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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE CABINET

Date: 24th April 2019

1. **REPORT TITLE** Recognition Agreement

Submitted by: Alyson Podmore

Portfolio: Corporate and Service Improvement, People and Partnerships

Ward(s) affected:

Purpose of the Report

The purpose of this report is to inform the Cabinet that a Recognition Agreement has been written which has been consulted on with the recognised Trade Unions.

This Recognition Agreement will supersede the Facilities' Time Agreement.

Recommendations

It is recommended that Cabinet approve the revised Recognition Agreement.

Reasons

A Recognition Agreement outlines the recognised Trade Unions at Newcastle Borough Council as well as providing a framework for consultation, negotiation and collective bargaining on employment related matters.

1. **Background**

1.1 A Facilities Time Agreement was implemented and approved in January 2012. This agreement focused mainly on Trade Union facilities time, duties and training.

1.2 Prior to 2012, no formal recognition agreement existed as this relationship between management and Trade Unions were based on trust.

1.3 From April 2016 to August 2017, the previous Head of HR consulted with Trade Unions on implementing a Recognition Agreement for the Council. An impasse occurred and agreement was not reached; mainly around the make-up of the Joint Negotiation and Consultative Committee (JNCC).

1.4 In September 2017, the previous Head of HR sent an e-mail to the Trade Unions informing them that she had removed the JNCC section in the proposed Recognition Agreement with the agreement of then then Leader & Deputy Leader this was approved by Cabinet.

1.5 The new agreement disbanded the Employees Consultative Committee (ECC) and Staffing Committee.

2. **Issues**

- 2.1 The Trade Unions had not been consulted regarding the new Recognition Agreement in September 2017.
- 2.2 The Trade Unions did not accept that a Recognition Agreement was in existence.
- 2.3 The Trade Unions refused to engage in any further consultation with HR and management.
- 2.4 The relationship between the employer and the Trade Unions had broken down.

3. **Moving Forward**

- 3.1 In December 2018, the interim Head of HR, in consultation with the Executive Management Team, Heads of Service and Trade Unions mutually agreed a draft Recognition Agreement
- 3.2 In January 2019, the interim Head of HR took the draft Recognition Agreement to JNCC to seek approval by all parties. Approval was agreed in principle by the Trade Unions but was subject to the Trade Unions reviewing the Constitution to ensure that there was no adverse / detrimental effect.
- 3.3 The interim Head of HR met with the Trade Unions in February 2019, whereby they requested that any new Trade Union Representative could attend the JNCC meeting in a non-speaking role in order to aid their training and development.
- 3.4 The Leader of the Council Confirmed in writing that the Trade Union request was granted as per item 3.3.
- 3.5 All parties have signed the Recognition Agreement in March 2019 but of course it is subject to Cabinet's endorsement.

4. **Proposal**

- 4.1 For Cabinet to approve the proposed and signed Recognition Agreement (Appendix A) for Newcastle Borough Council.

5 **Legal and Statutory Implications**

- 5.1 None

6 **Equality Impact Assessment**

- 6.1 N/A

7 **Financial and Resource Implications**

- 7.1 N/A

8. **Major Risks**

- 8.1 N/A

9 **Management Sign-Off**

- 9.1 JNCC, in conjunction with EMT approval, has agreed to the proposed Recognition Agreement.