

**Terms of reference for:**

1. Local Joint Negotiating & Consultative Committee
2. Learning & Development Panel
3. Standards Committee (Recruitment Of Independent Persons Panel)
4. Standards Committee (Assessment Panel)
5. Leaders Policy Development Board

## LOCAL JOINT NEGOTIATING CONSULTATIVE COMMITTEE

### TERMS OF REFERENCE AND CONSTITUTION FOR EMPLOYEES EMPLOYED UNDER N.J.C. FOR LOCAL GOVERNMENT SERVICES TERMS AND CONDITIONS OF EMPLOYMENT

#### **TITLE**

The Committee is a consultative Committee and shall be named the Local Joint Negotiating and Consultative Committee for N.J.C. for Local Government Services Employees.

#### **SCOPE**

The functions of the Local Joint Negotiating Consultative Committee shall relate to all employees of Hyndburn Borough Council within the scope of the N.J.C. for Local Government Services.

#### **MEMBERSHIP**

The Council will be allocated the following seats:

Leader of the Council or his/her delegated representative, who will chair the LJNCC.

Leader of the Opposition or his/her delegated representative.

One Member from the Council's controlling group

The Council side will be supported by the Executive Director (Legal & Democratic Services) and / or the Head of Policy & Organisational Development. Departmental nominees may attend to respond to agenda items.

The Unions will be allocated the following seats:

UNISON	4 Seats
T & GWU	1 Seat
GMB	1 Seat

Any **Trade Union** member of the L.J.N.C.C. may be represented at a meeting by a substitute, provided that such a substitute has been duly appointed by the appropriate trade union.

If a member of the L.J.N.C.C. ceases to be an employee of the Council or a trade union representative he/she shall cease to be a member of the L.J.N.C.C. On occurrence of a vacancy, a new member shall be appointed by the body in whose representation the vacancy occurs and shall be a member until the end of the period for which the previous member was appointed.

Each L.J.N.C.C. shall be supported by the Head of Policy & Organisational Development or their nominated representative. Departmental nominees will attend to respond to agenda items. The Executive Director (Legal and Democratic Services) shall nominate an employee from the Member Services section to service and timetable the Committee.

## **FUNCTIONS**

The L.J.N.C.C.'s guiding functions and principles are to support and encourage:

- a spirit of co-operation
- high quality services delivered by a well trained, motivated workforce in a climate of security of employment. To this end the Council endeavours to provide training and development opportunities for all its employees subject to its set budget constraints;
- equal opportunities in employment and the removal of all discrimination.; equality is a core principle which underpins both service delivery and employment relations;
- a flexible approach to providing services to the community, which where possible meets the needs of employees as well as the employers;
- stable industrial relations, negotiation and consultation between the Council and recognised trade unions;
- the development of local agreements on pay and conditions within the framework of relevant national and regional agreements;
- the application of employment legislation through policy development

Where any matter relates to any particular employee this shall **not** be considered by the L.J.N.C.C. The Council's grievance procedure is the correct vehicle for employees raising matters of concern.

In the event of a dispute over terms and conditions of employment arising between the two sides of the Council the dispute shall, if requested by either side, be referred for settlement by arbitration. The arbitration shall be accepted by both sides and shall be treated as though it was an agreement between the two sides.

## **CONDUCT OF BUSINESS**

Attendance of non-members in an advisory capacity;

Other officers or member of the Trade Unions or other persons with specialist knowledge, may attend meetings in an advisory capacity, by invitation on either side, but they may only speak with the agreement of the Chair of the meeting.

Full time officials of the relevant recognised Trade Unions may also attend meetings in an advisory capacity or as a substitute representative.

## **CHAIR AND VICE CHAIR**

The Chair and Vice-Chair shall be appointed annually on a rotation basis. The Chair will be nominated by management and may be the elected member or the Executive Director (Legal & Democratic Services), with the Vice-Chair being elected by the staff side.

The Chair shall preside at the meetings. In the absence of the Chair the Vice-Chair shall preside over the meeting.

## **MEETINGS & PAPERWORK**

Meetings will be held quarterly.

Any scheduled meeting of the L.J.N.C.C. may be cancelled where the Chair, Executive Director (Legal & Democratic Services) and Vice Chair agree to the cancellation.

The Executive Director (Legal & Democratic Services) must be notified of the matters to be considered at any scheduled meeting at least 7 working days in advance. At the same time, the management/trade union representatives requesting the item to be considered by the L.J.N.C.C. must also provide a brief written statement relating to each item.

