



Working Together; Progressive Workplace Policies In Scotland

**The UNISON Scotland Response to the Scottish Government
Working Together Review**

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UNISON Scotland

WORKING TOGETHER

Progressive Workplace Policies in Scotland: Trade Union Evidence

Introduction

UNISON is Scotland's largest public sector trade union representing 155,000 members delivering services across Scotland. UNISON members deliver a wide range of services in the public, community and private sector.

General comments

We would certainly share in the aims for a labour market which is highly conducive to;

“creating sustainable high quality jobs, increasing social value and delivering exemplary public services for its citizens.”

We would emphasise the interdependency of three aspects – exemplary public services will deliver social value but are dependent on the creation of sustainable high quality jobs. Without sustainable high quality jobs, public services are unlikely to be exemplary, lowering social value.

In this regard the attempted shift amongst many employers towards zero or nominal hours contracts is hardly conducive to embedding the sort of principles the review would envisage as the principle features of the Scottish Labour market. The experience of UNISON members – as sampled across many occupational groups in recent years has been a shared story of paring back of functions, of fewer people carrying out the bare minimum of functions, a decline in preventative or interactive work which would improve quality.

The review seeks suggestions as to:

What can be done now to encourage greater workplace innovation & productivity, resilience, skills development, quality jobs & fair pay, equality & diversity and workplace democracy.

Going beyond the obvious points about investing in public services, raising wages and severely curtailing the use of zero and nominal hour contracts, the maintenance of a public service ethos will help towards some of these outcomes. If the aim of the organisation is delivering social, rather than shareholder, value staff may well be more inclined to engage constructively with innovation and attempts to improve productivity. Similarly it seems more likely that publicly accountable bodies may be interested in issues of workplace democracy than transnational public service industry companies whose principal skill is in securing public sector contracts.

We would refer the review group to the report of The Christie Commission on Future Delivery of Public Services. This highlighted the necessity for a joined up vision for

the public sector workforce. A National workforce Strategy could for example prevent needlessly wasted effort reinventing the wheel on issues like staff transfer, pensions, secondment and common procedures. A staff governance framework across the public services that engages staff at all levels is an urgent priority.

In your experience, what are the key principles that underpin effective union/management/industrial relations.

It is important that the legitimacy of Trade Unions to speak for, and organise amongst, the workforce is accepted and not hindered by management. Trust in the sense that both sides can accept the veracity of the others stance is also important. In this regard communication between both sides and meaningful consultation of TU's by employers is crucial. Managements must also be aware that Trade Unions are democratic bodies whose representatives are just that. They are accountable to their members who will make final decisions.

A management culture where the workforce is seen as an asset in delivering a service, as opposed to a cost undermining profits is also important. In the former issues are likely to be fewer, and an atmosphere of seeking to resolve differences is more easily sustained. In the latter situation, issues are likely to be more frequent, more difficult to resolve and relations less likely to be cordial.

Trade unions are well aware that job security, morale and commitment to high and improving standards are linked. Many employers however take a more short term view. Industrial relations are likely to be easier where an employer thinks long term and strategically with meaningful consultation and discussion

Specific Questions

Please provide examples of where a constructive relationship between the union and employer(s) has promoted good industrial relations.

The Partnership that has existed in NHS Scotland since 1999 is one obvious example of this. This has been recognised as the best model of its kind and a two year study by Nottingham University concluded:

“As the longest established and most extensive set of partnership arrangements in the British public sector, NHS Scotland provides a leading edge example of the extent to which innovative industrial relations arrangements may contribute towards improving public service delivery. In our view, partnership in NHS Scotland has matured into probably the most ambitious and important contemporary innovation in British public sector industrial relations. “

Scottish Water also established a partnership model of industrial relations. While this model did establish constructive industrial relations through a major period of change, it has perhaps not achieved the same degree of culture change as in the NHS. We have had similar experiences with partnership working in the energy industry.

While local government has retained a more traditional bargaining structure there are local examples of constructive industrial relations. However, without system change

some of these have relied heavily on political and union leadership to carry them through.

Are there examples where negotiations on issues such as changes to terms and conditions and/or pay settlements have resulted in a win win for everyone through constructive dialogue and actions?

In recent years UNISON Scotland has negotiated a number of Living Wage agreements with employers in the Voluntary Sector. This obviously is a win for staff. Employers also gain not just merely through improved morale - but also through a marked reduction in staff turnover, saving large sums on recruitment. Maintaining and improving standards is easier amongst a more stable workforce. The stability of the workforces makes it easier to convince employers of the value of investing in staff training thus raising the skill level of the workforce.

Please provide examples where shop stewards/ union reps have been able to influence the strategy and plans of organisations where your union is recognised which have enhanced terms and conditions and improved the organisations performance. Please provide examples of where the lack of such discussion has had a negative impact on the organisation/sector.

The organisational change agreement in NHS Scotland has provided a secure workforce base that has enabled radical service redesign in a number of areas. Staff are more willing to contribute to ideas for change in this context.

Government pay policy has had a negative impact on staff morale. Given these challenges, it is hardly surprising that staff surveys show the public sector struggling behind the rest of the economy. The latest CIPD Survey showed that only a third of workers feel engaged. While generally positive about their line managers, senior manager trust and respect has fallen by 11%. Only a third believe their performance management systems are fair and 41% report excessive pressure at work weekly. These findings are replicated in UNISON surveys of occupational groups. These show a broadly negative view of future service cuts that put service standards at risk. Staff are being asked to cut corners, abandoning proactive preventative work in favour of reactive short term approaches.

