

Report by: Head of Human Resources

To: Commercial & Human Resources Scrutiny Committee – 9 November 2004

Joint Staff Employer Forum – 2 November 2004

Executive Councillor (Commercial and Human Resources):
Councillor Jennifer Liddle

Wards: None directly affected

TRADE UNION FACILITIES AGREEMENT FOR 2005/6

This report is submitted to the Joint Staff and Employer Forum and Commercial & Human Resources Scrutiny Committee for prior consideration and comment before decision by the Executive Councillor.

1.0 DECISION TO BE MADE

- 1.1 For the Commercial & Human Resources Scrutiny Committee to consider the funding arrangements for the trade union Branch Secretaries for UNISON and GMB for the 2005/06 financial year.

2.0 RECOMMENDATIONS

The Scrutiny Committee is asked to consider the recommendations below.
The Executive Councillor is asked to approve the recommendations below.

- 2.1 To consider the level of funding for the Trades Union Branch Secretaries for UNISON and GMB in 2005/06 and the length of this funding agreement – as outline in the options in section 9.
- 2.2 To agree the level of funding for the Trades Union Branch Secretaries for UNISON and GMB in 2005/06 and the length of this funding agreement, subject to the Council's 2005/6 budget being finally approved in February 2005 – as outline in the options in section 9.

3.0 BACKGROUND

- 3.1 The Council adopted a Trade Union Facility Agreement in September 1988 between Cambridge City Council and the Recognised Trade Unions UNISON, GMB and UCATT. The levels of facilities funding has varied over the years.

- 3.2 The City Council's Trade Union Facility Agreement clarifies the arrangements for recognition of the Branch Secretaries for UNISON and GMB and union stewards. It also defines the facilities available to them and specifies the provisions regarding time off for duties concerned with industrial relations activities and training.
- 3.3 The Branch Secretary posts are accountable to the Joint Staff Employer Forum, and to the Head of Human Resources on a day-to-day basis. The provision of facilities time for these two posts has been reviewed annually by the Commercial and Human Resources Scrutiny Committee.
- 3.4 Both unions have recently elected new Branch Secretaries (Kevin Roberts full-time for GMB and Liz Brennan half-time for Unison). The agreement stipulates that the contractual terms and conditions of employment of individuals elected to the post of Branch Secretary will be protected during their appointment and that they have the right to return to their substantive posts if funding is withdrawn or someone else is elected.
- 3.5 The continuing arrangement for full-time funding of the GMB Branch Secretary and half-time funding for UNISON was agreed for 2004/5. Between April 2003 and September 2004 this was supplemented with additional half-time funding (from the Single Status cash envelope) for UNISON to undertake Single Status negotiations and implementation work.
- 3.6 For 2005/6 both Trades Unions have requested that the Council considers a longer-term agreement for facilities, say over three years, to provide some stability for unions members and for the individuals who have volunteered and been elected into Branch Secretaries roles. The Head of Human Resources supports this request.
- 3.7 The Council has asked the Trades Unions to consider whether a joint convenor role would be acceptable. In response the Trades Unions have confirmed that this would not be acceptable for legal reasons, i.e. the unions have different rules agreed by their membership and in liability terms they are only able to represent their own members.
- 3.8 The Trades Unions are seeking an extension of facilities funding to Unison to increase the Branch Secretary role to full time (the same as for GMB). This request takes into account the significant role that the Trades Unions increasingly play in partnership working across the range of Council services, many of which are or will be undergoing major change. In November 2003 the Council signed a partnership agreement with the Trades Unions as part of the Single Status Agreement. Union membership levels are very high. Over 70% of City Council staff are member of either GMB or UNISON, and therefore it is appropriate to ensure that the workforce have a voice, via the Trades Unions, across a range of service and employment issues. This combined with the ever increasing challenges facing the Council, which will need to be discussed with the Trades Unions, mean that extension to facilities time for Unison is becoming increasingly necessary.

