

**To the Chair and Members of the
EMPLOYEE RELATIONS (DISPUTES RESOLUTION) SUB-COMMITTEE**

**TERMS OF REFERENCE OF THE EMPLOYEE RELATIONS (DISPUTES
RESOLUTION) SUB-COMMITTEE**

WARDS AFFECTED	RELEVANT OVERVIEW AND SCRUTINY PANEL
ALL	N/A

PURPOSE

1. The purpose of this report is to note the Terms of Reference of the Employee Relations (Disputes Resolution) Sub-Committee.

RECOMMENDATION

2. It is recommended that Members note the Terms of Reference of the Sub-Committee as detailed at Appendix A to the report.

BACKGROUND

3. The Employee Relations Committee has power to determine the resolution of disputes between a recognised trade union (other than a teaching union) or by management in accordance with the Council's Disputes Resolution Procedure. At its meeting on 12th June 2006 the Committee gave approval for the establishment of an Employee Relations (Disputes Resolution) Sub-Committee.
4. The Terms of Reference for the Employee Relations (Disputes Resolution) Sub-Committee are attached at Appendix A.
5. In order to support the Members of the Sub-Committee to fulfil these responsibilities, training will be provided on the Dispute Resolution Procedure and the role and responsibilities of the Sub-Committee in considering resolution of disputes.

OPTIONS CONSIDERED AND REASON FOR RECOMMENDED OPTION

6. Options considered:-

- 6.1 To revert to the previous arrangement which enabled the Employees Relations Committee to consider the resolution of disputes. Not the preferred option as it would distract the Panel from its main role and function.
- 6.2 To appoint a Sub-Committee in accordance with the Council's Disputes Resolution Procedure. This will enable the Sub-Committee to meet as required to determine the resolution of disputes between a recognised trade union and management. The benefits of this option are that it allows for ad hoc meetings and for Members to be trained specifically in this area. This is the preferred option.

IMPACT ON TRANSFORMATIONAL GOALS

- 7. This report does not have any direct impact on any of the Transformational Goals.

RISKS AND ASSUMPTION

- 8. There are no specific risks associated with this report.

LEGAL IMPLICATIONS

- 9. Section 101 of the Local Government Act 1972 provides that, where a Local Authority had delegated a function to a Committee then, unless it otherwise directs, the Committee may in turn delegate that function to a Sub-Committee or to an Officer of the authority.

FINANCIAL IMPLICATIONS

- 10. The only financial implications arising from this report relate to the cost of training members and supporting this Sub-Committee. This will be contained within existing budgets and resources.

CONCLUSIONS

- 11. The report proposes that the Committee notes the Terms of Reference for the Employee Relations (Disputes Resolution) Sub-Committee. Members of the Sub-Committee will receive full training on the Council's current arrangements for determining the resolution of disputes between a recognised trade union (other than a teaching union) or by management.

CONTACT OFFICER

Kay Leigh
Director of People and Performance Improvement
Tel: 01302 737007
kay.leigh@doncaster.gov.uk

REPORT AUTHOR

Maria Martin
Governance Support Assistant
Democratic Services
Tel: 01302 736711
maria.martin@doncaster.gov.uk

BACKGROUND PAPERS

The Council's Dispute Resolution Procedure

Kay Leigh
Director of People and Performance Improvement

APPENDIX A

EMPLOYEE RELATIONS (DISPUTES RESOLUTION) SUB-COMMITTEE

This Sub-Committee is a Sub-Committee of the Council constituted under Sections 101 and 102 of the Local Government Act, 1972

Terms of Reference

- (i) To consider, in line with the Disputes Resolution Procedure at Stage 2, employment matters of a collective nature, or which have collective application, as raised by a full-time official of a recognised trade union (other than a teaching union) or a Strategic Director, Corporate Director, Group Director or Community Director.
- (ii) Disputes raised under this procedure which are not resolved at Stage 1 will be referred to the Employee Relations (Disputes Resolution) Sub-Committee for final determination.
- (iii) Where a dispute concerns a matter which has previously been the subject of a decision by the Employee Relations Committee, a panel of three elected members not from the Employee Relations Committee will be constituted to consider the dispute.
- (iv) Where the Employee Relations (Disputes Resolution) Sub-Committee are required to consider a matter which is subsequently reported to the Employee Relations Committee, the Members forming the Sub-Committee will take no part in the Committee's consideration of the matter.