What are the characteristics of an effective union rep?

The first responsibility of a steward is to listen to members and find out their workplace issues. To this should be added the capacity to analyse these issues and how they can be addressed collectively and constructively. One of the most important tasks of a steward is to recognise when individual problems are part of a larger pattern that can be dealt with through collective action. So communication and leadership skills are important, as is the confidence to deal with management as an equal. With experience, reps should have some capacity to be able to deal with issues informally before they become a problem – but the ability to take issues through formal structures if necessary.

An effective union rep will have a good grasp of local and national agreements, as well as employment and Health & Safety standards. This is important not only for ensuring that such agreements are adhered to but in order to allow members to

know what can and can't be expected of them. Frequently the role most performed by Stewards isn't representation, negotiation or organising but more being a more trusted source of information and advice than managers.

How important is union rep training to the effectiveness of your unions' reps? What other support does your union provide to reps to improve their effectiveness?

UNISON takes the training of reps very seriously, if they are to deliver for members they need to have the skills to perform the role. Basic training for a Steward involves attending a 5 day organising Stewards Course plus separate Courses on Representing Members, and Negotiating Skills. In addition after 5 years refresher (Reaccreditation) training has to be undertaken. There is also specialist training for Health and Safety reps and for Union Learning Reps.

In addition to the basic training for reps UNISON runs a programme of courses aimed at further development of reps capacities. These include specialist courses in workplace issues such as dealing with redundancies or procurement/outsourcing issues as well as short courses outlining various aspects of employment law.

It is a key part of UNISON's approach that issues are dealt with collectively, so the first support for reps should be the experience and knowledge of their colleagues in their branch. In addition to this UNISON has a network of full time officers who are able to provide support and assistance about all areas of industrial relations.

Please provide examples where union involvement in health and safety, learning, equality or in other 'specialised' areas has made a difference to workers and organisational performance.

UNISON is firmly behind the concept of Lifelong Learning. UNISON has been an enthusiastic participant in the "Scottish Union Learning" project. This has involved members improving their skills across a whole range of areas – Basic literacy, IT Skills, web design, Gaelic, English as a second language, and providing subsidies to Open University courses amongst many others.

Not least amongst these efforts have been the 'return to learning' courses run by the union which have been crucial in opening up the prospect of further learning to many workers in public services.

Please provide examples where sector level collective bargaining has advanced the conditions of workers and enhanced productivity and/or innovation in the sector.

See above.

Please provide examples of where the superior workplace/sector knowledge and/or information held by shop stewards/union reps has positively influenced organisation/sector decision making?

During the setting up of Police Scotland – initial plans for cost savings involved some 600 planned redundancies. Through working with UNISON Stewards and Activists new ways of working were developed which released cash savings and reduced the planned redundancies to around 200. Many of the warnings union representatives gave during the legislative stage of the police reorganisation have since been recognised as correct and the structure has been changed to reflect this.

Please provide examples of where your union's engagement with Government; Government agencies; or civil society organisations has had a positive outcome at workplace level; at sector level; in a local community; or in the wider economy/society.

In recent weeks UNISON Scotland has been part of a wider civil society effort to influence the Procurement Bill which was going through Parliament. This effort considerably strengthened the original proposals in the Bill on the capacity of commissioning bodies to take Living Wage rates into consideration as part of the tendering process. The same process also helped strengthen the Bill on blacklisting, tax avoidance and people centred procurement.

UNISON's ethical care charter has been adopted by a number of Councils. The Charter sets minimum standards to protect the dignity and quality of life for people who need homecare. It commits councils to buying homecare only from providers who give workers enough time, training and a living wage, so they can provide better quality care for thousands of service users who rely on it.

Please provide examples where the union has promoted equality & diversity in the workplace and beyond leading to better jobs, a diversified workforce and more successful organisations?

UNISON has put huge efforts over many years into promoting equality and diversity both within our own structures and in the workplace. Perhaps the most obvious example of our commitment to equality is our long struggle to achieve equal pay for women workers in Local Government. This has involved not just tens of thousands of individual legal cases and appeals as far as the Supreme Court but also negotiations with every local authority to implement fairer pay structures.

UNISON, through its defence of Black and Minority ethnic members and championing of disabled rights has helped to sustain these underrepresented groups in the workforce. Through training and awareness raising we have also made equality impact assessments a more practical tool in many public bodies.

What is your union's view on the appointment of worker directors to Company Boards and/or the Boards/Governing Bodies of Public Bodies? Please provide examples, if you have them, of how the specific contribution of a worker director has enhanced an organisation's performance and achieved positive outcomes for the workforce.

We have been supportive of this concept where appropriate. The most obvious example being employee directors of Health Boards. The employee interest director approach, as in Scottish Water, has been less successful because there is no link

between the director and the workforce. There is a risk of tokenism if there is no accountability link.

Please provide examples of where the lack of effective union/employer/ industrial relations has had negative consequences for the workforce and the organisation?

A number of voluntary sector bodies have lost the link they used to have with the organisations original charitable purpose and lack a strong membership base to secure accountability. This had led to 'capture' by managerial elites and a two tier workforce. One for the managers and another for front line staff that has led to a 'race to the bottom' in care standards. UNISON's 'Time to Care' report illustrates this well.

The capture of organisations by managerial elites has also been well documented in the former nationalised industries and the university and college sector.

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