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Wiltshire Council: Trade Union Recognition and Facilities Agreement

Report to: Wiltshire Council Staffing Policy Committee

July 2010

1 Purpose

To provide the Staffing Policy Committee with supporting evidence for consideration in conjunction with the Trade Union Recognition and Facilities Agreement.

2 Scope

This information has been provided on behalf of Wiltshire UNISON only.

3 Background

Wiltshire UNISON was created in January 2009 from the merger of five local government branches across Wiltshire in the run up to local government reorganisation.

The branch currently has in excess of 3200 members, of which approximately 70% work for Wiltshire Council. The remaining members work for about 75 other public sector organisations and are serviced by their own network of convenors, stewards and representatives.

In total, across all employers, the branch has about 30 branch officers and convenors (some of whom job-share or multi-task), 53 stewards, 26 health and safety reps and 2 union learning reps. We are still short of our target of one activist for every 25 members. Within the Council we have some service areas that are well represented but there are others where we still have a need to recruit stewards and reps.

In addition to the elected activists the branch directly employs two branch organisers and three branch administrators (all of whom are part-time).

Negotiations over the Recognition and Facilities Agreement commenced in the autumn of 2008, with the then Interim Executive, and have continued following the formation of the new Council. Interim arrangements for facility time have been in place, however, now that the new branch has settled down we need to formalise our arrangements in order to allow for medium to long term planning.

4 Why support such an Agreement?

A properly structured Recognition and Facilities Agreement between the unions and Employer ensures that there is a defined structure in which all aspects of Industrial relations can be managed.

The agreement drafted between Wiltshire Council and the Trade Unions within the Council manages to ensure a clear and efficient structure is in place to allow for all such issues to be jointly resolved.

The current negotiations over harmonising the Terms and Conditions of employment for all staff within the Council demonstrate how valuable the recognition and facilities agreement is to the Council.

By being able to reach an agreement with the Unions, the implementation of a new pay structure is made far easier. The unions are able to present the issues that are the cause of concern to staff, as well as highlighting potential ways of resolving such concerns or issues. If such issues were not negotiating collectively via this process, there would be a need to consult with each employee individually, and seek the individual agreement of each member of staff, which would be both resource and cost intensive.

The list of issues, in the draft agreement, over which negotiation or consultation would be required, reflects the statutory issues over which such talks should take place. The ability to undertake such talks on a collective basis rather than an individual one represents a huge efficiency to the Council.

The time off for representatives that the agreement affords is the equivalent of four full time equivalent staff, which when contrasted against the staffing hours that would be required for individual consultation on each and every issue cited within the agreement alone, represents a more effective and efficient means of achieving the desired outcomes.

By reaching agreement with the Unions over issues, the risk of legal challenges from staff is greatly reduced, both in terms of the likelihood of success, and in the number of such claims being made.

In most cases it would be necessary for a member of staff to pursue any claim via the internal procedures before pursuing an issue legally. This would mean using the Council's grievance procedure. There would need to be at least one investigatory meeting, before the hearing proper. This process requires a HR advisor, a manager to chair and someone to take notes, as well as the individual bringing the grievance. This means four members of staff using their time for this. There is then the possibility of an appeal involving the same number of staff, after which a legal challenge may still come if the issue is not resolved to the satisfaction of the member of staff.

The costs to the Council of defending against such claims, regardless of their likelihood of success would be high given both the staffing hours required and the costs of the legal support required through such a process.

Another key area in which there is union involvement is the disciplinary and grievance processes. The union representatives receive training on these processes, meaning they are able to guide staff through them in an appropriate manner, and thus ensure that the process is smooth.

As the union representatives are made known to the council, it is easier to manage the time off required for such duties, as everyone will know where the representative is based, and can plan accordingly. The alternative would involve members of staff choosing a colleague, which would involve a large pool of potential advocates, and thus ensuring adequate cover is in place is harder. They are unlikely to have received training on the processes, and thus they may not be as efficient or effective in dealing with the process.

By dealing with the same representatives over such issues, it is often easier to find a resolution outside of the formal process that saves both time and money for the Council. If either party can identify a potential problem or issue on the horizon, it can be discussed and dealt with before it does become a problem, again saving time and money.

