

# JCNCs

## An AMiE guide for school leaders



### Introduction

AMiE strongly recommends to all publicly funded schools, including academies, that 'buying in to' local authority provision remains the most cost-effective way of handling employment relations and union representation. Nonetheless, in the maintained sector, with more schools becoming academies, and with others joining together as federations, there is an increasing need for alternative and/or supplementary local means of handling employment relations in those schools that no longer 'buy in to' local authority provision.

This short leaflet looks at Joint Negotiating and Consultative Committees, a name commonly given to local meetings that bring together senior management and trades union representatives on a regular basis. It provides school leaders with practical advice on developing a JCNC to meet the needs of their particular establishment.

### So what is a JCNC?

As the name implies, it is a forum bringing together representatives of the senior management of an establishment and representatives of the recognised trades unions. It might be known as something else, but the key feature is that of enabling management and unions to meet jointly.

### Who can set up a JCNC?

Any establishment can set up a forum for joint meetings between senior managers and union representatives. Clearly though they are more appropriate for bigger establishments, particularly if they have more than one site. They are also particularly appropriate where there is no (or reduced) central control of employment relations matters. Academies are a good example of where a JCNC would be beneficial. What is more, all schools now have considerable flexibility with regard to the implementation of new policies and would therefore also benefit from JCNCs.

### How can a JCNC help at my school?

A properly functioning JCNC will help ensure good employment relations at your school. Although you will still have informal and regular contact with union reps and try to sort out problems as they arise, the presence of a JCNC allows you to consult more easily on change and plan further ahead on issues that will impact on your staff. It gives an opportunity to build up good, trusting working relationships during easier times which can then be relied upon when problems arise. It provides a regular and well organised channel of communication which can prevent disagreement and it ensures there is a proper forum for dealing with difficulties.

Those of you in larger establishments or federations, or with a number of different recognised unions on site, should find the structure of a JCNC a more suitable route for collective consultation rather than holding a series of ad hoc discussions with various union

representatives as appropriate. That is not to say there isn't a place for ad hoc meetings, but the JCNC should make them less necessary. Your staff will find that at times they are happy to 'speak for themselves' at staff meetings, but that at other times, for example when they are less happy with a proposal, they are more prepared to comment through their union. Such comments are better heard and dealt with than left to fester and a JCNC will allow for this in a constructive manner.

More importantly, if you are an academy then you are less likely to be affected by the collective bargaining machinery at county hall, and more likely to need your own solutions. All schools must maintain a set of policies (many of which are statutory) which must have been consulted on. In the past such consultations have happened at local authority level, but now that this is less common the school must have a formal mechanism for consulting on and agreeing such policies (e.g. performance management).

### How should a JCNC be constituted?

The actual make-up of the JCNC is best agreed with the recognised trades unions. But to work effectively a JCNC has to include the head teacher or principal so that decisions can be reached. He or she might be accompanied by an HR advisor or one or more colleagues from the leadership team. Some heads invite a governor to the meetings.

It is important to ensure that a JCNC isn't overly large or it may become difficult to get things done. From the union side there should be a seat for each of the locally recognised unions, with any additional seats being subject to agreement.

The best approach is to have a written agreement that sets out who can attend, the frequency of meetings, the broad issues that can be discussed, and a procedure for resolving any disagreement or dispute. AMiE can supply members with a model constitution and procedure upon request. Another useful source of information is the TUC model agreement for academies, also available from AMiE, which has a section about JCNCs.

It is good practice for a JCNC to meet at least once a term, although meetings can be more frequent when there are particular issues that warrant more detailed discussion. In such circumstances it might also be appropriate to invite the appropriate regional officials from the respective unions or if appropriate the local union branch secretaries.

### What issues can be covered in a JCNC?

This is largely a matter for agreement when setting up your JCNC. We recommend that it provides for discussions on any matters affecting pay and conditions of employment, including HR procedures, staffing levels, CPD, equalities, and performance management. Even where such matters are covered by national agreements it is still important to include them in case there are ever local misunderstandings over the application of a national term or condition.

### Getting the most out of your JCNC

There is always a danger that the JCNC becomes nothing more than a talking shop, or is simply a forum for confrontation and disagreement. Also, sometimes the personalities involved can affect the progress or smooth running of the JCNC. It is important therefore to pay careful attention to the following:

- **Chairing:** A JCNC needs a good chair. Whether you rotate the chair or not, this particular individual must ensure that the meetings are well run, stay relevant, do not disintegrate into non productive sessions. Nor should meetings be allowed to get bogged down in detailed operational matters. These can usually be worked out separately with the relevant staff (and their union rep), leaving the JCNC to focus on other issues.
- **Minutes:** It is a good idea to keep minutes brief, concentrating on agreements reached or actions to be taken. This can make joint agreement of the minutes more likely and keep participants focused on the meeting's business rather than debates over the small print of the last meeting. However without such formal records the status of the meeting is devalued. Minutes will be required where a governing body needs evidence of consulting on policies it intends adopting.
- **Outcomes:** Look for a win-win outcome to discussions. If you approach matters with a view to reaching agreement, and the union reps do likewise, then you will already have a well functioning JCNC.

Some of these issues can be covered when you first constitute your JCNC. You can use the JCNC terms of reference to set out the aims, purpose and broad areas of discussion; and the constitution can cover matters such as the agendas, minutes, chair, and secretarial support etc.

### Trade union facilities

Attendance at JCNC by all those involved is clearly desirable. As such it is important that staff are given sufficient remission and paid time off to prepare for and attend the JCNC. Facilities should also be available for the union reps to meet together prior to the JCNC and consider any information relevant to the meeting that itself should have been sent out in a timely manner.

To help ensure that your JCNC functions well, it is also helpful if union representatives have received appropriate training. Accredited union representatives are entitled to attend relevant union training courses and this should also attract sufficient remission and paid release.

AMiE is the leadership section of ATL.

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