

Shetland Islands Council

Employees Joint Consultative Committee - Constitution

1 Title

The Committee shall be called the Shetland Islands Council Employees Joint Consultative Committee (hereinafter referred to as the Committee).

2 Representation

- (a) The Committee shall comprise eight Elected Members of the Shetland Islands Council and an equal number of employee representatives. Employee representation shall comprise eight members from the following Trade Union bodies, to be determined by the Staff Side prior to each meeting.

UNISON	4
UNITE	4
GMB	4
Nautilus	2
UCATT	1
EIS (non-teaching employees)	1

Either side may seek the Committee's agreement at the start of a meeting to allow additional members to be in attendance as observers. Observers may only participate in the discussion of agenda items with the Chairperson's approval.

- (b) Terms of Office for Council Members shall be determined by the Council. Likewise, Terms of Office for the Staff Side shall be determined by the Trade Unions. Members shall be eligible for re-appointment, subject to paragraph (c) below.
- (c) If a member of the Committee ceases to be an Elected Member or employee of the Council, that person shall immediately cease to be a member of the Committee and the vacancy shall be filled by the appropriate group.
- (d) The Chief Executive, or nominee, will attend all meetings to act in an advisory capacity.

- (e) The Committee shall meet in private, but full time officials of the Trade Unions and Council officers may attend in an advisory capacity at the request of either side.
- (f) Should a member of the Committee become aware that he or she may have an interest in a matter under discussion which could lead to a conflict of interest, it shall be incumbent on that member to declare his or her interest and to withdraw from the meeting until the matter has been disposed of.

3 Chairperson

A Chairperson and Vice-Chairperson shall be appointed each year by the Committee at the start of the first meeting after the 31st of May. If the Chairperson appointed is a member of the Council, the Vice-Chairperson shall be appointed from the Staff Side and vice versa. When neither the Chairperson nor the Vice-Chairperson is present, the Committee shall appoint an appropriate Committee member to act as Chairperson at the meeting. The Chairperson of a meeting will not have a casting vote in the appointment of office bearers.

4 Office Bearers

The Executive Manager – Governance and Law, or nominee, shall be the Secretary to the Committee.

5 Functions

The functions of the Committee shall be:

- (a) To provide a formal mechanism for open and constructive consultation to take place between the Council and its employees.
- (b) To promote the continuation of co-operation and informal processes already established between officers and Trade Union representatives, including information sharing, negotiation and consultation.
- (c) To positively influence the mainstreaming of Equality and Diversity issues across the Council and ensure, as far as possible, that this is incorporated into any policies and practices which affect employees.
- (d) To make recommendations to the Council on the application of employment terms and conditions of service and the training and development of employees of the Council.

- (e) To consider and offer recommendations on any structural re-organisation proposals requiring a Council decision, which affects the conditions of employment of the employees represented by the Staff Side of the Committee.
- (f) To provide a mechanism for implementing the elements of the Council's Corporate Plan which have human resource implications.
- (g) To provide a mechanism for employee participation in the way the Council provides its Services, including consideration of suggestions for ways in which employees can improve Services.
- (h) To provide a mechanism for the formal distribution of information to employees, as considered appropriate.
- (i) To consider any relevant matter referred to it by a Committee of the Council, or by any of the Trade Unions and to discharge such other function specially assigned to it, always with the express provision that no question of an individual employee's terms and conditions, discipline, promotion or performance can be considered by the Committee.

6 Model Rules and Regulations

- (a) The Committee shall meet regularly, in accordance with the Council's schedule of meetings.
- (b) The notice calling the meeting shall be issued with the agenda not less than seven calendar days before the date of the meeting. Items for inclusion on the agenda shall be determined in accordance with the Council's approved Committee management procedures.

The Committee will not consider any item which has been submitted after the agreed committee clearance dates, unless prior agreement has been received from the Chairperson and Vice-Chairperson of the Committee. If agreement is provided to consider a late item, the Secretary will consult with the Chief Executive before distributing the agenda papers.

- (c) A special meeting may be called by either side following a request in writing to the Secretary from no fewer than three members of the side calling the meeting. Following receipt of such a request, a meeting will be held within 14 days, wherever possible.
- (d) The quorum for the Committee shall be three on each side.
- (e) The first item to be discussed on each agenda shall be "Equality and Diversity issues".

- (f) At any time, either side may retire in private to consider any matter for such duration as may be agreed by the Committee.
- (g) The discussion of agenda items will be carried out with the aim of reaching consensus. Where consensus is not reached, the Secretary will take a note of the area of disagreement. The author of the report will then refer the area of disagreement to the Council for further consideration.

7 Minutes

The minutes of each Committee meeting will be submitted to the Council for information, having been confirmed for accuracy by the Chairperson and Vice-Chairperson. Minutes of the previous meeting will also be checked for accuracy at the start of each Committee meeting.

8 Amendment of Constitution

This Constitution may be varied or modified by agreement between the parties, following written application to the Chairman and Vice-Chairman from no fewer than three members of the side proposing the variation or modification. Any application must be submitted not less than six weeks prior to the date of the proposed variation or modification taking effect. Such variation or modification will not take effect without the consent of the Council.

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