In the Wiltshire Agreement, the role of the convenors is to act as a fixed point of reference for departments, ensuring that this consistency is present.

Designated Branch officer posts such as health and safety officer and equalities officer afford a stable and consistent contact that mirror the Councils' own groups. The unions are often able to provide resources and funding for certain events, including education programmes for staff.

The representatives of the union to whom the time off is awarded, by implication, are those who are employed by the council. This gives these individuals a clear link to the employer. They will be aware that any decisions will have direct consequences for them and their colleagues, and as such this ensures that proper consideration is given to the merits of any proposals.

Were such arrangements not be in place, the only alternative is for others to be drafted in from outside the organisation, which would both divorce them from the implications of any proposals, and the regular contact of other staff members whose opinions they are supposed to represent.

5 Issues raised by Head of HR & OD

Wiltshire UNISON was asked to provide information on the following matters which it was felt that the Staffing Policy Committee would wish to consider when discussing the above Agreement.

- Key Posts - what are the roles and specific responsibilities of these posts (to assist Members understand the purpose, roles and reasons for having them);
- A breakdown of information on how union subs are spent; and
- Information on the usage of roles and how they are monitored.

6 Key posts, roles and responsibilities

A summary of the main tasks attributed to UNISON branch officers is contained in **Appendix 1**. These posts are required by UNISON rules and are essential to the effective management and organisation of a large branch. The duties attached to these posts are also mainly determined by UNISON guidance.

Please note:

- that facility time is not requested for all these roles
- post holders are elected annually and may be employed by other organisations, in which case Wiltshire UNISON will negotiate separately with the relevant employer for adequate facility time for that individual

7 How are union subs spent?

The subscriptions paid by our members do not come directly to the branch. UNISON has a fairly complicated funding calculation which determines how much goes to our head office, to regional office and to the branch. **Appendix 2** provides a summary of the branch income and expenditure for 2009.

8 Usage of roles and how they are monitored

A list of current branch officers is provided in **Appendix 3**. The appendix indicates which department, service area and team the elected officer works in. Please note that not all branch officers are employees of Wiltshire Council.

Appendix 4 summarises the involvement of branch officials, employed by Wiltshire Council, in various joint working groups, formal committees and projects that are currently ongoing.

The branch has developed and trialled a case management system, a key element of which is a requirement that all branch activists to complete a monthly return. We use this return to collate information about live cases and also additional information about other activities they have been involved in. An example of the Return, which was designed to meet our own monitoring requirements, may be found in **Appendix 5**.

An attempt to evaluate the last four months returns has highlighted a number of difficulties in presenting the full picture so far as it relates to Wiltshire Council employees. This is because due to the way the information has been collated we are;

- unable to distinguish between time spent by branch officers and other active stewards
- unable to distinguish between activists employed by Wiltshire Council and other employers
- unable to distinguish between time spent during working hours and time spent in our won time, for example, attendance at Regional Council meetings which take place on Saturday's.

In addition to completion of the above monthly return, there are several other ways in which the activities of branch officers are monitored:

- via regular reports on activities made to each branch executive committee (BEC) meeting we hold
- convenors and the branch secretary meet quarterly to discuss workloads, issues and identify any trends etc
- the branch secretary meets individually with some branch officers to discuss workloads and priorities
- branch officers are expected to provide reports to members on their activities, via articles for our newsletters and website
- following attendance at seminars, conferences and meetings reports are submitted or presentations made to the BEC

- branch officers submit reports to our members at the annual general meeting/s

We are happy to work with Head of HR to determine a method of monitoring activity that would suit both our purposes.

9 Conclusions

There are a number of advantages to the authority to have in place a robust and appropriate facilities and recognition agreement, these include:

- management will be dealing with a single point of contact
- there will be consistency of position from the staff side
- collective agreement on issues can be achieved rather than seeking agreement with individuals
- dealing with trained representatives and negotiators
- access to funding and knowledge from the wider union (a regional and national perspective)
- staff representatives on projects are able to 'buy in' on the outcomes

We believe that by working together, particularly during a period of massive change, there will be:

- significant time savings
- the impact on staff can be better managed
- additional lines of communication with staff are available
- the Council can concentrate their efforts where needed and be more focussed in their approach to reviewing, implementing and managing change

10 Recommendations

That the Facilities and Recognition Agreement be signed off by the Staffing Policy Committee.

