



**Clackmannanshire
Council**



Falkirk Council

**Minute of the Joint Staff Forum held on Thursday 3rd August 2017
Kilncraigs, Alloa**

Present: Shiona Strachan - Chief Officer – Clackmannanshire & Stirling HSCP (SS)
Karen Algie, HR - Falkirk Council (KA)
David O'Connor, UNISON (DO'C)
Pam Robertson, UNISON, Clackmannanshire Council (PR)
Lorraine Thomson, UNISON, Stirling Council (LT)
Jim Robb, Service Manager, Clackmannanshire & Stirling HSCP (JR)
Kathy O'Neill NHS Forth Valley (KO'N)
Brian Wilson, GMB Stirling (BW)
Tom Hart, UNISON, NHS Forth Valley (TH)
Alan Milliken, Senior Manager, Communities & People, Stirling Council (AM)
Kristine Johnson, HR – Stirling Council (KJ)
Chris Alliston, HR – Clackmannanshire Council (CA)
Alison Richmond-Ferns, HR, NHS Forth Valley (ARF)
Patricia Cassidy, Chief Officer – Falkirk HSCP (PC)
Abigail Robertson, UNISON, Stirling Council (AR)
Gordon Irvine, UNITE, Falkirk Council (GI)

1. Welcome and Introductions:

Pam Robertson was Chair and welcomed all to the meeting.

2. Apologies for absence:

Apologies for absence were intimated from Sandra Burt, Lindsay Orr and Robert Clark.

3. Note of previous meeting – 1st June 2017:

The Joint Staff Forum approved the note of the meeting held on 1st June 2017 with two corrections;

Chris Alliston will be noted as having submitted his apologies for the meeting.

Lorraine Thomson asked if the scoping exercise on Procurement had been undertaken and completed for Clackmannanshire & Stirling Council. If it had not been completed a request for a meeting around this be organised.

4. Integration Joint Board Update:

Falkirk

PC said that in terms of tomorrow's Integration Joint Board, the Annual Performance Report has just been published and was now available on the website. Progress on the Change programme is detailed in the report.

PC confirmed there was a projected small underspend in terms of Adult Services and a projected overspend of £1.5m in terms of Health.

Stirling

SS advised that Councillor Scott Farmer (Stirling) had recently been appointed the new Integration Joint Board Chair and said that he brought a different style of working to the role.

The Care Inspectorate had attended the last IJB and we have been advised that an Inspection will take place towards the end of 2017/beginning of 2018 on Partnership/Leadership. We will be given ten weeks notice of this. Jim Robb will lead on self-evaluation.

The Annual Performance Report will progress to the next Integration Joint Board. Shiona felt it was "pretty positive overall" with processes having been improved, although this was not consistent across all areas and there was still some work to be done.

In terms of the Care Village, Kathy O'Neill is chairing the Care Group. She said it was taking shape and had a "good feel" about it. They are now focusing more on the Care Group rather than the building work. Handover is expected to be October 2018. A report will be going to the Integration Joint Board on progress so far and to remind members there's a closure programme linked into this.

The Innovation Session went well and there will be a further session on the Digital Platform .

Learning Disability and Mental Health – Jim Robb has started process on Delayed Discharges.

Models of Neighbourhood Care – a working group has been established.

Adult Services in Clackmannanshire have now been delegated to Shiona and work will be taken forward over September/October.

Overall Financial position is that there is an overspend but we are now in Budget Recovery mode.

David O'Connor queried whether there would be a Learning Disability/Mental Health review? Jim advised a meeting was due to take place on 21st August and it would follow on from that. He will send a draft paper to the Union.

5. Report on Joint Staff/Trade Union meeting:

PR advised that everything that had been discussed was on today's Agenda.

DO'C felt the Trade Union's ability to engage was being compromised by the constituent bodies failure to grant facility time. SS said she would need some clarity on the issues involved.

