



BASSETLAW

DISTRICT COUNCIL
NORTH NOTTINGHAMSHIRE

STANDARDS COMMITTEE

AGENDA

Extraordinary Meeting to be held in

The Ceres Suite,

Town Hall, Worksop,

on

Monday, 28th June 2010

at

6.00 p.m.

(Please note time and venue)

**(Please turn off mobile telephones during meetings - In case of emergency
Members can be contacted on the Council's mobile telephone)**

Bassetlaw - Serving North Nottinghamshire

District Council Offices, Potter Street, Worksop, Notts. S80 2AH.

STANDARDS COMMITTEE

Membership 2010/11

Councillors W. Barker, Mrs V A Bowles, H. Burton, J. W. Holland,
M. G. Pugsley, Mrs C Troop

Independent Members: Mr. K. Crookes, Mr. G. Law, Mrs. D. Madine, Mr. P. Meeney,
Mr. A. Taberner and Dr G D Woodman

Parish Council Representatives: Mr. B. Letherland, Mr. T. Reynolds and Vacancy

Quorum: 4 Members

Lead Officer for this Meeting

Carolyn Forster (Acting Council Solicitor) – Ext. 3274

Administrator for this Meeting

Mrs. J. Hamilton - Ext. 3146

EXTRAORDINARY MEETING

of the

STANDARDS COMMITTEE

Monday, 28th June 2010

AGENDA

1. APOLOGIES FOR ABSENCE
2. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS *
(Members' and Officers' attention is drawn to the attached notes and form)
 - (a) Members
 - (b) Officers

SECTION A – ITEMS FOR DISCUSSION IN PUBLIC

Key Decisions

None

Other Decisions

3. REPORT(S) OF THE MONITORING OFFICER *
 - (a) Review of the Council Constitution (pages 1-26)

Exempt Information Items

The press and public are likely to be excluded from the meeting during the consideration of the following items in accordance with Section 100A(4) of the Local Government Act 1972.

SECTION B - ITEMS FOR DISCUSSION IN PRIVATE

Key Decisions

None

Other Decisions

None

* Report attached

NOTES:

1. The papers enclosed with this Agenda are available in large print if required.
 2. Copies can be requested by contacting us on 01909-533146 or by e-mail julie.hamilton@bassetlaw.gov.uk
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DECLARATION OF INTERESTS

HOW TO USE THIS FORM

There are now only two types of Declaration of Interest:

Level 1 – Personal)	Details can be found in the Councillors
)	Code of Conduct which is contained in
)	the Council's Constitution (a summary is
Level 2 – Personal and Prejudicial)	printed below)

Upon receipt of the attached form you will need to enter the name and date of the Committee and your own name. By looking at the Agenda you will no doubt know immediately which Agenda Items will require you to make a Declaration of Interest.

Fill in the Agenda Item number in the first column of the form.

Enter the subject matter and any explanations you may wish to add in the second column.

In the third column you will need to enter **either** level 1 if you are declaring a personal interest, **or** level 2 if you are declaring a personal and prejudicial interest.

The form must then be signed and dated. Please remember that if during the actual meeting you realise that you need to declare an interest on an additional Agenda Item number please simply amend the form during the meeting.

The form must be handed into the Committee Administrator at the end of the meeting.

NB. The following is a summary prepared to assist Members in deciding at the actual meetings their position on INTERESTS it is not a substitute for studying the full explanation regarding INTERESTS, which is contained in the Council's Constitution and the Code of Conduct for Councillors, which is legally binding.

Members and Officers are welcome to seek, PREFERABLY WELL IN ADVANCE of a meeting advice from the Council's Monitoring Officer on INTERESTS.

Personal Interests

May relate to employment or business interests
May relate to property interests
May relate to contents
May relate to interests in other bodies
OR if a decision on the matter to be discussed:
MIGHT REASONABLY BE REGARDED AS AFFECTING (A MEMBER OR OFFICER) TO A GREATER EXTENT THAN OTHER COUNCIL TAX PAYERS, RATEPAYERS OR INHABITANTS OF THE AUTHORITY'S AREA, the well being or financial position of himself, a relative or a friend or any employment, business, interest, etc. of such a person.

