**Appendix B - Terms of Reference**

**Negotiating Sub-Committee**

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| **Document Change Control** | | | | |
| **Date of**  **version** | **Version**  **number** | **Type of Revision**  **Major/minor** | **Description of Revisions** | **Author** |
| 28 Dec 22 | 1.1 | Minor | Format Change, Minor amendments | Ian Crowley |

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| **Date Adopted** | Jul 2017 |
| **Review Frequency** | Annual |
| **Terms of Reference Drafting** | Deputy Chief People Officer |
| **Review and Approval** | CPO and JCC |
| **Adoption and ratification** | 5 Jan 23 |

1. **Purpose. The Negotiating Sub-Committee (NSC) is:**
   1. To act as the forum for detailed negotiation on all matters concerning the pay and conditions of service of staff employed by the Trust, not covered in routine JCC meetings.
   2. To have as agenda items matters which are deemed as matters for specific negotiation outside of JCC, which may include for some policies, pay issues or conditions of service.
   3. It shall also be open to the management side and Staff Side to establish smaller Negotiating Groups to handle issues of pay and conditions of service where these concern a particular staff group. Where such smaller Negotiating Groups fail to agree, or there are issues which affect a wider group of staff, then they must report back to the JCC.
   4. The NSC exists to provide ad-hoc support to the JCC, where matters are urgent and fall between the routine cycle of JCC meetings, or where specialist support is required due to a particular technical or specialist issue.
2. **Authority.**

The NSC is constituted in accordance with the NHS Terms and Conditions of Service Handbook, Annex 26 and isoverseen by the Joint Consultative Committee.

1. **Membership and Attendance** 
   1. The Trust side of the NSC shall comprise of at least one Executive Director of the Trust, together with other Executive Directors / Managers nominated by the Chief Executive, to a maximum number of six.
   2. The Staff Side of the NSC will be represented by members selected by and accountable to, the full Staff Side of the JCC using the following criteria
      1. Paying due respect to the representation of existing occupational groups.
      2. There will be no more than six staff side representatives on the NSC, which could include full time officials as agreed by the Staff Side and notified formally to Management representatives via OD&P in advance.
   3. In addition, up to two non-participating observers may attend on each side for training purposes. A quorum shall consist of three members of the Staff Side, broadly representative of the full side, together with three members of the Management side.
   4. A quorum shall consist of three members of the Staff Side of the NSC together with three members of the Management Side. These members shall remain fully accountable to their respective Side. In the event of either side having less than their quorum, the meeting may proceed, but any decisions taken will be ratified at a further NSC meeting where a full quorum from both sides is present.
2. **Roles and Responsibilities (not delegated unless otherwise stated)**
   1. The NSC will be co-chaired by the Staff Side and the Management Side.
   2. There shall be Joint Secretaries to the NSC, one from the Trust side and one from the Staff Side.
3. **Conduct of Business** 
   1. Administration The Trustshall provide accommodation for meetings and also the cost of the secretarial and administrative support will be borne by the Trust.
   2. Frequency Meetings will be held as required, notified by the JCC, and if reques­ted by either Joint Secretary.
   3. Notice of meetings At least five days' notice in writing shall be given of meetings and agenda items. For this purpose, notice shall be given to the Joint Secretaries as soon as possible of any matter intended to be raised at this meeting.
   4. Reporting The draft minutes of the previous meeting will be circulated to the Joint Secretaries to agree the content. The agreed draft minutes will then be sent by the Trust Secretary to all members of the JCC at least ten working days prior to the succeeding meeting. Minutes of meetings shall also be sent to ex-officio members.
4. **Review** 
   1. These Terms of Reference will be subject to an annual review. The JCC shall conduct an annual self-assessment on the performance of its duties as reflected within its Terms of Reference.
   2. As part of this assessment, the Committee shall consider whether or not it receives adequate and appropriate support in fulfilment of its role and whether or not its current workload is manageable.