6. Recruitment Protocol Progress:

KA advised this had been brought to the last Forum and then a subsequent meeting had been held on 13 June around designation of posts and who employer should be. She felt that asking individuals to take a decision on terms and conditions was detrimental to employees and therefore was not of the view that the protocol should be changed. She said we were happy to proceed as proposed for 6 months and then bring back to see if everyone is happy with the way it is going.

PR said the Trade Union totally disagreed with the Partnership's position on this.

PC pointed out this arrangement was purely for joint posts under the H&SC Partnership umbrella.

KA confirmed the National HR Working Group paper was out for comment but nothing had come back so far.

LT said it was a question of equality and the Union would not have an issue if it were to apply to *all* employees. She gave the example that a lot of people who work in local government would not be eligible for this option if moving to NHS.

PC stated that it would discriminate against employees. It is for the Chief Officer to decide an employer before advertising a post. This could potentially restrict individual's access to a post if they required to surrender their current terms and conditions.

KA advised the redundancy modification order was still a Westminster function and, while Scottish Government has raised the issue, at this stage each Partnership is looking at its own arrangements in absence of a National protocol.

PR raised the point that only *senior* Managers were allowed to pick terms and conditions but this was strongly denied by SS, PR and the HR representatives.

PR asked for a meeting to discuss this particular issue and DO'C advised he was not happy with posts being advertised on that basis, at least until the Trade Union had had a chance to take a position on it.

It was noted, in the meantime, to talk to Trade Unions at a local level on vacancies and SS, acknowledging a local solution needs to be found. The Trade Union colleagues will get back to the HR Working Group.

7. Process for Discipline & Grievance:

PR advised that the Trade Unions had put this forward and need to see about getting protocol written.

AR mentioned their experiences with the “shared service” and that front line staff grievances had “nowhere to go” when raised with managers of the employing authority.

ARF advised that a group was being pulled together to look at this and she was happy to take a couple of people on board from the Staff side.

8. Ethical Charter:

Stirling: LT advised that the paper was going to committee to be ratified and that this was a cause for celebration! They now also have the Residential Care Charter.

Clackmannanshire: PR said they had issued questionnaire and will analyse results. She doesn't foresee too many hurdles.

Falkirk: KA advised all components were being achieved and they were already a “Living Wage Foundation” Employer.

9. Procurement:

PR felt the Trade Unions needed more input into the procurement of services.

KJ said they couldn't sign up to all the proposals but will be more transparent going forward via Council Forum.

PR stated that it would create work to postpone recruitment to key posts and that she could not agree to such a postponement.

CA advised the paper was with Steven Coulter and he would provide feedback shortly.

KA said a group had now been set up around general procurement practice at local level and this included Trade Union representatives.

PR felt it would be helpful if everyone could work together on this.

SS advised that, in the case of the iHub, workshops will be established around commissioning processes and how everything fits together. This will include Trade Union representatives.

10. Joint Partnership Agreement:

KA said the National Guidance mentioned earlier had not gone anywhere in the interim. She acknowledged LT's concerns and advised she would keep Trade Union colleagues advised of developments.

11. Staff Engagement:

Falkirk: PC said there had been 7 engagement sessions with around 170 attendees in total including Third Sector staff. There is a commitment to do more around Integrated Joint Teams.

Clackmannanshire & Stirling: SS advised there will be sessions in September/October around Care Village/Models of Care. There will also be some Carers Act sessions across Clackmannanshire and Stirling.

12. Review of JSF constitution:

PR said from her point of view there was nothing in about facility times/time to attend meetings. KA will set up a small group to look at this and include Trade Union reps.

13. Feedback on Development Session:

A short discussion took place with the main comments being;

- Session was well-structured
- Uncomfortable at first but became more relaxed as it went on
- Productive and people were more open with one another
- More time needed to be set aside for main meeting afterwards
- Needed a break between that and meeting – wouldn't do again that way

14. Review of behaviour at meeting:

KA felt that it had been beneficial at the recent development session to share views on behaviour at meetings.

