

## **Paper on proposed abolition of Staff Joint Committee**

### **A      Introduction**

A.1 It is important to note that UNISON has not been *consulted* on the proposals under discussion today (as suggested at 4.2 of the paper to Governance Committee). UNISON was *informed* of the proposals at 2pm at a regular meeting with Corporate HR management on Tuesday 13<sup>th</sup> June. We were informed that the Chief Executive had taken the decision in this regard to put proposals to the Governance Committee, that there could be no further discussion, and papers for the Committee would be issued on Thursday 15<sup>th</sup> June when we would see them. This was the extent of the detail available to us.

A.2 This hardly constitutes consultation by any definition, and not by a legal one. The proposals mark for us the continuation and acceleration of a different and unhelpful approach to involving UNISON as the recognised trade union which we have not experienced previously. If there was a perceived problem with the Staff Joint Committee, this should have been discussed with UNISON and would have warranted formal discussion at Staff Joint Committee itself.

A.3 These proposals follow the decision to put a paper to Governance Committee previously to recommend the abolition of councillor involvement in the Staff Appeals Panel. This was not consulted on with UNISON (nor apparently many elected members) and was withdrawn. Whilst liaison with UNISON remains effective at middle-management layers of the Council, where its value and necessity is readily understood, liaison at the highest levels is proving more of a challenge. It is proving difficult to establish a relationship based on the meaningful and constructive partnership which has characterised industrial relations at WSCC for many decades.

A.4 The proposals in front of Governance Committee reflect the continuation of a bad start to a key partnership the Council has with UNISON. UNISON has tried to get it back on track, and the exchange of letters referred to at paragraph 4.2 evidences some of our effort to do that, and to assert our legitimacy and expectation to be treated in a spirit of partnership. UNISON asks the Governance Committee to consider how it wishes its industrial relations to be characterised in the challenging years ahead, and to preserve Staff Joint Committee for this end as a key contributor to stable and effective industrial relations over many years.

### **B      Key concerns**

B.1 In reference to paragraph 2.1 in the Committee paper, it may be a long time since the Governance Committee has referred an HR matter to its sub-committee but that should not be seen as a sign of failure. Instead, it marks a period of stable industrial relations where significant changes to HR Policy or the terms and conditions of staff have not occurred or been a matter of dispute between the Council and UNISON. If UNISON was likely to be in dispute with the Council, we would indeed have referred matters to the Governance Committee.

B.2 However, Staff Joint Committee (SJC) has continued to have useful and constructive discussions. It has been a forum to share information and raise matters of concern as allowed for under Point 3 of its constitution. Matters brought to SJC include annual, formal and detailed reports from the employer on key employment matters (Health and Safety, Learning and Development, Equality and Diversity, the Staff Survey), as well as discussions on matters of concern, for example Parking arrangements. It is not clear how these annual reporting arrangements will continue without Staff Joint Committee. The proposal that UNISON would manage all this business through a meeting with the Chief Executive is not practical as discussions are too wide-ranging at SJC to be accommodated.

B.3 It is of concern to UNISON that SJC is proposed to be abolished when the organisation could be on the cusp of really needing it, and its escalation routes to both the Governance Committee and South East Employers organisation. It is quite possible that substantial matters pertaining to Pay and Reward for staff *will* be tabled by the council later in 2017. This work has been expected for some time, though has experienced some delay. It will require extensive negotiation when presented, and could mark the first time in a decade where there is a substantial risk that the Council and UNISON will find it difficult to come to agreement and require the 'machinery' of SJC and its escalation routes. UNISON questions the timing of SJC abolition on the cusp of this negotiation. UNISON would have concerns that escalation outside of the Chief Executive meetings would only be at the behest of the Chief Executive (proposed at 3.7). This could be problematic for good industrial relations if one side of the partnership feels it has no means to independently escalate a disagreement other than by industrial action or campaigning.

B.4 Paragraph 2.4 appears to question the value of SJC because collective agreements have not hitherto been entered into under its auspices. SJC is not constituted for that purpose. It is also true to say that collective agreements of the past five years have been for relatively minor matters. This is not to say they are unimportant, but they affect a smaller cohort of staff for particular reasons. If substantial, cross-departmental changes to terms and conditions were to be proposed for staff, UNISON would request these to be discussed at SJC. Indeed on 18<sup>th</sup> May when asked to submit agenda items for the July 5<sup>th</sup> meeting of Staff Joint Committee, the UNISON side requested discussion on Pay and Reward.

B.5 UNISON appreciates the wider perspective and life skills that councillors bring and utilise in discussions. The breadth of councillors who participate and their expertise make a very valuable contribution to the smooth-running of the organisation and should not be under-estimated. That unique contribution can help to unblock matters, and gives assurance that staff views are understood at all levels of the organisation. We do not believe that cutting out councillors' contribution is the right thing to do, just as we did not believe it was the right thing to do in regard to Staff Appeals Panel. UNISON members would be concerned about both negative developments. In regard to SJC, if it was removed, individual UNISON members

may require direct access to their own ward councillor to raise workplace matters if the constituted link was removed.

B.6 There are already indications that senior paid roles in the council have a diminished capacity to spend the time engaging with UNISON as has happened previously. To remove SJC will only weaken the ability for both sides to have constructive dialogue. When senior managers have ever-increasing amounts of work to do, SJC provides a welcome and regular space for employer and union to meet, and it should be maintained not only because it is effective, but because no better proposals have come forward that would improve or at least not see the deterioration of industrial relations with the council's largest trade union.

**Paper drafted and agreed for the UNISON West Sussex branch by SJC panel members:**

Dan Sartin, Branch Secretary

Karen Daubney, Deputy Branch Secretary

Sarah Cawston, Branch Vice-Chair

Paul Windsor, Branch LGBT Members Officer

Jules Wilson, Branch Black Members Officer

Paula Herbert, Branch workplace rep

Carla Hardy, Branch workplace rep

Julie Bolton, Branch workplace rep

**C. Addendum**

C.1 After drafting the above paper UNISON was provided with a further paper from the Council to inform Governance Committee's discussion. UNISON notes this information was not provided within the original paper issued. We re-emphasise the point that a more considered period of consultation would have been preferable for matters of such importance.

C.2 UNISON believes the information in the additional WSCC paper is insufficient. It is unclear how issues would be escalated from the proposed regular Chief Executive / UNISON meeting and at whose behest and agreement. In addition there is no information on where the external escalation routes are. The current constitution for SJC say external mediation is to be conducted by the South East Employers.

C.4 Item 2a in the supplementary paper says that regular meetings will be held with the 'UNISON representative' (singular). As highlighted above, for the Chief Executive meeting to take on the purpose required of it, it would need substantial broadening and an increase in frequency. It would require more than one UNISON representative, particularly because it would take a wide range of annual papers covering Health and Safety, Equality and Diversity, and so on, in addition to other matters of negotiation and discussion. This proposed forum for discussion would miss the wider range of contributions and perspectives that come from councillors. Our position remains as stated in the main text body above.