Prejudicial Interests

A Member with a personal interest ALSO has a prejudicial interest if a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Members judgement of the public interest.
(Note – there are special provisions which may exclude the above provisions in certain circumstances.)

Action to be Taken – Personal Interests

Must disclose to the meeting
- existence of the interest
- the nature of the interest

Action to be Taken – Personal and Prejudicial Interests

Must:-
- declare existence and nature
- withdraw from the room
- not seek improperly to influence a decision on the matter.
(Note – there are some exceptions when acting in a scrutiny capacity.)

BASSETLAW DISTRICT COUNCIL
EXTRAORDINARY STANDARDS COMMITTEE
28 JUNE 2010
REPORT OF THE MONITORING OFFICER
REVIEW OF THE COUNCIL CONSTITUTION

Contact: Ros Theakstone
Ext: 3160

1. Public Interest Test

The author of this report Ros Theakstone has determined that the report is not confidential.

2. Purpose of the Report

- 2.1 This report sets out proposed amendments to the Council Constitution based on operational experience in the last 2 years to assist in the delivery of the Corporate plan and statutory functions.

3. Background and discussion

- 3.1 Section 37 of the Local Government Act 2000 requires a Local Authority which is operating executive arrangements to prepare and keep up-to-date a Constitution. The Monitoring Officer is required to monitor and review the operation of the Constitution on an ongoing basis and where necessary bring forward amendments. This report set out proposed amendments to the Council Constitution based on operational experience in the last 2 years and to assist in the delivery of the Corporate Plan and statutory functions. The attached table sets out proposals made by the Corporate Governance Working Group.

4. Implications

a) For service users

The amendments are in keeping with the legislative framework.

b) Strategic and Policy

There are no policy implications; however the Constitution provides an effective framework for implementing the community strategy.

c) **Financial 11/18**]

The amendments will help to enhance closer compliance with the Corporate Code of Governance. There are no budgetary implications.

d) **Legal 184/06/10**

Regulatory and constitutional requirements prescribe procedure to be observed and followed.

e) **Human Resources**

The amendments will help to streamline and facilitate change in corporate structures and comply with H.R. policies in a more efficient manner.

f) **Community Safety, Equalities, Environmental**

None arising.

g) **Key Decision**

No

5. **Options, Risks and Reasons for Recommendations**

5.1 Having an effective Constitution minimises the risk of decisions b being taken outside existing Council Policy and budget framework.

6. **Recommendations**

6.1 That the amendments to the Constitution be adopted.

6.2 That the Director of Corporate Services and Monitoring Officer will continue to keep the Constitution under review having regard to changing operational needs and statutory requirements and will bring forward changes as necessary.

Background Papers

Location

Legal Services

Constitution Review 2010Corporate Governance Working Group

PAGE NO	REFERENCE TO CONSTITUTION	EXISTING PROVISION	PROPOSED CHANGE	REASON FOR CHANGE
All	Throughout Constitution		That the Monitoring Officer be authorised to amend any typos & errors	To improve clarity and make sense
-	Throughout Constitution	References to various officer posts	Ensure all references to Officer posts reflect previously agreed structural changes	To reflect changes to officer structure
1.2	Part 1 How decisions are made	In certain circumstances decisions can be taken by individual members of the Cabinet on behalf of the Council.	Add Those circumstances are set out in the Delegation Scheme of Part 4 of the Constitution.	To improve clarity and sense.
1.2	Scrutiny	They allow citizens to have a greater say in Council matters.	Replace with "Members to consider council matters in greater detail leading to reports"	To improve clarity and make sense.
1.2	Scrutiny	At the beginning of each Council year 4 themed select panels will be appointed.	Replace with "themed select panels may be appointed"	To reflect operational requirements.

PAGE NO	REFERENCE TO CONSTITUTION	EXISTING PROVISION	PROPOSED CHANGE	REASON FOR CHANGE
1.2	Overview and Scrutiny Committee	N/A	The Committee also discharges the statutory functions arising under section 19 Police and Justice Act 2006 relating to crime and disorder. The Committee also receives requests from Members in respect of councillor calls for action.	To reflect changes in legislation.
1.2	Audit and Performance Scrutiny Committee	N/A	The Audit and Performance Scrutiny Committee has two specific responsibilities. The Audit aspect provides scrutiny of the Council's financial and non financial performance and oversees the financial reporting process and corporate governance. The performance aspect monitors the operation and effectiveness of the Council's Performance Management Framework including the Council's budget and allocation of resources.	To enhance closer compliance with the legislative framework.