LT said that everyone had things to say but, at the end of the day, we were all trying to get to the right outcome.

ARF felt that on such occasions a pre-conversation would help so that issues could be anticipated in advance.

15. A.O.C.B

KJ wanted to mention the sad passing of Helen Kelly and acknowledge her significant contribution the Joint Staff Forum in the past.

Date of Next Meeting

Thursday 5th October 2017, Committee Room A, Falkirk Council, Municipal Buildings, West Bridge St, Falkirk

**Minute of the Joint Staff Forum held on Thursday 5 October 2017
Council Chambers, Falkirk Council, West Bridge Street, Falkirk**

Present: Karen Algie, HR - Falkirk Council (KA)
Chris Alliston, HR, Clackmannanshire Council (CA)
Robert Clark, UNISON, Falkirk Council (GI)
Patricia Cassidy, Chief Officer, Falkirk HSCP (PC)
Lesley Fulford, Programme Manager, Clackmannanshire & Stirling HSCP (LF)
sub for Shiona Strachan
Kristine Johnson, HR, Stirling Council (KJ)
David O'Connor, UNISON (DO'C)
Kathy O'Neill, NHS Forth Valley (KO'N)
Abigail Robertson, UNISON, Stirling Council (AR)
Pam Robertson, UNISON, Clackmannanshire Council (PR)
Linda Robertson, NHS Forth Valley (LR) – sub for Alison Richmond-Ferns
Lorraine Thomson, UNISON, Stirling Council (LT)
Brian Wilson, GMB Stirling (BW)

1. Welcome and Introductions:

Patricia Cassidy was the chair of this meeting and welcomed all to the meeting.

2. Apologies for absence:

Apologies for absence were intimated from
Alan Milliken, Senior Manager, Communities & People, Stirling Council
Jim Robb, Service Manager, Clackmannanshire & Stirling HSCP
Shiona Strachan - Chief Officer – Clackmannanshire & Stirling HSCP
Sandra Burt, Unison, Falkirk Council
Tom Hart, Unison, NHS Forth Valley

Substitutes

Lesley Fulford for Shiona Strachan
Linda Robertson for Alison Richmond-Ferns

3. Note of previous meeting – 30 August 2017

The Joint Staff Forum approved the note of the meeting held on 30 August 2017 subject to the following amendments

Alan Milliken is Senior Manager, Communities & People,
Alison Richmond Ferns, HR NHS Forth Valley
Jim Robb – Services Manager, Clackmannanshire & Stirling HSCP

The amendment to the June (01/06/17) meeting minute from Lorraine Thomson to be changed to read – Lorraine Thomson asked if the scoping exercise on Procurement had been undertaken and completed for Clackmannanshire & Stirling Council. If it had not been completed a request for a meeting around this be organised.

Item 5 – Para 2 this to be changed to Constituent bodies failure to grant facility time

Item 6 – Para 7 to be changed to Karen advised the redundancy modification order was still a Westminster function

Item 6 – Para 10 to be changed to It was noted

Item 7 Para 2 to be changed to – that Frontline staff grievances had nowhere to go when raised with managers of the employing authority

Item 10 to be changed to Joint Partnership Agreement

Item 10 Para 1 addition at end to say Would keep Trade Union colleagues advised of developments

Clackmannanshire to be written out in full and the Union to be changed to Trade Union (colleagues) where appropriate.

4. Matters Arising

Scoping Audit of Commissioning & Procurement

PC advised that Trade Union Representatives and staff are on Falkirk Strategic Planning Group (SPG) and have had extensive discussions on the Market Position Statement.

LF advised that the position was the same in Clackmannanshire & Stirling.

