

Government Circular No. 55/50.

G.O. Reference No. 25451/7.

WHITLEY COUNCIL FOR THE ISLE OF MAN PUBLIC SERVICE

By resolution dated the 20th January, 1948, Tynwald approved the constitution of a Whitley Council for the Isle of Man Public Service. The constitution was amended by resolution dated 28th February, 1950, and is set out below.

By Order,

J. N. PANES,

Government Secretary.

Government Office,

Isle of Man.

1st March, 1950.

WHITLEY COUNCIL FOR THE ISLE OF MAN PUBLIC SERVICE.

Membership.

1. The Council shall consist of 12 members, one-half (the Official Side) as prescribed in paragraph 2 hereof and one-half appointed by the staff through their Association machinery (the Staff Side).

2. The members of the Official Side shall be a chairman, being a member of Tynwald, to be appointed by the Lieutenant Governor, and the Treasurer of the Isle of Man and four members of Tynwald to be nominated by the Lieutenant Governor and approved by Tynwald, at least three of whom shall be members of the House of Keys. The term during which the four members of the Council so nominated and approved (hereinafter referred to as "the nominated members") shall hold office shall be three years, computed from the first day of November, 1949, and the first term shall be deemed to have commenced on that day, and four present members of the Council, previously selected by the Lieutenant Governor, shall continue to be members of the Council until their successors are so nominated and approved. The retiring nominated members of the Council shall, on the expiration of their term of office, continue to act as members until their successors be appointed. If any nominated member of the Council ceases to be a member of the Legislative Council or the House of Keys, his appointment as a member of the Council shall, ipso facto become vacated. A retiring nominated member shall be eligible for re-appointment, if otherwise qualified. Any nominated member of the Council may be removed by Resolution of Tynwald. A casual vacancy on the Council of a nominated member may be filled up at any time by a member of Tynwald nominated by the Lieutenant Governor and approved by Tynwald, but any person appointed to fill a casual vacancy shall hold office during the residue of the then current term only.

3. The members of the Staff Side shall be persons of standing as Association representatives.

4. Except for the ex officio member of the Official Side, namely, the Treasurer of the Isle of Man, and except in the case of nominated members, representation on either side may be varied at will by the appointing authority, by whom also casual vacancies may be filled.

Officers.

5. The Chairman of the Council shall be the member of Tynwald appointed by the Lieutenant Governor as Chairman of the Official Side and, in his absence, the Treasurer of the Isle of Man shall preside over all meetings of the Council. The Chairman of the Staff Side, or a Staff Side Deputy in his absence, shall be termed the Vice-Chairman of the Council.

6. Each side shall appoint its own secretary and the two secretaries shall be the joint secretaries of the Council and shall be jointly responsible for its Minutes.

7. The quorum shall be four members on each side.

8. The ordinary meetings of the Council shall be held not less than once a quarter. Other meetings shall be arranged at the request of the Chairman of either side on reasonable cause shown.

9. The Agenda shall be agreed between the secretaries and circulated not less than 14 days before the meeting. Business not on the Agenda shall only be taken by permission of the Chairman and Vice-Chairman.

Objects and Functions

10. The general objects of the Council shall be to secure the greatest measure of co-operation between the State as employer and the general body of public servants in matters affecting the public service, with a view to increasing the efficiency of the service and promoting the well-being of those employed in it; to provide machinery for dealing with the claims, grievances and difficulties of the staff, and generally to bring together the experience, ideas and points of view of the administration on the one hand and the different sections of the staff on the other.

11. All matters affecting the conditions of service of the staff of the public service shall be within the scope of the Council, including particularly—

- (i) questions of pay (but not the pay of individuals, except where the post occupied is individual in character so that the pay for it has necessarily to be separately assessed);
- (ii) hours of work (both weekly and daily) and annual leave;
- (iii) provision for sick leave;
- (iv) recruitment;
- (v) the principles and procedure of promotion (but not the merits of individual cases);

- (vi) the procedure for dealing with disciplinary offences and also (without prejudice to the responsibility of the authority concerned for the maintenance of discipline) individual cases where the Staff Side represent that this is desirable.
 - (vii) tenure.
 - (viii) superannuation.
 - (ix) the physical conditions under which the work is performed, and the welfare generally of the staff;
 - (x) prospective legislation bearing upon the position of members of the public service as such.
12. It shall also be within the scope of the Council to consider—
- (i) the best means for utilising the ideas, knowledge and experience of the staff with a view to promoting efficiency, smooth working and economy;
 - (ii) the improvement of office machinery and organisation, and the provision of opportunities for the full consideration of suggestions by the staff on this subject;
 - (iii) the training and further education of the staff, including the stimulation of study to acquire qualifications by which the efficiency of the individual may be increased.

Committees.

13. The Council may appoint Standing Committees or Special Committees, the latter not necessarily confined to its own members, and may delegate special powers to any such Committees.

Decisions.

14. The decisions of the Council shall be arrived at by agreement between the two sides, shall be signed by the Chairman and Vice-Chairman, shall be reported to the Lieutenant Governor and thereupon shall be operative.

Reports to Tynwald.

15. The Lieutenant Governor shall, from time to time, and not less frequently than quarterly, lay before Tynwald a report of the decisions of the Council.

Finance.

16. Each side shall be responsible for its own expenses and common expenses shall be borne equally from public and association funds. Attendance at meetings of the Council or of any of its Committees by staff representatives during office hours shall be treated as special leave with pay.

Amendment of the Constitution.

17. This constitution may only be amended by agreement between the two sides at a meeting of the Council after notice of amendment has been circulated to all members of the Council not less than fourteen days before the meeting, and with the approval of Tynwald.

Citation of Resolution.

18. This Resolution may be cited as the "Whitley Council (Constitution) Resolution, 1948, as amended."