PAGE NO	REFERENCE TO CONSTITUTION	EXISTING PROVISION	PROPOSED CHANGE	REASON FOR CHANGE
1.3	Citizens' Rights	Citizens have a right to: Obtain a copy of the Constitution on payment of a reasonable fee	Delete	To comply with Freedom of Information Act
2.3	Article 2.3 (b) sub sections (i) and (ii)	<p>(i) Councillors will have such rights of access to such documents.... As are necessary for the proper discharge of their functions in accordance with the law.</p> <p>(ii) Councillors will not make public information which is confidential or exempt without the consent of the Council or divulge information given in confidence to anyone other than a</p>	<p>Replace with "Councillors will not make public information which is confidential or exempt without the consent of the Council or divulge information given in confidence to anyone other than a councillor or officer entitled to know it."</p> <p>"All agenda reports and other documents together with all Council proceedings shall (where clearly identified and regarded as such) be treated as confidential unless and until they become non confidential in the ordinary course of the Council's business or by proper authority of the Council Committee or otherwise".</p>	To improve clarity and enhance compliance with the governance framework.

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PAGE NO	REFERENCE TO CONSTITUTION	EXISTING PROVISION	PROPOSED CHANGE	REASON FOR CHANGE
		councillor or officer entitled to know it.		
2.3	Article 2.5 Allowances	No amendment	Add “and fully comply with all regulatory requirements relating thereto in an open and transparent manner.”	To improve clarity and enhance compliance with the legislative framework.
2.4	Article 3 Citizens rights	<p>Article 3(b) (iv) see reports and background papers</p> <p>Article 3(d)(iii) Citizens have the right to complain to the Standards Committee</p>	<p>Add “non confidential”</p> <p>Add (vii.) to exercise their rights under legislation relating to Councillor Call for Action; and</p> <p>(viii.) to request information under the Freedom of information Act.</p> <p>Replace with “Monitoring Officer” Add references to Standards for England.</p>	To improve clarity and comply with legislative requirements
2.4	Article 4.1 Meanings (a)	Best Value Performance	Replace with Sustainable Community Strategy	To reflect changes in legislation

PAGE NO	REFERENCE TO CONSTITUTION	EXISTING PROVISION	PROPOSED CHANGE	REASON FOR CHANGE
2.6	Article 6.1 Overview & Scrutiny Committees	The Overview and Scrutiny Committee will co ordinate the work of the Audit and Performance Scrutiny Committee.	Terms of Reference delete reference to Audit & Performance Scrutiny Committee	To ensure closer compliance with legislative framework.
2.7	Article 6.2 Scrutiny Committee	Performance Improvement Scrutiny Committee (Scope)	<p>Replace with "Audit and Performance Scrutiny Committee: To fulfil Audit functions in respect of the Council's financial and non financial performance.</p> <p>To review the Council's performance within the Performance Management Framework and make recommendations to the Cabinet and/or Council.</p>	To ensure compliance with the legislative framework pursuant to the Council's audit requirements.
2.8	Article 7 The Cabinet	<p>Article 7.2 form and composition</p> <p>The Cabinet will consist of the Cabinet Leader, together with at least 2 but no more than 9 councillors</p>	Replace 9 with 5	
2.9	7.5, 7.6, 7.7 other Cabinet members	N/A	Add: 7.5 " The Cabinet may appoint a Committee or Sub Committee to	To improve clarity.

PAGE NO	REFERENCE TO CONSTITUTION	EXISTING PROVISION	PROPOSED CHANGE	REASON FOR CHANGE
			<p>discharge executive functions with membership consistent with Articles 7.3 and 7.4 herein</p> <p>7.6 For the avoidance of doubt the delegation of an executive function shall not be permitted except in accordance with the provisions of Part 3 of the Constitution.</p> <p>7.7 Proceedings of the Cabinet (or any Committee or Sub-Committee appointed in pursuance of Clause 7.5 herein) shall take place in accordance with the provisions of Part 3 of the Constitution.</p>	
2.10	Article 9.3 Role and function of the Standards Committee	N/A	<p>Add:</p> <p>(ii) The Standards Committee shall devise and implement such protocols and procedures as it deems necessary and appropriate in accordance with</p>	To improve clarity and comply with legislative requirements.

