

**Current constitutional provision - to be deleted****Section 3 – Consultative Bodies****Contents****1. Consultative bodies**

The Council has established a consultative body for the purpose of consultation with the Trades Unions, and determined its constitution and Terms of reference. It does not discharge statutory functions and is not a Council committee. Its Constitutions is attached as Appendice 1 and the membership is set out below:

<b>Body</b>	<b>Council Members</b>	<b>Substitute Members</b>	<b>Employees' Side Members</b>
Corporate Health and Safety Joint Negotiation and Consultation Committee	6	6	10

Constitution of the Corporate Health and Safety Joint Negotiation and Consultation Committee

**1. Title**

- 1.1 The Committee shall be called the “**Corporate Health and Safety Joint Negotiation and Consultation Committee**”.

**2. Representation**

- 2.1 The Committee will cover all employees in the employment of the Council of the London Borough of Barnet (“the Employers”). The Trade Union Side will represent trade unions and non trade union employees for the purpose of consultation as specified by the Safety Representatives and Safety Committee Regulations 1997 and the Health and Safety (Consultation with Employees) Regulations 1996.

**3. Objectives**

- 3.1 To promote a healthy and safe working environment for all members of staff employed by the Council and to protect the public from any risk of danger that may arise as a result of the Council’s activities.
- 3.2 To monitor the welfare arrangements (facilities for eating, drinking, first aid and toilets etc) provided for employees.

## **Council Procedure Rules**

- 3.3 To provide a forum for consultation and as necessary, negotiation on proposals put forward by management and the trade unions.
- 3.4 To change the way in which work is performed by the introduction of safe systems of work, procedures and arrangements, including those for the training of staff.

### **4. Constitution**

- 4.1 The Chairman of the Committee shall be appointed by the Council and Vice-Chairman shall be appointed by the trade unions.
- 4.2 The Council Side (the Employer's) and the Trade Union Side shall each appoint a secretary and such secretaries shall be Joint Secretaries of the Committee.
- 4.3 The Head of Governance shall appoint a Clerk to the Committee, who shall be a member of Governance Service. The Clerk will be responsible for securing the agreement of agenda items between the Joint Secretaries of the Trade Union Side and the Employer Side; the distribution of agenda, the drafting of minutes.
- 4.4 If a member of the committee ceases to be a member or an employee of the Local Authority they shall thereupon cease to be a member of the Committee. Any vacancy shall be filled by the Council or by the appropriate employee organisation as the case may be.
- 4.5 The quorum of the Committee shall be three members of the Council Side and three members of the Trade Union Side.

### **Trade Union Side of the Committee**

- 4.6 The representation of the Trade Union Side shall be drawn from those Safety Representatives who are appointed by recognised unions for designated work areas of the Council. Trade Union Safety Representatives are entitled to time off for trade union duties under the terms of the Facilities Agreement which is set out in the HR Procedures located on the Council's Intranet site.
- 4.7 The composition of the Trade Union Side shall be notified to the Clerk to the Committee at the beginning of each Municipal year.

The number of representatives of the Trade Union Side of the Committee shall be 10 at any one meeting including the Trade Union Side Vice-Chairman.

The representatives who may be available to serve at any time during the year shall be appointed by the appropriate trade union branches.

The normal distribution of seats will as closely as possible be proportionate to the number of Safety Representatives. Employee Side representatives of the Local Authority are to be appointed annually, but in any event to include,

- three teacher representatives, (including representation for head teachers) and
- seven representatives from all other areas of council work.

## **Council Procedure Rules**

The Chairman of the Trade Union Side (Vice-Chairman of the Committee) shall normally be the main spokesperson for that side and shall be nominated by and from amongst those eligible to serve the Trade Union Side in the committee's affairs.

The Clerk to the Committee shall maintain an up to date record of recognised Safety Representatives and unions eligible for participation of the Committee.

The Secretary of the Trade Union side will be responsible for updating Committee's records as necessary.