Report prepared by:

Gavin Brooks, Regional Organiser

Sue Anderson, Branch Secretary, Wiltshire UNISON

Appendices:

- 1 Summary of branch officer roles
- 2 Summary of branch income and expenditure 2009

- 3 List of branch officers
- 4 Details of branch officers (and some stewards) involved in Wiltshire Council formal committees, projects and UNISON appointed lead negotiators
- 5 Monthly Case Management etc Return

Roles of UNISON Branch Officers

For each role the tasks relating to it include:

Branch Chair

- The branch chair presides over all meetings of the branch and branch committee to ensure that businesses properly conducted
- Advises branch officers on matters relating to procedure and interpretation of rules
- Ensures that all functions of the branch are carried out
- Works closely with the secretary to provide leadership to the branch

Branch Secretary:

- Acts as the strategic lead officer and co-ordinator within the branch
- Encourages partnership working within the branch committee and the development of new representatives
- Will manage branch staff
- Manage the delegation of work to other branch officers and branch staff as appropriate
- Provides support and guidance

In addition, the secretary is responsible for ensuring the proper completion of the following specific tasks:

- Will guide branch's development through the preparation and implementation of a branch organisation and development plan
- To ensure the representation of members within the branch in accordance with national guidance and that case forms and applications for services forwarded to UNISON offices are properly completed and authorised
- To provide strategic leadership on campaigning and lobbying activity
- To convene and attend all meetings of the branch and branch committee
- To arrange for minutes of meetings to be kept in a proper manner and circulated to all branch officers and stewards
- To ensure the branch processes applications speedily and accurately and to maintain membership records
- To ensure regular communication with members
- To communicate with the union's national and regional offices on behalf of the branch

- To ensure members are aware of opportunities to participate in the activities of the wider union
- To support, mentor and encourage stewards on a collective and individual basis
- To ensure members and stewards are aware of, and take advantage of the educational and training opportunities within UNISON
- To ensure appropriate publicity activities are developed and co-ordinated by the branch
- To act as spokesperson for the branch when in contact with other levels of the union or external organisations
- To ensure members receive the benefits, rights and services to which they are entitled
- To co-ordinate all branch negotiations and industrial relations matters
- To ensure the branch observes the unions rules, supports UNISON campaigns and work's towards achieving UNISON's objectives
- To ensure the proper management and direction of any branch employed staff

Assistant Branch Secretary

- To deputise for the branch secretary
- To assist the branch secretary to carry out the duties and responsibilities of that post
- To take responsibility for specific tasks in agreement with the branch secretary

Convenors

- To act as a co-ordinator of stewards, reps activities either within a geographical, employer or functional basis (eg local government, department of resources within Wiltshire Council, Wiltshire Fire and Rescue Service)
- To support, mentor and advise stewards within their area of responsibility
- To monitor workloads of individual stewards and reps
- To take a lead in consultation and negotiation with the employer within their area of responsibility
- To meet with the appropriate managers and/or HR reps at regular intervals to discuss issues of common interest
- To report to the branch secretary and branch committee on member issues, case workloads, employer related restructurings or proposed changes to work patterns, location etc
- To convene regular meetings for stewards and reps within their area of responsibility
- Assist the branch education officer to ensure all stewards and reps take up appropriate training opportunities
- Be actively involved in UNISON consultation exercises within the branch or regional/national requests
- Meet regularly with each other and the branch secretary to agree priorities, help develop the branch development and action plan

Health and Safety Officer

- To increase awareness of members, health and safety reps and branch officers of health and safety issues
- To organise the information held by the branch on health and safety
- To co-ordinate the activity of health and safety reps and to organise regular meetings of reps to exchange information and consider priorities
- To be closely involved in all negotiations with the employer on matters relating to health and safety
- To advise the branch committee on health and safety issues arising in the branch and to recommend policies and priorities
- To act as a link between the health and safety reps and other branch reps to ensure health and safety is an integral part of the work of the branch
- To maintain contact with the region and regional service groups