PAGE NO	REFERENCE TO CONSTITUTION	EXISTING PROVISION	PROPOSED CHANGE	REASON FOR CHANGE
			<p>statutory guidance and regulations.</p> <p>(iii) For the purpose of discharging its statutory functions the Standards Committee shall constitute such sub-committees or panels and to appoint members accordingly other than functions under Sections 55 and 56 of the Local Government Act 2000.</p> <p>9.4 All members of the Standards Committee shall hold office for a term of 4 years subject to ratification of office at each Annual General Meeting of the Council.</p>	

PAGE NO	REFERENCE TO CONSTITUTION	EXISTING PROVISION	PROPOSED CHANGE	REASON FOR CHANGE
2.12	Article 11.1 Management Structure paragraph (b)	Appointment of Directors	"The Appeals Panel" to be replaced by "Appointments Panel"	To improve clarity and legislative requirements.
3.3	Elections 33 to 41	References to various functions relating to elections for determination by the Council	Paragraphs 33 to 41 to be replaced with Duty to determine all matters relating to Elections and Electoral registration	To ensure compliance with legislative framework
3.4	Bodies Appointed by and reporting to Council	Appeals Committee	Delete	To ensure compliance with legislative framework.
3.6	Part 3 Cabinet	Matters to be dealt with by the Cabinet within the policies and budget agreed by the Council.	Replace " within " with "out with"	To ensure that the Constitution is up to date.
3.8	Other matters paragraph (b)	The Appeals Committee in respect of appropriate recommendations	Delete	To ensure compliance with legislative framework.
3.17	Overview and Scrutiny Committee	Reference to Performance Improvement Scrutiny Committee 5 Scrutiny panels	Replace with "Audit and Performance Scrutiny" Delete "5"	To ensure compliance with legislative framework.
3.21	Performance Improvement Scrutiny Committee	Committee Terms of Reference	Replace with "Audit and Performance Scrutiny Committee" 1. To fulfil Audit functions	To comply with legislative and audit requirements.

PAGE NO	REFERENCE TO CONSTITUTION	EXISTING PROVISION	PROPOSED CHANGE	REASON FOR CHANGE
			<p>the Committee will:</p> <ul style="list-style-type: none"> • Approve (but not direct) internal audit's strategy, plan and performance. • Review summary internal audit reports and the main issues arising, and seek assurance that action has been taken where necessary. • Consider the reports of external audit and inspection agencies. • Consider the effectiveness of the Council's risk management arrangements, the control environment and associated anti-fraud and anti-corruption arrangements. Seek assurances that action is being 	

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PAGE NO	REFERENCE TO CONSTITUTION	EXISTING PROVISION	PROPOSED CHANGE	REASON FOR CHANGE
			<p>taken on risk related issues identified by auditors and inspectors.</p> <ul style="list-style-type: none"> • Be satisfied that Bassetlaw's assurance statements including the <i>Annual Governance Statement</i> properly reflect the risk environment and any actions required to improve it. • Ensure that there are effective relationships between external and internal audit, inspection agencies and other relevant bodies, and that the value of the audit process is actively promoted. • Review the financial statements, external auditors 	

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			<p>opinion and reports to members, and monitor management action in response to issues raised by external audit.</p> <ul style="list-style-type: none"> • Produce an Annual Report to be presented to full Council on its activities during the year and how it discharged its responsibilities. <p>2 To scrutinise the Council's progress against the objectives set out in the Council's Corporate Plan.</p> <p>3 To review and operation and effectiveness of the Council's Performance Management Cycle, Performance Indicators, Efficiency/Value for Money process, Council Budget and allocation of resources and make recommendations thereon to the Cabinet and/or</p>	

PAGE NO	REFERENCE TO CONSTITUTION	EXISTING PROVISION	PROPOSED CHANGE	REASON FOR CHANGE
			<p>Council.</p> <p>4 To review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas including budgets and make recommendations to Cabinet and/or the Council arising from the outcome of the scrutiny process.</p> <p>5 To question members of the Cabinet and /or Committees, Directors and senior officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects.</p> <p>6 To refer issues for more detailed scrutiny to the</p>	

