



**Branch Secretary**

# **BRIEFING**

**FOR BRANCH STEWARDS AND MEMBERS**

**July 2014**

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## **2014 Annual General Meeting**

### **Introduction**

**This year's Annual General Meeting was held on 27 June in Hamilton House conveniently situated opposite the location of UNISON's previous Head Office in Mabledon Place, close to both Euston and Kings Cross stations. Members and representatives from the Regions and UNISON Centre were in attendance, as were several retired members.**

**The meeting commenced with the usual fare of any Annual General Meeting, the approval of the minutes of the previous meeting and the Branch's annual financial accounts. The annual financial accounts show that the Branch remains in a healthy financial position which has been assisted by the continuing year on year increase in membership.**

### **Annual Report**

**In introducing the Branch's Annual Report the Branch Secretary's speech was well received, demonstrating that the themes that he spoke about resonated with the members present. In moving the Annual Report, the Branch Secretary said -**

**"As always the Branch's Annual Report highlights how much activity around the union Acts representatives have been involved in during past year. I want to thank, on your behalf, all those who have undertaken any activity for Acts members this past year. As I reference in the Annual Report, this can be a worthwhile, albeit sometimes thankless task and is undertaken on a voluntary basis in addition to the day job.**

**Looking around UNISON I see cracks starting to appear. I believe this is down to a number of reasons.**

**Firstly, this is because of the increasing pressure on staff to deliver even more for UNISON's members at a point where the breadth and depth of the attacks on them is at its greatest so far. Just trying to cope with dealing with the day job is currently a significant challenge for many staff, our members. Given this I remain to be convinced that we have the right breadth of resources to effectively deliver for UNISON members.**

**Secondly, managers in UNISON are not immune from the pressures created by the current climate that UNISON operates within. This can lead to policies, procedures and processes sometimes being side stepped, misapplied or ignored. A number of examples of this are reported by some Senior Stewards in the Annual Report.**

**Thirdly, UNISON still does not have the right HR related processes and resources to support effective employee and industrial relations. This leads to frustrations amongst both managers and staff. It can often exacerbate matters rather than solve them and it leads to national employee relations grinding to such a slow pace that things are not efficiently dealt with. Frankly, the internal HR process, in its broadest sense, doesn't work for UNISON or its staff. This is something that some of us have said for a while now.**

**So, the question is what is to be done against these backdrops?**

**I think the approach being adopted by the Trade Union Side, as crafted by the Acts representatives there, is the right one.**

**This is to put the challenge to the union by asking what services UNISON staff need to deliver to UNISON members and their Branches into the future. This was a challenge that started to be explored at last November's Staff Negotiating Committee's seminar. This brought together the Trade Union Side, the NEC's Staffing Committee and the General Secretary and many of the AGS's.**

**That was a start. We now need this dialogue to be developed. The Trade Union Side Officers have said that to the General Secretary. We need to be involved in helping to shape the UNISON of the future. We need to be involved in shaping what staff roles will be required into the future. We need to be involved in creating effective HR processes. We need to understand what the future staffing funding stream will be so that we can look at staffing roles and their numbers. Now is the time to put all of this in place so that when the next tranche of attacks on UNISON members comes, as it will in the next Parliament, we are able to respond effectively.**

**The current and future challenges facing UNISON and therefore staff, our members, give us a real opportunity to persuade the employer to engage with us to develop a union staffing structure and related effective employee relations structures for the future.**

**Whilst it may often feel a bit like there is nothing but doom and gloom around, I believe that we can work positively with the employer to shape our future and that of UNISON. After all, both our futures are inextricably entwined.**

**Finally, I trust that everyone has read the Annual Report as so many of your representatives put their time and effort into writing their sections. It provides a good summary of what is happening around the Branch".**

## **Rule change**

### **Acts Trade Union Side Representatives**

The Rule change, as set out in the Final Agenda and which was not subject to amendment, was agreed. The Rule change added to the existing reserved seats on the Acts Trade Union Side Representatives for the Branch Secretary and Branch Chair. As a result the Branch Vice-Chair, subject to the caveat that both this post holder and that of Branch Chair are not men, now has an automatic position as an Acts Trade Union Side Representative.

