

# **HEALTH PROTECTION AGENCY**

## **Recognition and Procedure Agreement**

### **National Joint Staff Committee – Constitution**

**1. TITLE**

The Committee shall be known as the National Joint Staff Committee (NJSC).

**2. GENERAL STATEMENT OF PRINCIPLES**

2.1. Consultation

- a) The mere passage of information is not consultation. Consultation involves an opportunity to influence decisions or, as appropriate their application. It should be conducted at a stage where the consultative process allows involvement in the decision making process with a view to reaching agreement.
- b) The Committee will provide a forum for consultation between representatives of the management of the HPA and representatives of recognised trade unions on issues affecting the interests of staff employed by the HPA with the aim of maintaining and improving employee relations.
- c) HPA management will consult at the earliest appropriate stage about any significant issue that is likely to or will have a material affect on employees. Although this list is not exhaustive, consultation will cover the following issues:
  - (i) The staffing implications of strategic planning decisions.
  - (ii) Operational decisions, especially those likely to affect job prospects or job security of particular groups or occupations.
  - (iii) The working environment, including staff facilities.
  - (iv) Human Resources Policies and Procedures.

It is acknowledged that it will not be appropriate to address all such issues through the NJSC. In such circumstances an appropriate local mechanism for consultation will be used.

- d) Whilst strategic planning decisions will not themselves be subject to consultation (although their implications for staff will be - see 2 c) i) above), such decisions will be taken in the light of the HPA's commitment to partnership working and staff involvement.

2.2 Negotiation

- a) The NJSC will be the vehicle for negotiating agreements between the HPA and the Unions.
- b) The issues which have been identified as appropriate for negotiation are:

- (i) Pay and other terms and conditions of employment within the delegated authority of the HPA.
- (ii) Facilities arrangements for accredited employee representatives.
- (iii) Negotiation and consultation machinery.
- (iv) Any other issues identified for negotiation for the purpose of reaching agreement and avoiding disputes.

### 2.3 Information

- a) The committee will provide a mechanism for Management to communicate information to staff representatives as appropriate.
- b) (i) Management will provide to the NJSC such information as is reasonably necessary to allow meaningful consultation to take place and disclosure of information for collective bargaining purposes will be in accordance with the ACAS Code of Practice for Disclosure of Information and the provisions of the Trade Unions and Labour Relations (Consolidation) Act 1992.
- (ii) Where information is identified as commercially sensitive or otherwise confidential the staff side will guarantee to maintain confidentiality in such circumstances.
- (iii) The staff side may request additional information. Such requests should be made in writing, specifying what information is required and for what purpose, and the date by which it is required. Wherever possible requests for information will be met dependent upon existing workloads and priorities in the relevant department and the staff side will endeavour to give adequate notice to assist with this process.

## 3. **LIMITS OF AUTHORITY**

3.1 The NJSC must not be used:

- a) as a means of by-passing line managers or any other formal or informal means of communication;
- b) for matters more appropriately dealt with through other appropriate procedures.

3.2 Nothing in this document shall prejudice the right of any recognised Staff Organisation to be consulted by, or negotiate with, management on any appropriate subject.

## 4. **CONCILIATION**

If the NJSC fails to reach agreement either party may refer the issue for conciliation to ACAS or to some mutually acceptable person or organisation in an attempt to find a solution in line with the provisions of the HPA's Disputes procedure.

## **5. MEMBERSHIP**

### **5.1 Staff Side**

- a) Membership of the Staff Side of the NJSC will be open only to employees of the HPA and who are accredited representatives of the nationally recognised Organisations listed in Paragraph 1.2 of the Recognition and Procedure Agreement.
- b) The Staff Side shall comprise one member from each of the recognised Unions and five additional members to be determined by the Staff Side.
- c) Representatives (and their deputies) shall have been elected under the rules of their respective organisations and their names notified in writing to the Director of Human Resources.
- d) Staff Side members shall retire from the Committee on ceasing to be accredited representatives of the Unions by which they were appointed or on ceasing to be employees whichever is the earlier.

### **5.2 Management Side**

- The Chief Executive
- The Director of Human Resources
- The Deputy Director of Human Resources
- Five other Executive Directors
- A representative of the Finance Division
- A member of the Human Resources Division (committee secretary)

### **5.3 Deputies**

Both Staff Side and Management Side should nominate deputies to attend meetings on their behalf when they are unavoidably absent.

### **5.4 Co-optees**

Both sides of the Committee may co-opt experts by prior mutual agreement for particular specific issues and for individual meetings (including trade union full time officers) such co-optees will not be full members of the committee and will assist in an advisory capacity only.

## **6. OFFICERS**

- 6.1 The Chair of the Committee shall be the Chief Executive and the Deputy Chairman shall be the Director of Human Resources.
- 6.2 The Secretary of the Committee shall be a member of the Human Resources Division.
- 6.3 There shall be a Staff Side Chair and Secretary who shall be elected by the Staff Side members of the NJSC.

## **7. QUORUM**

At all meetings, the quorum of the Committee shall be not less than 50% of each of the staff and management sides of the Committee unless alternative arrangements agreed by both sides of the committee.

## **8. ADMINISTRATION**

### **8.1 Meetings**

There shall normally be four meetings per year.

### **8.2 Agenda**

The Secretary of the Committee shall agree an agenda with the Staff Side Secretary and shall circulate it, with all related papers, to accredited members of the Committee, normally a minimum of ten working days before the meeting. The agenda shall provide for the taking of any other business at the end of the meeting. However both sides of the committee will endeavour to keep such matters to a minimum and where possible the joint secretaries will liaise before the meeting to enable a meaningful dialogue to take place at the committee meeting.

### **8.3 Minutes**

Minutes of the meeting shall be prepared by the Secretary of the Committee in consultation with the Staff Side Secretary. Once agreed by the Secretaries and the Chair of the Committee, they will be circulated to all members of the committee and made available to all members of staff normally no later than 10 working days before the date of the following meeting. The minutes will also be presented for information to the next convenient meeting of the HPA Board.

## **9. SUB COMMITTEES**

Sub Committees may by agreement between the Staff and Management sides be appointed by the NJSC to deal with any relevant issues as defined in the General Statement of Principles and will report back to the full committee. The membership of the Sub Committees will be drawn from the NJSC itself or co-optees.

## **10. FACILITIES FOR COMMITTEE MEMBERS**

The HPA will provide reasonable facilities to members of the Committee for the conduct of NJSC business including: -

- a) Time during normal working hours to conduct a pre-meeting prior to the full NJSC meeting and other reasonable preparation time
- b) Paid time away from their normal duties to attend the meetings of the NJSC.

- c) Meeting all reasonable receipted expenses of members of the Committee in connection with attendance at Committee meetings.

## **11. AMENDMENTS TO THE CONSTITUTION**

- 11.1 A minimum of 2 months' written notice shall be required proposing amendments to the constitution, which shall be discussed at the following ordinary meeting of the Committee.
- 11.2 The agreement of both Sides of the Committee will be required to change the constitution.