Welfare Officer

- To ensure that branch officers, stewards and also employers have regular up-to-date information about UNISON welfare and its range of services
- To ensure that members seeking welfare assistance receive a prompt, supportive and effective response
- To liaise and co-ordinate with regional and national levels to ensure UNISON Welfare support is provided effectively
- To undertake training and seek advice from UNISON Welfare where necessary
- To develop and implement local welfare activity
- To develop links with local charities and support such as Citizen's Advice Bureau and women's refuges

Equalities Roles (Equalities Officer, Women, LGBT, Black, Disabled)

- To be the identified and publicised point of contact in the branch for equalities issues
- To collect and share information on equalities issues
- To make sure other branch officers and the branch committee consider the equalities dimension of everything they do
- To make sure 'equal opportunities' is being raised in all collective bargaining
- To encourage and support the development of branch self-organised groups
- To co-ordinate the self-organised groups
- To make sure new recruits know about UNISON's commitment to equality and opportunities to participate in self-organisation
- To advise branch officers and branch committee on development and monitoring of the action plan to achieve proportionality and fair representation

- To co-ordinate the development and training of members from under-developed groups
- To coordinate motions and support to delegates attending self-organised group conferences

Young Members Officer

Young members must be under 27 years of age.

- To recruit new members and to encourage existing young members to become active in the branch
- To make sure issues of concern to young workers are raised by the branch
- To act as a focal point for all young workers in the branch and workplaces
- To receive and distribute UNISON young members information
- To encourage involvement in UNISON young members campaigns
- To build branch young members organisation to ensure there are potential new young members' officers in the future

Treasurer

- To conduct the branch's financial business
- To keep accounts in accordance with the rules
- To provide reports on the financial position of the branch
- To advise branch officers and committee in respect of matters relating to financial management and appropriate expenditure
- To provide an audited annual return of branch income

Membership Officer

- To map the branch's membership in order to identify membership density and steward coverage
- To monitor branch's recruitment, and also leavers rate
- To work with the branch committee to develop and implement its organisation and development plan
- To make recommendations to the branch committee on recruitment activities, targets, resources, budgets etc
- To liaise with the providers of UNISON benefits services
- To raise awareness of the member services available to members

Communications Officer

- To explain UNISON's policies and to provide the information members need to play an active role in their union
- To assist with the efforts to recruit new members
- To help support UNISON's national and regional campaigns

- To help create a positive image for the branch among members, potential members and the public
- To produce news-sheets or bulletins for distribution to branch members
- To lead on the development of electronic communication with members
- To ensure branch communications are in accessible formats
- To ensure that nationally and regionally produced publicity and campaign materials are distributed
- To monitor local media for stories which affect the branch and to take appropriate action
- To help ensure the branch makes effective contact with the media wherever necessary by:
 - Creating and maintaining mailing lists to media outlets and contacts
 - Writing press releases
 - Ensuring that appropriate individuals within the branch are available for comments, interview etc
 - Writing 'letters to the editor'

Lifelong Learning Co-ordinator

- To work closely with the education officer
- To co-ordinate the activity of learning reps in the branch education team
- To work with colleagues to recruit learning reps
- To be closely involved in negotiating around learning with the employer
- To co-ordinate and disseminate information on learning opportunities in the branch
- To ensure that the work of learning reps is fully integrated into the branch

Education Officers

- To make sure all new stewards and safety reps receive initial information and guidance about their duties
- To publicise the range of educational and training opportunities available to members and activists
- To get untrained stewards, reps and officers onto appropriate courses
- To co-ordinate and support the work of learning representatives
- To encourage branch members and activists to make use of UNISON Open College courses
- To maintain contact with the regional education officer/committee
- To establish a training plan for activists and to produce an annual budget to meet its costs
- To keep training records
- To make sure activists get paid time off for training where appropriate

Labour Link Officer

- To explain and develop the role of the UNISON Labour Link within the branch and ensure that correct procedures are followed regarding the rights of Labour Link levy payers
- To receive correspondence and information on Labour Link matters from national and regional levels and from the Labour Party
- To circulate information to Labour Link members in the branch and to convene meetings of members as necessary
- To attend the UNISON branch committee and agree appropriate means of promoting UNISON policy in the party
- To organise elections for branch UNISON Labour Link representation within the regional Labour Link as necessary and ensure reports are made by branch delegates on their activities on behalf of members
- To liaise with the Labour Link regional political officer
- To promote political education and policy discussions
- To strengthen links with local Labour Parties by affiliating to constituencies and electing delegates to attend meetings
- To communicate with Labour Party members within the branch and encourage individual membership of the Labour Party
- To build campaigning work around key issues and co-ordinate campaigns with the Labour Party in Council, Westminster, and European elections

