

West Midlands Fire Service

Joint Consultative Panel

Constitution

1. TITLE

The Panel shall be called the 'West Midlands Fire Service Joint Consultative Panel' (JCP).

2. REPRESENTATION

The Panel shall comprise of elected members of the West Midlands Fire and Rescue Authority and recognised trade unions as follows:

JCP

6 employers and

2 Fire Brigades' Union
1 Fire Officers' Association
1 UNISON
1 APFO
(Known as the employees)

All members shall retire annually and shall be eligible for re-appointment.

The attendance of additional persons by invitation in an advisory capacity only shall be permitted provided that prior agreement is obtained from both sides represented on the Panel.

If a member of the Panel ceases to be a member or an employee of the Service he or she shall immediately cease to be a member of the Panel. Any vacancy amongst the employers shall be filled by the Authority. Any vacancy amongst the employees shall be filled by the staff organisations concerned.

3. MEETINGS OF THE PANEL

The Clerk or their representative shall act as secretary to the Panel and be responsible for issuing the calling notices for all meetings

and the minutes.

The Clerk shall liaise with the Director HR on the compilation of the agenda. The Director HR will consult with the Employees with regard to the business to be raised.

4. CHAIR

The Chair and Vice Chair of the JCP meeting will be appointed by the Authority. In the absence of the Chair and Vice Chair, a Chair for the Meeting shall be elected by the Employers from amongst the elected members.

5. OFFICERS

The **Clerk, Treasurer and Chief Fire Officer** shall be entitled to attend all meetings of the Panel and shall be allowed to nominate any officers to attend as may be appropriate to the business to be discussed.

. FUNCTIONS

The functions of the Panel shall be:

- i. To establish regular methods of consultation between the Authority and its employees and to consider and make recommendations to the Authority or the Chief Fire Officer as appropriate on any problems which may arise.
- ii. To consider and make recommendations to the Authority or the Chief Fire Officer, as appropriate, on any relevant matter referred to it by the Service or by the relevant employee organisations
- iii. To consider and make recommendations to the Authority or the Chief Fire Officer, as appropriate, on the application of the terms and conditions of service for employees
- iv. To consider and make recommendations to the Authority or the Chief Fire Officer, as appropriate, on matters referred to it by the Joint Consultative

Committee, including failure to consult and failure to agree as defined in Paragraph 8 E and F of the constitution of the Joint Consultative Committee.

- v. To discharge such other functions as are specifically assigned to it
- vi. In appropriate circumstances, to refer any question coming before it to the National Joint Council for consideration and advice where such action is deemed advisable; to inform the National Joint Council or any other appropriate body concerned of any recommendations of the Panel which appear to be of more than local interest provided that any such action shall be by way of a recommendation to the Authority or the Chief Fire Officer, as appropriate, Prior to its submission

The panel shall operate within approved Authority policy and in accordance with the overall aims and objectives of the Authority. The Panel shall not take any action inconsistent with the decisions of any national or regional negotiating body or committee dealing with conditions or service of employees of the Authority.

7. RULES AND REGULATIONS

Provision for four Panel meetings per year shall be made by the Authority. Special meetings shall only be called with the prior approval of the Chair and Vice-Chair and the lead representative of the employee organisation(s) involved.

The matters to be discussed at any meeting of the Panel shall be included in the agenda for the meeting. No other matters shall be raised.

The quorum of the Panel shall be one third of the total number of representatives appointed by each side subject to each trade union being represented, however, where the Panel is considering business relating specifically to one trade union, the quorum of the employees' side shall be one third of the total number of representatives appointed by each side, with no requirement for each trade union to be represented, provided that the relevant union is represented.

In the event of:

- (a) The Panel being unable to arrive at an agreement; or
- (b) The Authority or the Chief Fire officer, as appropriate, disagreeing with the recommendations of the Panel;

The matters in dispute shall be referred to:

- (a) The National Joint Council Joint Secretaries and/or
- (b) ACAS and/or
- (c) The National Joint Council Technical Advisory Panel

The panel is a discussion forum with a view to reaching a consensus. It will support and govern the principles set down in the 'Working Together' A Joint Protocol for Good Industrial Relations in the Fire and Rescue Service document.

All sides to the Panel accept that agreements, reached by them shall be binding in honour only, all parties expressly agreeing that joint decisions as to recommendations are not intended to constitute legally enforceable agreements between them until such recommendations are approved by the Authority or Chief Fire Officer as appropriate. All parties agree, nevertheless, to use their best endeavours to ensure that the spirit and intention of the agreements on recommendations reached at meetings of the Panel are honoured at all times.

The notes of the Panel shall be submitted to the Authority.