

DONCASTER METROPOLITAN BOROUGH COUNCIL

EMPLOYEE RELATIONS (DISPUTES RESOLUTION) SUB-COMMITTEE
16TH JULY, 2013

A MEETING of the EMPLOYEE RELATIONS (DISPUTES RESOLUTION) SUB-COMMITTEE was held in Room 009 at the CIVIC OFFICE, DONCASTER on TUESDAY 16TH JULY, 2013 at 10.00 a.m.

PRESENT:

Chair – Councillor Tony Corden
Vice-Chair – Councillor David Holland

Councillors Bob Ford, Glyn Jones and Chris McGuinness.

1. MINUTES OF THE MEETING HELD ON THE 22ND MAY, 2013

RESOLVED that the minutes of the meeting held on 22nd May, 2013 were agreed a correct record.

2. DECLARATIONS OF INTEREST, IF ANY

In accordance with the Members' Code of Conduct, the Chair, Councillor Tony Corden declared an interest by virtue of being a member of Unite.

In accordance with the Members' Code of Conduct, the Vice-Chair, Councillor David Holland declared an interest by virtue of being a member of Unite and former Regional Officer of Unison

In accordance with the Members' Code of Conduct, Councillor Glyn Jones declared an interest by virtue of being a member of Unite.

3. EXCLUSION OF PUBLIC AND PRESS

RESOLVED that the public and press be excluded from the remaining proceedings of the meeting in accordance with Section 100(A)(4) of the Local Government Act 1972, as amended, on the grounds that exempt information as defined in Paragraph 4 of Schedule 12A of the Act is likely to be disclosed.

4. FORMAL DISPUTE – SOCIAL EDUCATION CENTRE STAFFING REMOVAL OF MIDDAY MEAL

The Sub-Committee considered the basis of a dispute submitted jointly by the GMB, Unison and Unite Trade Unions in line with the Council's Disputes Resolution Procedure.

At the commencement of the hearing, the Chair made introductions and outlined the procedure to be followed.

Members received a report which contained the reason for dispute submitted by Trade Unions, details of steps taken to try to resolve the matter before the dispute had been declared, and details of the steps taken at Stage 1 of the Disputes Resolution Procedure.

Following representations from both parties the Sub-committee deliberated in private.

The Sub-Committee, having considered the basis of the dispute submitted by Trade Unions and having taken into account the verbal representations, made the following decision:-

RESOLVED that having considered all information and supporting case discussions today and in accordance with the Council's Dispute Resolution Procedure, under point 3.2.9 (c), the Sub-Committee identified and agreed their own outcomes which were as follows:-

- (1) As soon as is reasonably practicable, management will implement the new working rotas to ensure compliance with the Working Time Regulations 1998;
- (2) The Sub-Committee are not persuaded that a 'buy out' is appropriate for the withdrawal of the meal in lieu of a break and working with Service Users, but do recognise previous inappropriate working practices. Therefore, the Sub-Committee requested that HR officers and the Union Representatives hold further discussions with a view to reaching a suitable settlement to be completed within 28 days; and
- (3) The outcome of those discussions be brought back to the Sub-Committee for decision on the first available date after those further discussions have been concluded. Together with confirmation of the progress in implementing the new working practices.