International Officer

- To co-ordinate the branch's work on international relations
- To ensure that branch members are informed of national policy on international matters
- To receive and distribute relevant information
- To encourage members to be aware of the importance of international solidarity issues within the context of the overall work of the union
- To liaise where appropriate with regional international structures and to ensure that the views of the branch on international activities are reported accurately
- To liaise with other branch officers concerning publicity and education on international issues
- To liaise with the solidarity organisations and campaigns that UNISON is affiliated to
- To encourage members of the branch to take action and participate in international solidarity activities organised nationally or regionally
- To ensure that information on branch activity is shared at regional and national level
- To seek to develop an international perspective among members, stewards and branch officers

Wiltshire Unison Income & Expenditure 2009

Below is a summary of the branch's income and expenditure for 2009

The branch receives a proportion of the total membership subscription paid, with the rest allocated to cover national and regional expenses.

In 2009 we dipped into our (limited) branch reserves as a number of one off expenses were incurred during the setting up of the new branch.

	£££	% (approx) of income	% (approx) of expenditure for 2009
Total Income 2009	£92,573.80	100.00%	
Total Expenditure 2009	£106,633.63		100%
deficit for 2009	£14,059.83		
Activists - courses, conferences, meetings, seminars, further education	£15,809.17	17.00%	15%
Publicity & Promotion	£7,374.04	8.00%	7%
Staff Salaries	£47,131.74	51.00%	44%
Postage	£12,682.54	14.00%	12%
IT Maintenance, Telephone, Equipment Hire and all office Communication	£6,588.90	7.00%	6%
Office Sundries (Stationary, p/c, and general office maintenance)	£9,259.51	10.00%	8%
Projected income for 2010	£97,205.04		

Wiltshire Council Activists - Directorates, Service Areas, Teams - Branch Officers

Name	Unison Office	Directorate	Service Area	Team
Anderson, Sue	Branch Secretary	Public Health & Wellbeing	Public Health	Health & Safety

Beaumont, Anthea	Convenor	Swindon College		
Bushell, Emma	International Officer	Swindon College		
Clarke, Nigel	Welfare Officer & Convenor	Neighbourhood and Planning (DNP)	Street Scene	East
Dickson, Gareth	Membership Officer	Neighbourhood and Planning (DNP)	Development Management	West Team
Earney, John	Health & Safety Officer	Neighbourhood and Planning (DNP)	Neighbourhood Services	Inspections and Adoptions
Fivash, Jenny	Young Members Officer	Neighbourhood and Planning (DNP)	Development Management	West Hub North Team
Haynes, Robert	Convenor	Neighbourhood and Planning (DNP)	Recycling	East
Hubbart, Liz	Life-Long Learning Co-ordinator	Public Health & Wellbeing	Public Protection	Food Team West & North
MacGregor, Rosie	Branch Chair	Neighbourhood and Planning (DNP)	Development Control	West area
McNabb, Lillian	Assistant Branch Sec & Welfare Officer & Service Conditions Officer	Community Services (DCS)	Adult Social Care	West team
Mitchell, Jane	Convenor	Dept of Resources (DoR)	Revenue & Benefits	South Team - Revenue, Benefit, Fraud
Mitchell, John	Branch Treasurer	Dept of Resources (DoR)	Revenue & Benefits	South Team
Parfitt, Tracy	Convenor	Wiltshire Probation Service		
Parkinson-Hill, Joanna	Education Co-Ordinator	Neighbourhood and Planning (DNP)	Leisure Services	East