LF will pick up with SS

Ethical Charter - LT advised that Stirling Council had approved adoption of the Charter

Facility Time – Concerns that some members of the group are unable to attend due to work commitments and the constituent bodies' failure to grant facility time. PC advised that agreement to time off must be balanced with service requirement however, if sufficient notice of the meetings are given there should be no problems covering this. It was also noted that the FVJTC

meeting dates are known well in advance, as are the dates for this meeting. KA to pick this up with GI (Gordon Irvine)

4.1 Recruitment Protocol

This had been discussed at length at the meeting on 03/08 and also at subsequent local meetings. A letter had also been sent by Trade Union Colleagues to HR Leads and Chief Officers in August. A response had been sent in September. The main points of this discussion were as follows:

- KJ – Highlighted in the letter the Joint Future Framework 2004 – which was to highlight the arrangements that were in place and continuing. The agreement included employers simultaneously advertising vacancies and enabling employees to remain with their employer
- The Integration Joint Board is not an employer.
- LT – Have had discussions with other Trade Union Colleagues and we are way ahead of other Partnerships
- PR – Could remember the attachment process when you could apply to work with eg NHS and still be with other
- KO'N – Attachment was not used for new posts eg was used to attach clinical staff to teams (Council) and was for existing staff to be managed by other staff
- PR/BW – Unhappy with the contents of the letter referring to Joint Future Framework, felt it was pointless sending it out.
- RC - Not comfortable going forward and will refer the issue to STAC
- PR – Clackmannanshire & Stirling Joint Trade Union will lodge a dispute.
- KJ – Each job would need to be advertised on its own eg NHS advert, Stirling advert, Clackmannanshire advert & Falkirk advert and a footnote advising there was only one job. This would be an expensive process.
- LT- We are not getting anything resolved and should be referred to the national group.

As short recess was taken for Trade Union Colleagues to discuss

Following the meeting being reconvened and clarification given in terms of pensionable benefits DO'C confirmed he would take back to full time leads and provide feedback to KA.

4.2 Process for Discipline & Grievance

ARF is still trying to get a group together to discuss Discipline & Grievance processes within the Partnerships. It was noted that Discipline and Grievance matters are contractual however, KJ advised that we need to get the principles down so that all parties had an understanding on the process.

It was noted that this would be a key piece of work for the Care Village .

4.3 Procurement

Mutual understanding of where we are going on this. Trade Union recognition is required.

4.4 Joint Partnership Agreement

No discussion

5. Integration Joint Board Update

Clackmannanshire & Stirling

LF advised that the Annual Performance Report for the Clackmannanshire & Stirling Partnership had been approved by the IJB and had recently been to Stirling Council and will go forward to Clackmannanshire Council in November and has also gone to NHS Forth Valley.

The IJB annual accounts had been to the IJB 30/08/17 and had been signed off and they are available to view on the website. Membership of the IJB will also be up for renewal in March 2018 for Carers, Third Sector reps etc and a process of advertising and recruitment will be undertaken in January 2018.

There is a projected 2m overspend and are currently in budget recovery mode. Work is also progressing on the integrated structure

There will be engagement events held in Clackmannanshire (October) and Stirling (November).

Falkirk

PC advised that there is a projected underspend in Adult Services however, there is a £1.5m overspend in health. A budget recovery plan has been compiled for the IJB.

Review of eligibility of re-ablement is ongoing. TEC enabled equipment is currently being used and is cutting pending lists. This is enabling those service users with a lower level of need to be able to help themselves. This is also enabling us to focus on the bigger issues.

6. Review of JSF Constitution

A small group to be brought together to look at this – Pam Robertson, Brian Wilson, Tom Hart. A Falkirk rep to be identified.

7. Review of Behaviour at Meeting

PC - mature discussion and positive.

KJ - difficult and challenging and frustrating but also positive

DO'C – Positive and challenging

8 Any Other Competent Business

PR had concerns regarding the Care Village and felt that Clackmannanshire staff were being left behind.

