

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

5 MARCH 2009

**REPORT OF CORPORATE
MANAGEMENT TEAM**

COUNCIL DECISION

**Corporate Management and Finance – Lead Cabinet Member – Councillor
Laing**

TEACHERS' JOINT CONSULTATIVE PANEL

1. Summary

To consider proposal for the creation of a new consultative Panel to replace the Teachers Joint Consultative Panel.

2. Recommendations

That Cabinet recommend to Council that:-

1. the Teachers' Joint Consultative Panel be discontinued
2. a Schools' Workforce Joint Consultative Panel (including centrally Employed Teachers) be constituted and its Terms of Reference as detailed at appendix 2 be approved.
3. necessary amendments be made to the Constitution.
4. the operation of the Panel be reviewed in 12months.

3. Reasons for the Recommendations/Decision(s)

To establish an appropriate forum to facilitate dialogue between elected Members, School Workforce representatives and officers of the Council.

4. Members' Interests

Members (including co-opted Members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (**paragraph 8**) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;
- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (**paragraph 12 of the Code**).

Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc; whether or not they are a Member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.

AGENDA ITEM

REPORT TO CABINET

5 MARCH 2009

**REPORT OF CORPORATE
MANAGEMENT TEAM**

COUNCIL DECISION

TEACHERS' JOINT CONSULTATIVE PANEL

SUMMARY

To consider proposal for the creation of a new consultative Panel to replace the Teachers' Joint Consultative Panel.

RECOMMENDATIONS

That Cabinet recommend to Council that:-

1. the Teachers' Joint Consultative Panel be discontinued
2. a Schools' Workforce Joint Consultative Panel (including centrally Employed Teachers) be established and its Terms of Reference as detailed at **Appendix 2** be approved.
3. necessary amendments be made to the Constitution.
4. the operation of the Panel be reviewed in 12months.

DETAIL

1. The Teachers' Joint Consultative Panel's Terms of Reference state that 'it is a forum for discussion of issues of mutual interest to elected Members, representatives of teacher organisations and officers of the Council'. A full copy of the Terms of Reference is attached at **Appendix 1**.
2. Included in the Terms of Reference is a mechanism for items to be submitted to the Panel for discussion. Unfortunately there have been no items submitted for consideration, for some considerable time, and during that time the Panel has not met. Clearly, given these circumstances, consideration needs to be given to its future operation and possible options in this regard.
3. The issue was initially discussed at a meeting between school staff representatives and officers from Children, Education and Social Care. Staff representatives indicated that they would support the continuation of the Panel in some form as they felt that its role, as a link between school staff and elected members, to discuss 'issues of mutual interest', was important and would be of great benefit to union representatives and elected members. They felt that it would be particularly beneficial over the coming years, when relevant issues related to the introduction of Building Schools for the Future could be discussed.

4. In supporting the continuation of the Panel, staff representatives requested that consideration be given to extending its membership and suggested that it be amended to include all school workforce union representatives i.e to include teaching and school support staff reps.
5. At a meeting of the Teachers Joint Consultative Panel (TJCP), called to specifically discuss its future operation, Members considered possible ways forward. The Panel was provided with a draft Terms of Reference, which reflected comments made by school workforce representatives. The report also made suggestions relating to the introduction of an annual work programme and an amended agenda management process.
6. In addition to the above, Members also considered the possibility of merging the Panel with the Council's Local Joint Consultative Panel (LJCP). The LJCP fulfils a very similar role to the Teachers Panel, but it considers issues associated with staff from services not directly connected to schools. Staff union representation on the Panel reflects this. It was suggested that there could be benefits to a merger, including the widening of debate on issues, cutting down on duplication and reducing the number of meetings necessary.
7. The Panel discussed the options presented and, whilst recognising that there were merits in the merger suggestion, felt that the Schools' agenda was currently large enough to justify a separate forum. There were concerns that meetings of such a merged Panel could be quite protracted. It was considered that separate meetings were still the most appropriate way to consider relevant issues for both Panels. The Panel did, however, agree that staff representation should include all school workforce staff, not just teaching. It was also agreed that suggestions relating to the formation of an annual work programme and a new agenda management process were positive.
8. During further consideration of the Panel's Membership it was agreed that the two largest unions, the National Association of School Masters and Women Teachers (NASUWT) and the National Union of Teachers (NUT), should have two representatives each. This would result in 11 staff representatives serving on the Panel.
9. Recognising that the Panel was for consultative purposes only, Council Members, present at the meeting, indicated that they were happy that Council representation should remain at 7.
10. Attached to this report, at **Appendix 2**, is a proposed Terms of Reference, which reflects the discussions detailed above.
11. Given the proposed changes, detailed above and in **Appendix 2**, it would be necessary for Council to agree that the Teachers Joint Consultative Panel be discontinued and a Schools' Workforce Joint Consultative Panel (including centrally employed Teachers) be established. Minutes of the Panel would be forwarded to Full Council for information.

FINANCIAL IMPLICATIONS

12. There are no financial implications attached to this decision.

LEGAL IMPLICATIONS

13. There are no legal implication attached to this decision.

RISK ASSESSMENT

14. This is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

SUSTAINABLE COMMUNITY STRATEGY IMPLICATIONS

15. As the establishment of the Schools' Workforce Panel will contribute to effective consultation on issues affecting schools, it is considered that it will have a positive effect on the Children and Young People theme.