PAGE NO	REFERENCE TO CONSTITUTION	EXISTING PROVISION	PROPOSED CHANGE	REASON FOR CHANGE
			Overview & Scrutiny Committee for prioritisation and allocation to a Scrutiny panel.	
3.31	Licensing Committee	Lead Officer to Committee Head of Support Services	Replace with Council Solicitor	To reflect changes to officer structure.
3.29	Appeals Committee	To deal with appeals within relevant legislation which confer a right of appeal including the Council's housing function	Delete	
3.39 3.49	Summary of Sub-Committees/Working Groups/Consultation Groups	Introductory Tenancies Appeal Board	Delete	No longer a Council function
3.45	Emergency Advisory Committee	Terms of Reference	Delete	Superfluous
3.55	Part 3 Joint Employee Council	Constitution	Revision of membership and constitution. *full revised constitution to follow.	To reflect the changes to the workforce following transfer off staff.
4.4	21 operative date	17 May 2007	Replace with day following approval by full Council	To ensure Constitution is up to date.

PAGE NO	REFERENCE TO CONSTITUTION	EXISTING PROVISION	PROPOSED CHANGE	REASON FOR CHANGE
5.125	Standards Committee Paragraph 1 Paragraph 2	Local Government Act 2000 and The Relevant Authorities (Standards Committee) Regulations 2001 Composition	Add "and other relevant legislation" The Committee comprises "six" members to be replaced by "twelve". "Two" persons who are a member of a Parish Council to be replaced by "three"	To ensure Constitution up to date To reflect operational requirements To reflect operational requirements
7.1	Members Allowances	2006 scheme	Replace with 2010 scheme	To ensure Constitution up to date

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JOINT EMPLOYEE COUNCIL

CONSTITUTION

Objective

1. The objective of the Bassetlaw District Council Joint Employee Council (hereinafter called the Joint Employee Council) is to provide a means for joint consultation between representatives of the District Council and representatives of its employees to consider matters of common interest and generally further the maintenance of good relations.

Representation

2. The Joint Employee Council shall consist of:-
 - (a) Eight Elected Members (to include "ex-officio" Members) drawn from Bassetlaw District Council, appointed annually to constitute the Employer's Side subject to such representatives' eligibility in conformity with the requirements of the Local Government Act 1988.
 - (b) Eight representatives (to include those with "ex-officio" status) of the Employees of Bassetlaw District Council, to be nominated by the Joint Trade Unions.

Membership

3. Members of the Joint Employee Council shall be appointed annually and shall be eligible for re-appointment.
4. If a member of the Joint Employee Council ceases to be a Member of the District Council or an employee employed by the District Council, such person thereupon ceases to be a member of the Joint Employee Council. Any consequential vacancy shall be filled by the District Council or the employees, as appropriate.

5. In the event of any member of either side being unable to attend any meeting of the Joint Employee Council, another representative may be appointed to attend in his place, provided that the substitute is drawn from the same area of representation as the member unable to attend.

Chairman and Vice-Chairman

6. A Chairman and Vice-Chairman shall be appointed at the first meeting of the Joint Employee Council in any District Council year. If the Chairman so appointed is a member of the Employer's Side then the Vice-Chairman shall be appointed from the Employees' Side, and vice versa.

Functions

7. The functions of the Joint Employee Council shall be:-
 - (a) To establish regular methods of negotiation between the District Council and its employees in order to prevent differences and to adjust them should they arise; always provided that no question of individual discipline, promotion or relegation shall be within the scope of the Joint Employee Council.
 - (b) To consider any relevant matter referred to it by Cabinet, or by any of the Employee Organisations.
 - (c) To make recommendations to the Cabinet as to the application of the terms and conditions of service and any relevant matters.
 - (d) To ensure that the employees may be given a wider interest in, and greater responsibility for, the conditions under which their work is performed.
 - (e) To consider relevant matters raised under Employment Legislation.
 - (f) To secure the observance of regulations contained in collective agreements.
 - (g) To make suggestions for promoting the efficiency and success of the Council's Services and to secure the co-operation of all concerned to those ends.

