

SAFETY CONSULTATION FRAMEWORK

PARTNERSHIP AGREEMENT

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1. THE PARTNERSHIP AGREEMENT

This partnership agreement is made between the City of Bradford Metropolitan District Council (the Council) and the recognised Trade Unions representing all employees of the Council.

This partnership agreement provides a framework to enable the Council and the Trade Unions to fulfil their obligations under Health & Safety legislation.

Principles and Objectives of the Partnership

The approach is based upon a willingness and commitment to:

- Develop a culture of responsibility and trust
- Recognise and understand the roles and responsibilities of both parties
- A co-operative approach to joint problem solving
- An informal consultation and negotiation style.
- A record of decisions and/or disagreements through the production of written action points

2. CONSULTATION COMMITMENT STATEMENT

The Council is committed to consult with the recognised Trade Unions on the arrangements within the Council's Health and Safety Policy and on the effective operation of Safety Committee arrangements.

This agreement is designed to ensure that management and Safety Representatives have a clear understanding of the consultation procedures within which they will operate when they are carrying out the Safety Representative's role and functions.

This agreement is designed to improve communication and co-operation between employer and employee and as such it is important that management consult with Safety Representatives in good time on safety matters that may affect the health and safety of the employees represented.

Such consultations shall include:-

- (i) The introduction of any measures at the workplace which may substantially affect the health and safety of any employees that the safety representatives concerned represent.
- (ii) Any changes in the arrangements for effective planning, organisation control, monitoring or review of health and safety.
- (iii) Any health and safety information required by law to be provided to the employees concerned.
- (iv) The planning and organisation of any health and safety training required by law, to be provided to the employees concerned.
- (v) The health and safety consequences for the employees concerned regarding the introduction (including the planning thereof) of new technologies into the workplace.

3. TRAINING COMMITMENT STATEMENT

The Council is committed to providing time off for Health & Safety Representatives to undertake appropriate training course to allow them to undertake their role effectively.

The Council will also provide time off for other training agreed as appropriate.

4. ORGANISATION AND STRUCTURE

Corporate Safety Committee Constitution

Objectives and Format of Meetings

The Committee is to address health and safety issues of a corporate nature affecting the Authority as a whole, or matters involving more than one Department. It will be the forum to promote, consider, and keep under review all health, well being and safety matters affecting employees of the Council

The Committee will also:

- Study the arrangements for the Management of Health & Safety.
- Provide assistance to the management and workforce with the development of safety management systems.
- Study of Authority notifiable accidents, diseases and dangerous occurrences statistics.
- Monitoring the adequacy of safety and health communications and publicity in the workplace.
- Consider any relevant reports and or letters from the Health and Safety Executive.

Membership

Management will be represented by the HR Operations Area Manager and the Senior Occupational Safety Adviser.

Trade Union will have Representatives from the former Craft and Manual Workers Unions, the former APT&C Unions and the Teacher Unions.

Ex-Officio members e.g. Senior Occupational Health Adviser and other specialist/technical staff may be invited to attend as necessary.

Meeting Chair

The meeting will be chaired by the Assistant Director, Human Resources (or nominated alternative). The Chair is responsible for the:

- Preparation of the agenda
- Provision of a “minute secretary”
- The Committee’s effective operation
- Outcomes and evaluation of the actions points agreed.

Use of, frequency and location of meetings

Meetings will be up to three times per annum if required. Any party can call for an emergency meeting and that meeting will normally take place within 10 working days

Agenda items will be notified in writing to the Senior Occupational Safety Adviser at least ten working days prior to the date of the next committee meeting.

A Trade Union pre-meeting prior to the full meeting will be arranged to allow them to prepare for the meeting. The room booking for each meeting will be extended to allow for this pre meeting to take place.

Record of Meetings

A record of the meetings will provide a summary of key points discussed with brief details of the current position of both and any agreed action points. These records will be made available to view on Bradnet.

Once discussions have ended on a particular topic this will be formally recorded on the record.