EQUALITIES IMPACT ASSESSMENT

16. This report is not subject to an Equality Impact Assessment because it does not involve the introduction of a policy or service.

CONSULTATION INCLUDING WARD/COUNCILLORS

17. Consultation has been undertaken with relevant Officers and School Staff Union Representatives.
18. A report was submitted to Teachers Joint Consultative Panel.
19. Relevant Cabinet Member has been consulted.

Name of Contact Officer: Michael Henderson

Post Title: Democratic Services Officer

Telephone No. 01642 528173

Email Address:

Education related? - Yes

Background Papers –

Minutes of Teachers' Joint Consultative Panel held on 2nd February 2009

Ward(s) and Ward Councillors: Not Ward Specific

Property - None

TEACHERS JOINT CONSULTATIVE PANEL**Remit of the Panel**

The Teachers Joint Consultative Panel will provide a forum for discussion of issues of mutual interest to: -

- elected Members of Stockton-on-Tees Borough Council
- Officers of Stockton-on-Tees Borough Council
- Representatives of Teacher Organisations

Membership of the Panel

Membership of the Panel will comprise seven elected Members of Stockton-on-Tees Borough Council (who will be nominated annually at the Annual Meeting of the Council) and representatives from:-

- National Association of School Masters & Women Teachers (NASUWT)
- National Union of Teachers (NUT)
- Association of Teachers & Lecturers (ATL)
- Secondary Heads Association (SHA)
- National Association of Teachers in Further & Higher Education (NATFHE)
- National Association of Head Teachers (NAHT)
- Professional Association of Teachers (PAT)

Appointment of Chairman

The Chair and Vice Chair shall be appointed by the Panel at the first meeting in each Municipal Year. If the Chair is a member of the Authority, the vice Chair shall be appointed from the Employees' side and vice versa. The roles shall rotate annually.

Agenda Management

Any member of the Panel may suggest items for inclusion on the Agenda of Panel meetings. However, decisions relating to the appropriateness of items for inclusion will be made by the Chair in consultation with the Vice-Chair. Items will be submitted via a pro-forma which is attached at Appendix A to the Terms of Reference – completed pro-formas should be submitted to the Democratic Services Unit, Stockton on Tees Borough Council at least two weeks prior to the date of the meeting. Pro-formas can be submitted via e-mail.

Secretariat

Secretarial support will be provided by the Democratic Services Unit, Stockton-on-Tees Borough Council.

Frequency of Meetings

The Panel will meet 3 times per annum. Additional meetings may be held at the discretion of the Chair.

SCHOOLS' WORKFORCE JOINT CONSULTATIVE PANEL (INCLUDING CENTRALLY EMPLOYED TEACHERS)

Remit of the Panel

The Schools' Workforce Joint Consultative Panel will provide a forum for discussion of issues of mutual interest to: -

- elected Members of Stockton-on-Tees Borough Council
- Officers of Stockton-on-Tees Borough Council
- Representatives of School Workforce Organisations

Membership of the Panel

Membership of the Panel will comprise seven elected Members of Stockton-on-Tees Borough Council (who will be nominated annually at the Annual Meeting of the Council) and representatives from:-

National Association of School Masters & Women Teachers (NASUWT) (2 reps)
National Union of Teachers (NUT) (2 reps)
Association of Teachers & Lecturers (ATL)
National Association of Headteachers (NAHT)
Association of School and College Leaders (ASCL)
Voice
UNISON
GMB
Unite

Appointment of Chairman

The Chair and Vice Chair shall be appointed by the Panel at the first meeting in each Municipal Year. If the Chair is a member of the Authority, the vice Chair shall be appointed from the Employees' side and vice versa. The roles shall rotate annually.

Agenda Management

The Panel will establish and approve, at its first meeting of the Municipal Year, or as soon as practicable, a work programme for that year.

In addition, during the course of the year, any member of the Panel may suggest items for inclusion on the work programme. These items may be suggested at the conclusion of a meeting of the Panel and be considered for inclusion at that time. Outside of meetings items may be submitted, for inclusion on the next meetings agenda, via a pro-forma which is attached at Appendix A to the Terms of Reference – completed pro-formas should be submitted to the Democratic Services Unit, Stockton on Tees Borough Council at least two weeks prior to the date of the meeting. Pro-formas can be submitted via e-mail. The Chair, in consultation with the Vice-Chair will make decisions relating to the appropriateness of items submitted in this way.

Secretariat

Secretarial support will be provided by the Democratic Services Unit, Stockton-on-Tees Borough Council.

Frequency of Meetings

democratic services/Teachers JCP TOR

The Panel will meet 3 times per annum. Additional meetings may be held at the discretion of the Chair.

SCHOOLS' WORKFORCE JOINT CONSULTATIVE PANEL

ITEMS FOR SUBMISSION TO PANEL MEETING

DATE OF MEETING	ITEM FOR DISCUSSION	PURPOSE OF DISCUSSION (i.e. for information, debate etc)	Name of Panel Member proposing the item for discussion