- (h) To discharge such other functions as may be specifically referred to it by the District Council.

Meetings

- 8. The Joint Employee Council shall meet as and when required but not less than quarterly. The Chairman and Vice-Chairman may call a meeting at any time. The quarterly meeting dates shall be fixed by the Joint Employee Council at its first meeting in the municipal year.
- 9. A special meeting shall be called within ten working days of the receipt by the Secretary to the Joint Employee Council of a requisition signed by not less than one-third of the members of either side.
- 10. The matters to be discussed at any meeting of the Joint Employee Council shall be stated upon the notice summoning the meeting.
- 11. Matters initiated by the Employee Representatives for inclusion on the Agenda of the next meeting shall be submitted in writing to the Secretary to the Joint Employee Council at least ten working days before the anticipated date of the meeting.
- 12. If a matter of urgency arises during the ten working days before the agreed date of the meeting, either side of the Joint Employee Council, through their Secretary, after consultation with the Chairman and Vice-Chairman of the Committee, may have the matter placed before the Committee.
- 13. The notice summoning the meeting shall be forwarded to members of the Joint Employee Council at least five working days prior to the meeting.

Procedure

- 14. The quorum of the Joint Employee Council shall be three representatives comprising membership from both sides.
- 15. No resolution shall be regarded as carried unless it is approved by a majority of the members present on each side. In the event of the Joint Employee Council being

unable to arrive at an agreement or the Cabinet Committee or the employees representatives disagreeing with the recommendation of the Joint Employee Council, the matter shall be adjourned for reconsideration at the next meeting and then, if necessary, be referred to the East Midlands Local Government Association in accordance with the Constitution of that body.

16. The Chairman shall have a vote, but not a casting vote.
17. In the absence of both the Chairman and Vice-Chairman from any meeting, the Council shall appoint a Chairman for the meeting.
18. Both sides shall appoint a Secretary and the Secretary to the Employer's Side shall be the Head of Human Resources who shall also act as Secretary to the Joint Employee Council.
19. Either side may request the attendance at meetings of the Joint Employee Council of such other persons as may be required to act in an advisory and/or consultative capacity. Such persons shall not vote on any question, but shall receive Notices, Agendas and Minutes upon request. Advisors may speak on items by agreement of the Council.
20. A report of the proceedings of any meeting (which shall form the Minutes of the meeting) of the Joint Employee Council shall be submitted to the Cabinet Committee but before submission the report shall be agreed by the Chairman and Vice-Chairman. This report will also be circulated to all Members of this Council. Any resolutions in such a report shall be subject to the approval of the Cabinet .
21. A Book of Minutes of the Council shall be kept by the Secretary to the Joint Employee Council and shall be signed at each meeting by the Chairman and Vice-Chairman.
22. Any question coming before the Joint Employee Council may be referred to the East Midlands Local Government Association for consideration and advice. The East Midlands Local Government Association shall be informed if any recommendation of the Joint Employee Council appears to be of more than local interest, always

provided that any such recommendation shall be approved by the District Councils Cabinet prior to its submission to the East Midlands Local Government Association.

Lead Officer

Head of Human Resources

JOINT EMPLOYEE COUNCIL

PROPOSED
CHANGE

CONSTITUTION

Objective

1. The objective of the Bassetlaw District Council Joint Employee Council (hereinafter called the Joint Employee Council) is to provide a regular method of consultation between representatives of the Council and representatives of the Council's employees, with the objective of providing an efficient service to the public and to maintain good relations.

Membership

2. The Joint Employee Council shall consist of representatives of the Council and the Trade Union, who will be appointed annually and shall be eligible for re-appointment.

The membership shall comprise:-

The Employees Side:

One place for each Trade Union (to include those with "ex-officio" status). Any Trade Union which has more than 200 members shall be entitled to an additional place, determined annually.

The Employers' Side

Three elected Members (to include "ex-officio" Members) drawn from Bassetlaw District Council, appointed annually subject to such representatives' eligibility in conformity with the requirements of the Local Government Act 1988.

Two Offices (to include those with "ex-officio" status) , on of whom shall be the Head of Human Resources and Organisational Development.