Council Departmental & Service Level Safety Committees

The Need for Regular Meetings

Departments and Services may establish a regular Safety Committee where the amount of business warrants it. Where it does not, see 'Alternative Arrangements' on next page.

Meetings on Request

Departments and Services will establish a Safety Committee when at least two Safety Representatives within a Department request a committee. Requests should be made to the appropriate Strategic Director or Assistant Director who will consult with the Safety Representatives who made the request and the management concerned.

A notice stating the composition of the committee and its constitution shall be brought to the attention of the employees covered by the committee.

The committee shall be established not later than three months after the request.

Objectives and Format of Meetings

The primary role of this Committee is to discuss Departmental or Service safety issues. Issues raised which may have an impact on more than one department will be referred to the Corporate Committee. Issues referred from the Corporate Committee will also be discussed.

The objective of the Departmental/Service Committee is to promote the co-operation between employer and employee representatives instigating, developing and carrying out measures to ensure the health and safety at work of all employees.

Constitution

A constitution should be agreed which addresses the following issues:-

- Membership;
- Chair;
- Secretary;
- Meetings;
- Terms of Reference;
- Functions of the Committee.

Membership

Management will be represented by the Strategic Director or Assistant Director (or nominated representative), with professional support being offered by Human Resources, as required.

Senior Officers responsible for Services within the department can be invited to the meeting based on the subjects under discussion.

Trade Union will have Representatives from the former Craft and Manual Workers Unions, the former APT&C Unions and the Teacher Unions, as appropriate.

Ex-Officio members, Senior Occupational Safety Adviser (or nominated alternative) and other specialist/technical staff may be invited to attend as necessary.

Meeting Chair

The Strategic Director/Assistant Director (or nominated representative) will chair the meeting

The Chair is responsible for the:

- Preparation of the agenda
- Provision from within the Department, of a "minute secretary"
- The Committee's effective operation
- Outcomes and evaluation of the actions points agreed.

Use of, frequency and location of meetings

It is anticipated that meetings will be arranged on a 6 monthly basis as a minimum. Future meetings will be jointly agreed at the end of the meeting based on the agenda items under discussion.

Record of Meetings

A record from the meetings will provide a summary of key points discussed with brief details of the current position of both parties and any agreed action points. They will be circulated to Management and Trade Union representatives and also be made available to staff within the department.

Once discussions are finalised on a particular topic this will be formally recorded for the record.

Alternative Arrangements

These arrangements can apply where there is insufficient business for a separate regular Safety Committee.

In certain departments/services it may be more appropriate for Safety items to be considered at the normal Departmental or Service OJC meeting.

In this case a standard Safety item must be placed on the OJC Agenda at every meeting.

Where a Safety item cannot be resolved it can be elevated to the next level, either the Departmental Safety Committee (where one exists) or OJC meeting.

If the item is not resolved at that level, then the matter can be referred to the Corporate Safety Committee.

Schools Safety Committee

Membership and Constitution

One member from each Union and the Area Safety Representatives.

Members appointed by Management will not exceed the number of employee representatives.

The Chairman will be appointed from the Management Side.

Ex-officio Members:- Senior Occupational Safety Adviser (or nominated alternative)

Other specialists within the employment of the Authority maybe co-opted as Members for particular meetings when subjects which they have expertise are to be discussed.

External specialists may be invited with the full agreement of the Committee.

Both sides will appoint Secretaries who will liaise on arrangements for meetings.

Terms of Reference

1. The Safety Committee will consider safety, health and welfare matters affecting teachers and non-teaching staff employed by the Council within educational establishments and representatives.
2. The Committee will promote co-operation between the Council and its employees in investigating, developing, operating and reviewing measures to ensure the health, safety and welfare at work of the employees.
3. The Committee is to address health and safety issues within Education services. Unresolved matters can be referred from the Committee to the appropriate Officers Joint Committee (OJC). Minutes of the Health and Safety Committee will be tabled for information at the Teacher's OJC. This does not prevent Health and Safety matters being raised as agenda items at the OJC.