These statements will be supplied (by the originator(s)) to both parties – see Appendix 1. Where the statement concerns a particular service area, the relative Chief Officer (or vice versa the relative Trade Union representative) will be responsible for supplying any further written comments for consideration from their own viewpoint.

Other than in very exceptional circumstances the only business to be considered at any meeting is that which has been notified. Other business may only be considered if the item is admitted by the Chair or Vice-Chair of the meeting

## **RESOLUTION OF ISSUES**

Where a resolution cannot be agreed at the meeting, the options available to either party are:

- a) refer the matter to the Chief Executive (should this fall within his delegated powers) for re-consideration in the first instance prior to either side registering a failure to agree.
- b) refer the matter to Cabinet and then to Council to determine final approach where changes to terms and conditions occur
- c) to call in ACAS to assist in resolution if all parties are agreeable
- d) register a failure to agree with the option to bring in the Joint Secretaries to deal with matters of interpretation.

## **MINUTES**

The Minutes of each meeting shall be submitted to attendees and the Portfolio Holder for information. The L.J.N.C.C. may also submit recommendations through the Portfolio Holder for Policy and Corporate Governance.

## **QUORUM**

The quorum of the L.J.N.C.C. shall be TWO representatives of each side.

## **CONFIDENTIALITY**

Members of the L.J.N.C.C. shall have full regard to the Council's Code of Conduct if confidential information is made available to them in the course of consultation.

## **AGENDA ITEMS**

Where an issue has been unable to be resolved at departmental level and requires the intervention of the LJNCC, the representative/officer requesting the agenda item should submit this completed form to the Head of Policy & Organisational Development.

## **LEARNING & DEVELOPMENT PANEL**

**REPORTS TO:** **Leader and Cabinet**

**MEMBERSHIP:** **5 Councillors**

### **TERMS OF REFERENCE**

- To support the review and development of organisational learning and development strategies for elected members
- To enable councillors and officers to discuss and promote issues relating to the planning, delivery and evaluation of member development activities
- To assist in identifying elected member training needs and providing information on resources
- To monitor and evaluate performance regarding elected member development to ensure that all activities are planned and implemented within agreed budgets
- To benchmark and improve activities against quality standards such as the North West Charter on Elected Member Development

**STANDARDS COMMITTEE**  
**(RECRUITMENT OF INDEPENDENT PERSONS PANEL)**

**Membership:** 2 members of Standards Committee.

**Reports To:** Council

**Terms of Reference**

To assist in the recruitment of independent members of the Council's Standard's Committee by shortlisting and interviewing applicants and making recommendations for appointment to the Council.

**STANDARDS COMMITTEE**  
**(ASSESSMENT PANEL)**

**Membership**

For matters relating to Hyndburn Borough Council 2 members, plus one independent person

For matters relating to Altham Parish Council 2 members, plus 1 independent person and 1 parish representative

**Main Terms of Reference**

To undertake an initial assessment of complaints of breach of the member code of conduct in respect of members of Hyndburn Borough Council and Altham Parish Council and to determine whether the complaint merits investigation

**Detailed Terms of Reference**

1. To receive allegations that a councillor or parish councillor is in breach of the member code of conduct and to determine:
  - (a) That the allegation should be referred to the monitoring officer for investigation or with a direction to take some other action; or
  - (b) That no action be taken.
2. At its discretion, to refer an allegation to another relevant authority where the allegation relates to a person who is no longer a member of the Council or the Parish Council but is a member or co-opted member of that other relevant authority.
3. To determine whether any request for confidentiality on the part of the complainant should be granted and to what extent.

## **LEADER'S POLICY DEVELOPMENT BOARD**

**Reports To:** Leader and Cabinet

**Membership:** 6 (Leader and Deputy Leader of the Council, plus one other Cabinet member, together with the Leader and Deputy Leader of the Main Opposition Group and the Leader of any other political groups represented on the Council).

### **Terms of Reference**

- To monitor and review:
  - the implementation of modernised political management structures within the Council.
  - the operation and effectiveness of the Council's constitution
- any recommendations from the Council's Independent Remuneration Panel and the operation and administration of the Council's members allowances scheme
- To assist the Leader of the Council to monitor and review the delivery and performance of any services within his portfolio
- To assist the Leader of the Council to consider and formulate proposals for the development and amendment of plans, policies and strategies within his portfolio
- To make recommendations to the Leader and Cabinet (as appropriate) in respect of the above.

## **LOCAL PLAN MEMBER WORKING GROUP**

**Reports To:** Council

**Membership:** 6 councillors

### **Terms of Reference**

- To support the development of the new Local Plan for the Borough;
- To act as a forum for discussion with planning officers about the process for development and adoption of the new Local Plan;