3. In the event that a representative from any side is unable to attend a meeting of the JEC, that representative may nominate a substitute to attend on his or her behalf,

provided that the substitute is drawn from the same area of representation as the member unable to attend.

4. If a member of the Joint Employee Council ceases to be a Member or an employee of Bassetlaw District Council, such person thereupon ceases to be a member of the JEC. Any consequential vacancy shall be filled by the Council or the employees, as appropriate.

Roles

5. A Chair and Vice-Chair shall be appointed at the first meeting of the JEC in any District Council year. If the Chair so appointed is a member of the Employer's Side then the Vice-Chair shall be appointed from the Employees' Side, and vice versa.

In the absence of both the Chair and Vice-Chair from any meeting, the Council shall appoint a Chair for the meeting.

6. Both sides shall appoint a Secretary and the Secretary to the Employers' side shall be the Head of Human Resources and organisational Development, who shall also act as Lead Officer and Secretary to the JEC.

Functions

8. The business of the JEC shall be restricted to consultation on matters that are significant or sensitive authority-wide issues related to the ongoing maintenance and improvement of good employee relations, As such, it is not a decision-making body. The authority to make decisions is set out in the Constitution which sets out specifically to whom decisions are delegated.

Consultation is a process by which the Council and staff, through their representatives, jointly examine and discuss issues involving the genuine exchange of views and information. The object of consultation is for the Council to make the best decision, having had the benefit of hearing the views of the Employees' Side and the Employers' Side.

9. No question of individual discipline, grievance, promotion or relegation shall be within the scope of the JEC.
10. Negotiation of contractual matters shall not be within the scope of the JEC, although consultation may take place on such matters.

The existence of the JEC does not interfere with the trade unions' arrangements for separately representing their members, nor does it prevent the employer consulting separately in relating to either corporate or local matters, where it is deemed to be appropriate.

Meetings

11. The JEC shall meet as and when required but not less than quarterly, providing there is sufficient business to justify the calling of a meeting. The quarterly meeting dates shall be fixed by the JEC at its first meeting in the municipal year. The Chair shall have the power to cancel a meeting in the event that there is insufficient business to justify continuing with the meeting.
12. The Chair and Vice-Chair may, by agreement with each other, call a meeting at any time.
13. Matters initiated by the Employee Representatives for inclusion on the Agenda of the next meeting shall be submitted in writing to the Secretary to the JEC at least ten working days before the anticipated date of the meeting.

If a matter of urgency arises during the ten working days before the agreed date of the meeting, either side of the JERC, through their Secretary, after consultation with the Chair and Vice-Chair of the Committee, may have the matter placed before the Committee.

The notice summoning the meeting shall be forwarded to members of the JEC at least five working days prior to the meeting.

Procedure

14. One Employees' representative, one Employers' representative (Member) and one Employers' representative (Officer) shall constitute a quorum.
15. Agreement to a recommendation shall be determined by the casting of two votes, one from The Employees' side and one from the Employers' side. The result of each side's vote shall be determined by the agreement of a majority of the members on that side.
16. Either side may, through the Chair and Vice-Chair, request the attendance at meetings of the JEC or such other persons as may be required to act in an advisory and/or consultative capacity. Such persons shall not take part in the voting process. Advisors may speak on items by agreement of the Council.
17. A report of the proceedings of any meeting of the JEC (which shall form the Minutes of the meeting) shall be submitted to the Cabinet Committee, but before submission the report shall be agreed by the Chair and Vice-Chair. This report will also be circulated to all Members of the JEC. Any resolutions in such a report shall be subject to the approval of the Council.
18. A Book of Minutes of the Council shall be kept by the Secretary to the JEC and shall be signed at each meeting by the Chair and Vice-Chair.
19. Following Consultation with members of the JEC, the head of Human Resources and Organisational Development shall refer the matter for determination to the Cabinet or other body/person to whom authority has been delegated, in accordance with the Constitution. In doing so, her or she shall set out the views of the JEC, including whether agreement has been reached. In the event of a failure to reach agreement, the Head of Human Resources and Organisational Development shall articulate to the decision-making person/body the differing views of the JEC, in consultation with the Chair and Vice-Chair of the JEC.

Lead Officer

Head of Human Resources