Functions of the Committee

1. To consider reports submitted to the Committee by any member of the Committee.
2. To study accident and notifiable disease statistics and trends and to make reports to management on unsafe and unhealthy conditions and practices, together with recommendations for corrective action.
3. Consideration of reports and factual information provided by inspectors of enforcing authorities under the Health and Safety at Work Act.
4. To consider and make recommendations regarding the development of safety and health rules and safe systems at work.
5. To consider the effectiveness of safety training.
6. To consider the adequacy of safety and health communication and publicity in the workplace.

Meetings

The Committee shall meet termly.

A special meeting may be convened at the request of either Secretary.

Agenda items should be submitted to the Management Side Secretary at least 10 working days prior to a meeting, and should be circulated five working days before the meeting.

5. POWERS OF THE CORPORATE SAFETY COMMITTEE

The Council must decide at the outset on any Safety issue whether or not it is seeking to reach a collective agreement with the Trade Unions.

The Corporate Safety Committee is authorised to agree procedures and guidelines that implement the Council's Health and Safety at Work Policy, statutory health & safety obligations and good practice in health & safety management.

Agreement will be reached if approved by a simple majority of the Trade Union side.

The Corporate Safety Committee is not constituted to make decisions or reach agreements that amend conditions of service (contracts of employment) i.e. it cannot enter into collective agreements.

The Corporate Safety Committee can agree the draft proposals for collective agreements.

Where the Council is seeking to reach a collective agreement, e.g. where there is a requirement to vary contracts of employment or amend major agreed procedures, then proposals agreed by the Corporate Safety Committee must be referred to the relevant Officers' Joint Committee (OJC) that has the power to reach collective agreements.

Conversely, where safety items are raised at OJC, they should be referred to an appropriate level of Safety Committee.

6. RESOLUTION PROCEDURE

The 'Principle and Objectives of the Partnership' (see page 2) will be utilised to seek resolutions to health and safety issues.

Service Level Committees:

If after full discussion, no resolution can be reached at the service level committee, or where the issue has departmental implications, the chair of the committee will be responsible for referring the matter to the departmental level committee.

The departmental level committee will arrange to discuss the issue at their next meeting or arrange a special meeting if the matter is urgent.

Departmental Level Committees:

Where a service level issue is resolved, the chair of the departmental committee (in this case, the chair must be the Strategic Director) will be responsible for advising the service level committee chair of the outcome of those discussions. They in turn will inform the service level committee members.

If after full discussion, no resolution can be reached at the Department level committee and having involved the Senior Occupational Safety Adviser, a decision will be taken and implemented by the Strategic Director. Full reasons for the decision will be provided to the committee members before implementation.

Except in those cases where the issue affects more than one department, in which case the issue will be referred to the corporate level committee.

Corporate Level Committee:

Where a service/departmental level issue is resolved, the chair of the corporate committee will be responsible for advising the service/departmental level committee chair of the outcome of those discussions. They in turn will inform the service/departmental level committee members.

Where a consensus cannot be achieved at the corporate safety committee, a decision will be taken by the Chair of the Corporate Committee, in liaison with the relevant Strategic Director. Full reasons for the decision will be provided to the Corporate Committee before implementation

This is the final stage of the resolution procedure, unless a collective agreement is being sought, in which case the agreed OJC1 consultation and negotiation procedures will apply.

Press Statements

During the whole of the process prior to (or up to and including) the issue being referred to the JCC or it is mutually agreed that the procedure is exhausted, all press statements and comments will be on a jointly agreed basis. Once the procedure is exhausted then each party is free to act as they see fit.

