

#### **24.12 Other Matters**

Where not already provided for above, the Council Procedure Rules for the regulation of proceedings and business will apply.