Reed, Barry	Convenor	Neighbourhood and Planning (DNP)	Amenities & Leisure	Waste, Recycling & Cleansing
Robinson, Patricia	LGBT Officer & Convenor	Neighbourhood and Planning (DNP)	Waste Management	East
Rose, Carla	Young Members Officer	Neighbourhood and Planning (DNP)	Development Management	West Team
Slade, Michelle	Equalities Officer	Neighbourhood and Planning (DNP)	Strategic Services	Passenger Transport Unit
Smith, Joan	Convenor	Public Health & Well Being (PHW)	Public Protection Services	Business & Operational Technical Support
Solman, Chris	Labour Link Officer	Neighbourhood and Planning (DNP)	Development Management	West Team
Tucker, Jackie	Events Co-ordinator	Neighbourhood & Planning (DNP)	Amenity & Fleet	Enforcement & Inspection
Unsworth, Tim	Convenor	Public Health & Wellbeing (PHW)	Public Protection	Consumer Protection North & West
Walters, Lorraine	Women's Officer	Community Services (DCS)	Adult Care Strategy & Commissioning	Learning & Development

[Williams, Gina](#)

Lead Contacts for Wiltshire Council Departments

	Resources (DoR)	Children & Education (DCE)	Community Services (DCS)	Neighbourhood and Planning (DNP)	Public Health & Wellbeing (PHW)	Policy, Research & Comms (CEX)
Director	Carlton Brand	Carolyn Godfrey	Sue Redmond	Mark Boden	Maggie Rae	Laurie Bell
HR Business Partner	Jane Tagg	Lorraine Nowlan	Jane Margetts	Lisa Hayes	Jane Margetts	Jane Tagg
UNISON Contact Key branch officer or convenor, who will take a lead on consultation and negotiation with directors, HR business partners and service managers	Sue Anderson to be confirmed	Tim Unsworth Yvonne Pike	Sue Anderson Lillian McNabb	Nigel Clarke Rosie MacGregor Barry Reed	Joan Smith Sue Anderson	to be confirmed

Wiltshire UNISON Lead Contacts for specific projects/negotiating groups:

<p>Job Evaluation Moderation Panels</p> <p>JE Panels</p> <p>Trained in JE</p> <p>To undergo training</p>	<p>Chris Solman</p> <p>Barry Reed Carole Stevens Rosie MacGregor Russ Brooks Yo Suter Jackie Tucker</p> <p>Sue Anderson Jane Mitchell Joan Smith Tim Unsworth</p> <p>Lorraine Walters Anne Smith Gareth Dickson</p>
<p>Harmonisation Pay Harmonisation Team</p> <p>Pay Harmonisation Negotiating Team</p>	<p>Sue Anderson</p> <p>Sue Anderson Rosie MacGregor Lillian McNabb Pat Robinson</p>
<p>Workplace Transformation Workplace Transformation Project Team</p> <p>Workplace Transformation Steering Board</p>	<p>Lillian McNabb</p> <p>Sue Anderson</p>

Leisure Facilities Strategy Project Board	Sue Anderson
HR On-Line Steering Board Stakeholder Panel	Sue Anderson Lillian McNabb
LGPS, Wiltshire Pensions Board	Mike Pankiewicz
Joint Consultative Committee	Sue Anderson Rosie MacGregor Lillian McNabb Pat Robinson
Safety Committee	John Earney Mike Osment Chris Solman Karen Roberts
Equality Impact Panels for HR Policies	Sue Anderson Rosie MacGregor
Specific Policy Review Panels/Groups for example; Driving at Work	Rosie MacGregor

Wiltshire UNISON: Case Management / Activities

In order for the branch executive to be able to assess stewards workloads and keep records of other activities they are involved in we request that the following documents are completed and submitted monthly to the branch office (by email preferable, in person or by post).

Please note that we do **not** require great detail, just a brief summary.

Case Management:

Code	Description
D	Disciplinary
G	Grievance
Ca	Capability
A	Absence
B	Bullying / Harassment
P	Performance
Co	Contract/TUPE issues
JE	Job Evaluation
R	Redundancy
O	Other

Other Activities:

Code	Description
1	Induction session
2	Job evaluation/pay reform
3	Meetings with management
4	Meetings with members
5	Training
6	Admin
7	Branch activists meetings
8	Regional/National Meetings/conferences
9	Other

Many thanks for your help

Sue Anderson
Secretary, Wiltshire UNISON

To be submitted monthly to the branch office.

Wiltshire UNISON: Other Activities

Branch officer/Steward:

Month:

2010

Date	Employer or Department	Code	Brief description (eg where, purpose, who was present, who instigated meeting) Outcome or action taken	Approx time spent

To be submitted monthly to the branch office.