Status Quo

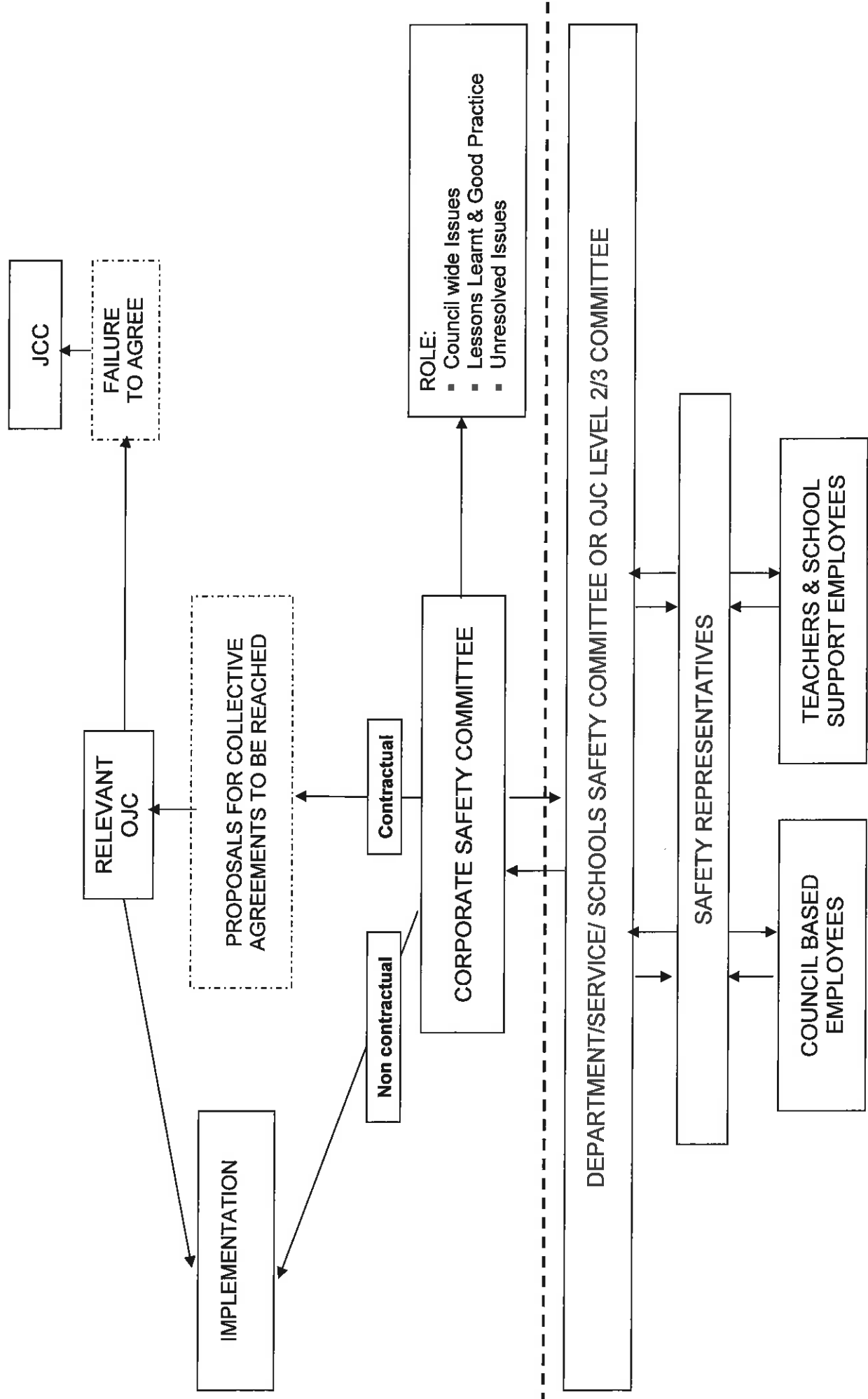
This is defined as the policy, procedure or condition of service that applied immediately prior to an issue being formally referred to the final stage of the resolution procedure.

Amendment and/or Termination of Agreement

The agreement will only be amended by mutual consent of the parties.

Either party may give 6 month's prior notice in writing to the other parties to terminate this agreement.

SAFETY CONSULTATION FRAMEWORK



Document Sign off

Chairperson - (Bradford Council)

Name - M. P. Mearns Signature [Signature]

Trade Union

Name of Union NASUWT Signature [Signature]

Name of Union ATL Signature [Signature]

Name of Union UNISON Signature [Signature]

Name of Union GMB Signature [Signature]

Name of Union UNISON Signature [Signature]

Name of Union NOT Signature [Signature]

Name of Union..... Signature.....

