
Report to: Council

Date of Meeting: 22 October, 2015

Subject: Workforce Committee

Report by: Chief Executive

1.0 Purpose

- 1.1 The purpose of this paper is ask Council to agree how the hearing of appeals by employees and disputes raised by recognised trade unions are heard in future in light of the decision of the main Opposition not to serve on the Workforce Committee.

2.0 Recommendations

- 2.1. It is recommended that Council decides which of the options set out in this report it will pursue to hear appeals by employees and disputes raised by recognised trade unions, agreeing, if relevant, any changes in Standing Orders as a consequence of that decision.

3.0 Considerations

- 3.1 At its meeting on 13 August, 2015, Council noted that:
- a) the main Opposition Group had advised that they would not serve on the Workforce Committee in future;
 - b) the main Opposition's two representatives on the Committee had resigned;
 - c) a report would come to the October Council meeting with proposals for the future hearing of employee appeals and trade union disputes.
- 3.2 Notice was also given at that meeting that future decisions on the operation of the Workforce Committee might require a change to Standing Orders.
- 3.3 The membership of the Workforce Committee as set out presently in Standing Orders is six elected members and, as per the Council's policy on political balance, two of those members are from the main Opposition Group.
- 3.4 Given the decision of the main Opposition Group, the Workforce Committee can no longer function as envisaged by Council. Council, therefore, has to consider how it wishes to hear appeals by employees and disputes raised by recognised trade unions going forward.

4.0 Approaches & Options

- 4.1 There are different approaches which the Council could take in respect of responding to the decision of the main Opposition not to sit on the Workforce Committee.

Approach 1 - appoint two other members to the Committee

- 4.2 *Option 1* - This option would see Council nominating two of its members to sit in place of the two main Opposition group members. This would mean that there would not be political balance on the Committee as required by Council's policy since at least 4 of the members would have to come from the political Administration.

Approach 2 - reduce the size of the Committee

- 4.3 *Option 2a* - the size of the Committee could be reduced to four and retain its current membership of 3 from the Administration group and 1 other member not from the main Opposition group. This would achieve political balance in terms of the group of members who are willing to sit on the Committee.
- 4.4 *Option 2b* - the size of the Committee could be reduced to four, with two members coming from the Administration group and the others being the Independent member (who already sits on the Committee) and the Conservative member (assuming he were willing to sit on the Committee). This would retain political balance in terms of the overall Council makeup.
- 4.5 *Option 2c* - the size of the Committee could be reduced to three, with two members coming from the Administration Group and the other being either the Independent member or the Conservative member. This would offer political balance (albeit not strictly proportionate.)
- 4.6 *Option 2d* - reduce the size of the Committee to three and draw attendees from a pool of members willing to serve. Political balance in this option could vary from meeting to meeting of the Committee.
- 4.7 Were the size of the Committee to be reduced, Council would need to be aware that there could be issues relating to achieving a quorum if any members were not able to attend.

- 4.8 Any options under this approach would require a change to Standing Orders in terms of the number of elected members on the Committee.

Approach 3 - disestablish the Committee and have chief officers deal with appeals

- 4.9 *Option 3* - it is not a requirement that a committee of Council undertakes the remit of hearing employee appeals and disputes. Accordingly, the Workforce Committee could be disestablished, with appeals and disputes being heard in future by a small panel of chief officers rather than by elected members. This would require a change in Standing Orders (to remove provision for the Workforce Committee), in the Scheme of Delegation and consultation with the trade unions.

5.0 Conclusion

5.1 There are various options available to Council in respect of the future hearing of employee appeals and trade union disputes. There is no right or wrong approach and it is a matter of political preference how Council wishes to deal with such matters.

6.0 Sustainability Implications

6.1 There are no sustainability implications arising directly from this report.

7.0 Resource Implications

7.1 Financial Details

There are no financial implications arising directly from this report.

7.2 Staffing

There are no implications for the Council's establishment arising directly from this report.

8.0 Exempt Reports

8.1 Is this report exempt? No

9.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box)
The Council is effective, efficient and recognised for excellence

(2) **Council Policies** (Please detail)

Political Balance

10.0 Equalities Impact

10.1 N/A

11.0 Legality

11.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

12.0 Appendices

12.1 None

13.0 Background Papers

Report to Council of 13 August, 2015

author(s)

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Elaine McPherson	Chief Executive	

Approved by

NAME	DESIGNATION	SIGNATURE
Elaine McPherson	Chief Executive	Signed: E McPherson