AR had concerns regarding the Buurtzorg process in the rural area. She feared that this was growing arms and legs. A new post had been created with no consultation, there had also been a boundary change and she feared that Social Care staff were being swallowed up.

KO'N advised that the workforce would be coming together and that it was working on the GP Cluster Boundary

9. Date of Next Meeting

Thursday 7 December 2017, Wallace Room, old Viewforth, Stirling

Pre Meeting 2pm for staff side in Wallace Room

Pre Meeting 2pm for Trade Union Colleagues in Bruce Room

**Minute of the Joint Staff Forum held on Thursday 7 December 2017
Wallace Room, Old Viewforth, Stirling**

Present: Karen Algie, HR - Falkirk Council (KA)
Chris Alliston, HR – Clackmannanshire Council (CA)
Patricia Cassidy, Chief Officer – Falkirk HSCP (PC)
Robert Clark, Unison, NHS Forth Valley (RC)
Carol Hamilton, Service Manager, Stirling Council (CH) sub for Alan Milliken
Kristine Johnson, HR – Stirling Council (KJ) (Left at 3.05pm)
Matt McGregor, Unison Falkirk Council
David O'Connor, UNISON (DO'C)
Alison Richmond Fearn, NHS Forth Valley (ARF)
Jim Robb, Service Manager, Clackmannanshire & Stirling HSCP (JR)
Abigail Robertson, UNISON, Stirling Council (AR)
Pam Robertson, UNISON, Clackmannanshire Council (PR)
Shiona Strachan, Chief Officer, Clackmannanshire & Stirling HSCP (chair) (SS)
Lorraine Thomson, UNISON, Stirling Council (LT)
Brian Wilson, GMB Stirling (BW)

1. Welcome and Introductions:

Shiona Strachan chaired the meeting and welcomed all.

2. Apologies for absence:

Apologies for absence were intimated from
Alan Milliken, Senior Manager, Communities & People, Stirling Council

Substitutes
Carol Hamilton for Alan Milliken

3. Note of Amended minute – 30 August 2017

Agreed as amended

4. Note of previous meeting – 5 October 2017

The minute was approved subject to the following amendments

Robert Clark is UNISON, NHS Forth Valley

Item 4.1 point 3 – to be changed to 'and appear we are way ahead of other Partnerships'

Item 4.1 point 7 - to be changed to 'at NHS the employer to refer to STAC'

5. **Matters Arising (not covered in Agenda)**

Scoping Audit of Commissioning & Improvement

SS advised that she had requested a comparative list in the Local Authorities of commissioned services. She had discussions with both Councils on the way we manage and get a support services (at minute going to several different people). She would like one person that is a contact for both Councils i.e. a business partner - as it takes up a lot of time. This was not a discussion about jobs it was to simplify a process.

LT – Trade Unions need to be informed around the framework and contractor element and to be included when contractors come in

Process for Discipline & Grievance

KA advised that a communication has gone out and there will be a link. A progress report to come back to next meeting.

Brexit

KJ advised that there are 94 declared EU Nationals working in Stirling (via diversity info). Countrywide this is a significant issue – Edinburgh City have 4,000 out of 21,000 staff. They will be taking this forward and share templates etc.

It was noted that the NHS do not ask this question of staff.

KJ advised we have up to March 2019 then two years for residency. This is a risk for employers. Cost would not be covered and can take up to six months. This requires to be monitored.

JSF Admin requirements

SS advised that Clackmannanshire & Stirling Partnership had provided administration support for one year for this meeting and requested that the task is now rotated to one of the other partners.

6 **Recruitment Protocol – Feedback from TU/Staff Side**

This item has been discussed at length at the meetings of 3/08 and 5/10. The main points from the discussion were as follows:

LT – Grievance was submitted in August to each Local Authority. There has been a failure to engage and consult with the Trade Unions. There seems to be no mechanism for dealing with grievances/concerns etc. Since last meeting a post of administrator had been advertised of which the Trade Unions had no knowledge of. No protocol has been agreed

PR – There was a considerable pay differential and no case was presented to Trade Unions re creation of the post. There is no problem with recruiting staff, there is a problem with picking terms & conditions.