4.0 MEMBERSHIP

- 4.1 UNISON represents employees in all departments of the Council. GMB principally represents front line employees, including City Services operatives, housing caretakers, staff at Ditchburn Place, and in the car parks, with small numbers of staff represented elsewhere across the Council. UCATT currently represents a small number of craft employees working at City Services.
- 4.2 Of a workforce of 1240, membership numbers as at October 2003 are:

	<u>2001*</u>	<u>2002*</u>	<u>2003**</u>
GMB members	391	309	428
UNISON members	385	378	450
UCATT members	<u>5</u>	<u>10</u>	<u>10</u>
	781	697	888

* based on payroll figures only

** based on payroll and direct debits from employees to the Unions

This demonstrates that at least 72% of the workforce are members of the recognised trade unions. The figures have not changed significantly since 2003.

5.0 COSTS & FUNDING

- 5.1 The table below shows the projected staffing budgets and staffing costs for 2005/6. The lower salary of the new Unison branch secretary means that there is sufficient budget to extend the secondment to full time. However, should someone else be elected in future then there may be pressures on the budgets if they are paid at a higher salary.

	Total budget 2005/06	Staffing cost for full- time secondment 2005/06	Staffing cost for half- time secondment 2005/06
Unison	£22,960*	£20,920	£11,680
GMB	£26,550**	£26,510	£13,255

**limited additional funding is available within this budget for support costs i.e. finance and IT and the savings target for this budget of £550 can be met without any impact on the UNISON staffing element. This will reduce the budget to £22,410.*

*** there is no additional budget for support. These costs are absorbed by City services. The savings target of £780 CANNOT be met from the GMB staffing budget.*

- 5.2 In view of their small number, UCATT members are represented by a shop steward or by the full-time regional officer and the Council provides no specific funding for facility time.
- 5.3 The cost of the Unison Branch Secretary is initially charged to corporate management costs and then recharged to departments based on the number of staff they employ. GMB costs are recharged on the basis of numbers of front line operational staff employed (which includes staff employed in City Services, Central Services, Community Services and Environment & Planning). The budgets for both post is held centrally by the Head of Human Resources on behalf of the Council.

- 5.3 If the Branch Secretaries continue to be funded by the Council, whether this is on a part or full-time basis, then the cost will be split between the General Fund (including City Services) and the Housing Revenue Account. Costs are recharged to departments on the basis of the number of staff employed and the trade union most likely to represent them. This means that the cost of the UNISON Branch Secretary is charged to all departments/funds, whereas the costs of the GMB Branch Secretary are met from four departments on the basis of a time allocation for the previous financial year. City Services pays the vast majority of the costs, whilst Central Services, Community Services and Environment & Planning receive recharges.

6.0 MONITORING PROCESS

- 6.1 Both Branch Secretaries are expected to keep records of how they spend their time on different trade union activities and for each department or the Council as whole. The Head of Human Resources meets monthly with each Branch Secretary to address working hours issues, discuss development needs and to offer general support.
- 6.2 Currently no central records are held of the amount of time off allowed to stewards for their duties. The Trades Unions have indicated that they will work with the Head of Human Resources to set up a recording system for monitoring purposes during 2005/6. This should also help to demonstrate their level of involvement in individual support issues and in more strategic priorities.

7.0 GENERAL COMMENTS

- 7.1 As well as attending meeting in key departmental issues, both Branch Secretaries are involved in regular meetings on corporate HR issues, for example, Single Status (including job evaluation) and equal opportunities and attend regular meetings with the Head of Human Resources. During 2004/5 the format of the regular meetings was reviewed to ensure that all the programmed joint work (including ongoing Single Status implementation) and other issues are progressed to meet the agreed deadlines – this has been successful in that work is moving forward and there is now a forum for both sides to raise and discuss issues in a more structured way.
- 7.2 During 2004 both trades unions have been working to develop their local branch officers and stewards and to provide clarity on the respective roles of the Branch Secretaries and officers/stewards. The latter are often work on union issues in addition to their usual City Council job and are also given paid time off for some union duties, e.g. training, representation of individuals, employee support. Joint steward training run by the Head of Human Resources on Council employment policies will take place in December 2004 to help to resolve issues more quickly.
- 7.3 This has helped to ensure that the Branch Secretaries are able to concentrate on the more complex strategic issues and not being overwhelmed by employee issues that are important but time consuming. Managers remain concerned that the level of funding of the Branch Secretaries should not be further eroded, as there are risks that negotiations will take longer and important service changes

may be delayed. The Regional Officers for both unions continue to work closely with the branches and are proactive in providing support and guidance.