### **Employer's Side of Committee**

- 4.8 The Committee shall comprise six Members of the Council of the London Borough of Barnet to be appointed annually by the Council.
- 4.9 The Council's Health and Safety Strategist shall also attend meetings of the Committee. The Head of HR Strategy and the Health and Safety Manager will attend the meetings as and when necessary.
- 4.10 The Chief Officer or their representative shall attend when the report of that service area is before the Committee.

### **5. Substitute Members**

- 5.1 In addition to the members appointed to each side of the Committee, five substitute members for the Employer's Side and four for the Trade Union Side shall be appointed. In the event of any member of the Committee being unable to attend a meeting they shall notify the clerk to the Committee at least two days before the meeting, when a substitute member shall then be entitled to attend the meeting, take part in the discussion and vote. Trade Union substitute members will be Safety Representatives.

### **6. Joint Secretaries' Responsibilities**

- 6.1 The Joint Secretaries will meet to consider the agenda items for the Committee meeting prior to the agenda being circulated.
- 6.2 They will advise the Clerk to the Committee, where appropriate, of any changes to the membership of the Committee at least one day before the meeting.
- 6.3 The Joint Secretaries will attempt to resolve any issues relating to health and, safety matters between the meetings of the committee. If issues cannot be resolved, they will be referred to the next meeting of the Committee.
- 6.4 The Joint Secretaries will conciliate or advise on any local health and safety issues as requested by the Area Joint Negotiation and Consultative Committees (JNCC) resolutions.

### **7. Procedure**

## **Council Procedure Rules**

- 7.1 Meetings of the committee shall be held at least quarterly or as often as may be necessary, provided that when the Chairman and Vice-Chairman are satisfied that the amount of business does not justify the convening of any such meeting, they may authorise its cancellation.
- 7.2 An emergency meeting of the committee shall be held within 10 working days of a written request being received by the Clerk to the Committee from the Chairman or Vice-Chairman.
- 7.3 Items for consideration at any meeting of the committee may be submitted by either side and should be received by the Clerk to the Committee at least 10 working days before the meeting, except in the case of an emergency meeting.
- 7.4 The agenda of business shall be circulated by the Clerk to the Committee to each member of the Committee at least 7 working days before a meeting, except in the case of emergency meetings.
- 7.5 No business other than that appearing on the agenda shall be transacted at any meeting unless both sides agree to its introduction.
- 7.6 Reasonable facilities shall be provided for meetings of both sides. The administrative expenses of the committee shall be paid by the Employer's Side.
- 7.7 Minutes of meetings of the Committee and the preparation of official agendas shall be the responsibility of the Clerk. Copies of the minutes of the Committee shall be circulated to all members of the Committee.
- 7.8 Minutes of any meeting of the Committee shall be signed by the Chairman (or their representative), and the Vice-Chairman (or their representative).
- 7.9 Decisions shall be arrived at only by agreement between the two sides of the Committee. In the event of the Committee being unable to arrive at an agreement on a motion, the matters will be referred to the General Functions Committee who may make such recommendation to the Council as they think appropriate. They may refer the matter back to the Committee with the views or recommendations of the General Functions Committee.
- 7.10 The minutes of the meeting will record any decisions reached, the essence of discussions which do not require agreement and any formal failure to agree may be referred to the General Functions Committee for consideration.

## **8. Terms of reference**

The terms of reference of the Committee shall be:

- 8.1 The examination of accident statistics and trends.
- 8.2 The examination of any reported notifiable diseases.
- 8.3 Examination of safety audit reports.

### **Council Procedure Rules**

- 8.4 To receive and consider reports and factual information provided by Health and Safety Executive Inspectors appointed under the Health and Safety at Work, etc, Act 1974.
- 8.5 Subject to their submission to the appropriate Area JNCC in the first instance, consideration of reports which safety representatives may wish to submit together with the views of the appropriate Area JNCC.
- 8.6 Advice on the development of safe systems of work.
- 8.7 Approval of Council Health and Safety Arrangements.
- 8.8 Monitoring the adequacy of the safety content of employee training.
- 8.9 Monitoring the adequacy of safety and health communication and publicity in the workplace.
- 8.10 To maintain a link with the appropriate inspectorate of the enforcing authority.
- 8.11 Consideration of annual reports from the service areas.