SS – Advised that this was a Partnership Funded Post and was impacting on the day to day running of the Partnership. The advertisement of the partnership posts were agreed by the IJB.

LT – No issue with recruitment but it needs to be sorted out nationally. Would like secondments to be looked at as a temporary solution.

RC – Advised NHS did not log a grievance. Concerns re posts i.e. if there is an NHS post and a non NHS person was successful and chose employer/not NHS then this would be a loss of a job from NHS. Feels posts should stay with constituent partner.

ARF – Has canvassed all other Partnerships and all are doing what we are.

KA – Was discussed at National HR working Group and was recognised nationally that Partnerships needed practical solutions.

PC - Thought that a decision was made and agreed at the previous meeting on 5/10.

LT – Advised at that no decision was made and it was far from agreed. Clarity was given on the pension situation.

SS – KJ had offered to meet with Trade Union colleagues and go through concerns

It was recognised that there were many differences in the room and we were not getting anywhere. KJ to meet with TU colleagues.

7 Joint Staff Forum Constitution Review

A meeting had been held to go over the Joint Staff Forum Constitution. KA had provided documents to all and the following changes were proposed by Trade Union Colleagues.

5.2 – Clarification on the Chief Officer attending

5.3 – Would like 12 instead of 8 places, to maintain attendance. – 3 from each JTUC – The JTUC decide the delegates

5.4 – This to come out and be replaced by a new paragraph

5.5 – No Change

5.6 - No Change

6.2 - Was previously HR & TU staff side members who chaired invited CO's along and now chairing – Moved on with no proper consultation.

KA will amend and send back out for agreement.

8 Review of Behaviour at Meeting

This was a better meeting environment, than the previous meeting. People need to be able to get their point across.

9 Any Other Competent Business

Update on Partnerships – this should be a main Agenda item.

Clackmannanshire & Stirling

Next Integration Joint Board meeting is 13 December 2017. There is a Chief Officer report which gives an update on current activity. This and all other relevant papers can be accessed on the NHS website. Main points to note are:

- LD & MH Review Paper
- Rationalising of buildings (in Clacks)
- SDS Review
- Primary Care Transformation Fund (PCTF) lots of ongoing activity
- Stirling Care Village – Ahead of schedule – Derek Blues (Scottish Health Council) is engaging re signage and naming
- Budget – Significant over spend approx. £1.7m. Work ongoing and will intensify in new year, budgets will be set in February. Discussions are reflected in the IJB Paper
- Removal of Assistant Team Manager in Clackmannanshire
- Awaiting letter from Care Inspectorate re dates for Inspection, likely to receive in early Jan. Inspection likely to be end of Feb/March
- Staff Engagement events had been held in October (Clacks) and November (Stirling) very well attended and positive feedback received.

Falkirk

Integration Joint Board was held on 1 December 2017. There is a Chief Officer report which gives an update on current activity. This and all other reports can be access on the NHS website. Main points to note are:

- General Medical Services Contract (GMS) is out for consultation. It is hoped there will be an event scheduled in January for both IJB's.
- Review of eligibility criteria agreed
- Engaging with Service Users and unpaid carers
- Care at Home Inspection had been undertaken in June. Disappointing as received grades 3 & 4 previously had been grade 3. A review is ongoing. There will be no decrease in staff but will look at job roles/rotas/training programme. There seems to be a mismatch of skillset. Staff engagement has been positive.
- Balanced budget in Adult Social Care. Overspend of £1.05m on health side.
- Bield closures – affecting 24 people in the Falkirk Council area

10. **Date of Next Meeting – Monday 26 February at 2.30pm. Chambers Old Viewforth, Stirling**