- 7.4 Throughout 2004 the Trades Unions have continued to demonstrate their commitment to working in partnership with the Council to achieve mutually acceptable goals. They have been extremely committed to implementing the local Single Status Agreement. In addition, the Council have continued to reap the benefits of stable industrial relations throughout an unsettled period. Their input has continued to assist in the improvement and development of services, e.g. CPA, building maintenance tendering.
- 7.5 Both unions remain committed to helping the Council reduce absence rates across the Council – this is now written into the Single Status Agreement.
- 7.6 In addition to service and corporate change programmes where departments and Directors will consult directly with the Trades Unions, the HR service plan and work programme for 2005/6 is significant and will require considerable joint working with the trades Unions. For example:
- Workforce planning – implementing the work programme (due to be agreed by March 2005)
 - HR Best Value Review – consultation during the review (May- August 2005) and subsequent implementation of the action plan
 - HR strategies – implementation of agreed actions plans e.g. for HR Strategy, Recruitment and Retention Strategy, probably including a review of existing employment policies
 - Staff Attitude Survey – consultation and communication alongside the Council May – September 2005
 - Investors in People – consultation and support for reassessment.
 - Employment legislation changes – all require consultation, discussion and joint communication. This includes contentious changes to the LG pension scheme.
 - Collective Disputes procedure – new policy to be negotiated.
 - Review of existing employment benefits, including development of flexible benefits and discussion on some national terms and conditions that are now open to local negotiation.
 - Equal pay audits – agreement of terms of reference, review of results and agreement of an action plan.
 - Employee self-service – encourage and support Council employees to access their own information and undertake routine transactions on-line.

8.0 CONSULTATION

- 8.1 Consultation has taken place with relevant directors and managers and the Branch Secretaries of Unison and GMB prior to the report being considered by the Joint Staff Employer Forum on 2nd November 2004.

9.0 OPTIONS

- 9.1 The first decision is whether to retain the existing annual review of facilities or to a move to three-year agreement that would provide greater stability for the

Trades Unions and the Council. There would need to be a proviso that the agreement would be reviewed if affordability became an issue for the Council or staff and/ union membership numbers reduced during the three years.

9.2 Set against a background of the increasing pace and volume of change facing the Council, many involving employment issues, and affordability at a time of increasing budget pressures, there are basically three options for members to consider about the level of facilities:

- **No change** - Continue funding as at present (2004/05), i.e. GMB at 100%, Unison at 50%; or
- **Reduction in provision** - Reduce the funding to a part-time basis for both unions. This would be likely to cause delays to some of the Council's major service change and HR projects planned for 2005/6, although there would be some budget savings or
- **Increase in provision** – Increase the provision to full time for both Trades Unions, which can be delivered within existing budgets for the current Branch Secretaries. This together with the ongoing development of stewards would help to ensure that the Council's service and HR objectives could be delivered. There would be future pressures should others replace these individuals on higher pay bands or if efficiency savings unduly affect the budgets.

10.0 REASONS FOR DECISION

10.1 It is in the Council's interest to have a Facilities Agreement with the Trade Unions to provide resources for union consultation and negotiation on staffing issues, particularly when there is considerable ongoing organisational change. Members should consider whether they are willing to provide funding for a full-time or part-time Branch Secretary for each of the main trade unions (GMB & Unison) in 2005/06, and whether there should be a three-year agreement for this.

IMPLICATIONS

- (a) **Financial Implications** – These are covered in the body of the report.
- (b) **Staffing Implications** – There are no staffing implications other than for the individuals holding Branch Secretary posts.
- (c) **Equal Opportunities Implications** – The Trade Unions have a key role in supporting the Council's policy on equal opportunities in employment. Their involvement in drawing up and implementing HR policies and practices ensure that equal opportunities considerations are taken into account at all times.
- (d) **Environmental Implications** – There are no environmental implications contained in this report.

- (e) **Community Safety Implications** – There are no community safety implications contained in this report.

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