

Joint negotiating committee (JNC) Constitution and terms of reference

The Joint Negotiating Committee

- 1 The Joint Negotiating Committee shall exist:
 - 1.1 To provide a regular method of negotiation between the Council and its employees on pay and conditions that fall within the scope of the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service (the 'Green Book'), or are currently agreed locally. Any agreed settlement will be referred to the Cabinet for approval on behalf of the Council.
 - 1.2 To make recommendations to the Cabinet about the amount, terms and composition of the annual salary award for those employees within the scope of the Council's locally determined terms and conditions until such time as they revert to National Agreements.
 - 1.3 To provide a method of negotiation with the Trade Unions on any relevant matters referred to it by any Director, Human Resources or the Trades Unions recognised by the Council. This includes matters referred to it by the Corporate Trade Union Forum or Health and Safety Committee where no resolution has been reached.

Membership

- 2 The Joint Negotiating Committee shall comprise:
 - 2.1 Six Members of the Council based on its political balance;
 - 2.2 Six representatives of Trade Unions that are recognised by the Council;
 - 2.3 The Cabinet Portfolio Holder for Performance and Service Improvement in an ex-officio capacity without voting rights.
- 3 The appropriate Director or Assistant Director will attend all meetings. A senior member of Human Resources will attend all meetings. The attendance of any other Officers of the Council or full time Trade Union Officials will act in an advisory capacity at the invitation of the Joint Secretaries.

Councillor Membership

- 4 The Member must be a Dacorum Borough Councillor.

- 5 Representatives of the Council may substitute Members of the same political party to attend Committee meetings.
- 6 In accordance with the Local Government and Housing Act 1989, no Councillor, who is in local authority employment, or who is an official or employee of a Trade Union, whose members include persons in local authority employment may represent the Council in any negotiations involving terms and conditions of those persons within the local authority in which they hold office or within the local authority in which they are employed.

Trade Union Membership

- 7 The Trade Union membership shall be comprised of six representatives from each side to be agreed annually. The Trade Unions will determine the allocation of the representatives among the Trade Unions and will represent employees affected by the terms and conditions or other matters that are referred to the Committee for negotiation.
- 8 The Trade Union representatives must be a member of the Union represented and employed by the Council.
- 9 When recognised Trade Union representatives are unable to attend, a substitute may be appointed from the same Trade Union.
- 10 Where the business conducted relates to the negotiation of terms and conditions of staff which are subject to the National Joint Council (Green Book) Agreement, or are currently agreed locally in line with the Council's policy, only those Trade Unions who represent the employees affected are entitled to be represented for those items at the Committee.

Meetings

- 11 The Committee shall meet in accordance with:
 - 11.1 The annual programme of meetings agreed by the Council which shall normally comprise of four meetings of this Committee per year; or
 - 11.2 On such additional occasions as the Committee may agree depending upon the nature and volume of business referred to it by its members.
- 12 Meetings may be cancelled by mutual agreement where, in the opinion of the Joint Secretaries, that there is insufficient business to consider.
- 13 A special meeting may be called at the request of:
 - 13.1 not less than 50% of the representatives of either the Councillors or the Trade Unions;

13.2 a Trade Union; or

13.3 at the joint request of the Chairman and Vice Chairman.

14 Any special meeting will normally be convened within twenty eight days of a matter being referred or a request being received.

Notice of meetings

15 At least seven days notice will normally be given for any meeting. The matters to be discussed will be stated in the agenda for the meeting. The working days to be calculated for the purpose of this Notice do not include either the day the agenda is dispatched or the day of the meeting.

16 At least five working days' notice will normally be given for any agenda items.

Chairman

17 At its first meeting in each Council year, the meeting will appoint a Chairman and Vice-Chairman for the year. The appointments will alternate between the Members/Officers and the Trade Union representatives and both the positions of Chairman and Vice-Chairman shall not be held by the same side in any one year.

18 In the event that the Chairman and/or Vice Chairman appointed under the above paragraph is not in attendance, another Councillor or Trade Union representative shall chair the meeting in their place: this includes substitute representatives being eligible to act as Chairman or Vice Chairman.

Joint Secretaries

19 The Council and the Trade Union group will each appoint a Joint Secretary to act on its behalf.

20 The Joint Secretaries will act as the primary contact for each group and be responsible for co-ordinating agenda items on behalf of their group.

Quorum

21 The quorum for meetings of the Committee shall be:

21.1 Three Councillor members (not including the Portfolio Holder for Performance, Improvement and Transformation), and

21.2 Three Trade Union representatives.

Voting

22 The voting shall be by a show of hands, unless the meeting decides otherwise.

- 23 No resolution shall be regarded as carried unless both sides have approved it with a simple majority of the members present, on each side, voting separately.

Minutes of meetings

- 24 The Minutes of the meeting will be sent to members of the Committee, Corporate Management Team and the Cabinet.

Amendment of this Constitution and Terms of Reference

- 25 This Constitution and Terms of Reference may be amended by the Committee providing that:

25.1 Any amendments are approved in accordance with clauses 22 and 23 above; and

25.2 No provision in this Constitution shall conflict with the Constitution of Dacorum Borough Council.