## **Motions**

All five Motions, as set out in the Final Agenda, none of which were subject to amendment, were agreed by the meeting. The Motions were –

### **1. Improving the Branch's communications strategy**

"Frequent and relevant communication between leaderships and the members they're elected to represent is one of the foundations of trade union democracy. This is a two-way process and any democratic organisation thrives on the ability of all of its members to be able to have their say, somewhere.

This AGM recognises that Unite in ACTS could improve its communication channels and that, indeed, the Branch should constantly be looking at making such improvements.

We therefore instruct the incoming Branch Committee to review current arrangements for such issues as the Branch website, publications/emails, meetings etc to ensure that all members of the Branch have the opportunity to not only hear/read what their employer is saying but to comment on such matters and also become involved in their own trade union".

### **2. Harassment and bullying in UNISON**

"UNISON's policy on Bullying and Harassment states that *"UNISON takes its responsibility as an employer very seriously"* and *"it will not tolerate any form of harassment, discrimination, victimisation or bullying for reasons of sex, race, colour, nationality, ethnic origin, age, sexuality, disability, HIV status, religious belief or for any other reason"*.

This ACTS Branch fully supports that stated moral and ethical stance. However, the lived experience of some of those UNISON employees who have attempted to use the policy and procedure is that UNISON does not take its responsibilities seriously in protecting employees from harassment, discrimination, victimisation or bullying.

We believe that within the policy and procedure there are a number of grey areas which lead to protracted proceedings; unsatisfactory outcomes and to issues being shelved or ignored. This leaves employees with a formal procedure that is significantly less than best practice.

The current policy, procedure and guidance; which are contained within 4 separate documents, making it confusing and complex to navigate; were last subject to review and negotiation in June 2003. This Branch believes that these documents require urgent update and improvement.

Little or nothing has been done to prevent harassment and bullying; confidential advisors have waned and are not promoted or advertised as a support to those with concerns about harassment or bullying.

**The policy requires updating to include reference to the Equality Act 2010 and all protected characteristics.**

**The policy makes no mention of statistical analysis of complaints made; and whether these statistics are shared with recognised trades unions.**

**It is currently unknown whether hot spots have been identified from complaints made; It is unknown if patterns of discrimination have been identified from issues/complaints raised. We believe that these statistics and monitoring results should be shared with the Trade Union Side, Branch Officers and Constituency members.**

**The policy makes no reference to whether prevention of harassment and bullying training is available, what training has been delivered, how that has been evaluated. It is not clear at all how the policy has been promoted and implemented within the organisation.**

**There is no schedule of review for the policy.**

**There is no reference to the role of the recognised trade unions in eliminating harassment and bullying.**

**There are no timescales applied to the informal attempts at resolution.**

**The policy requires that investigations should be completed within 30 days from the date of the first investigatory meeting; however, no timescales apply where UNISON chooses to not investigate a formal complaint made.**

**This is compounded by instances where OSD make decisions that are referred to the Joint Secretaries for ratification/agreement. There is also no obligation or responsibility for the Joint Secretaries to look deeper at the issue or to consult the trade union representatives who are actually dealing with the case before affirming OSD decisions.**

**This Branch resolves to:**

- 1. Vigorously pursue urgent negotiations on improvements to the harassment policy, procedure and guidance – for the benefit of all UNISON employees.**
- 2. To provide regular updates on progress via the Branch newsletter and website.**
- 3. To utilise the expertise within the membership to effectively negotiate a state of the art policy that UNISON could be proud of.**
- 4. Ensure awareness raising and training are mandatory components in the new policy.**
- 5. Proactively encourage ACTS reps to attend harassment and bullying training as provided by this Branch.**
- 6. Report back to the 2015 AGM”.**

### **3. Pay, terms and conditions in UNISON Branches**

**“This Annual General Meeting recognises:-**

- a) The Unite in Acts Branch campaigns for Branch employed staff (BES) to be employed on the nationally negotiated UNISON pay scales, terms and conditions;**
- b) UNISON, as an employer, is not legally responsible for the pay, terms and conditions set out by its constituent Branches for workers employed by them;**

- c) **UNISON has stated on many occasions that its staff, in their various roles, should not become involved in discussions whose aim is determining the pay, terms and conditions of BES;**
- d) **The Joint Assessment of Branch Organisation (JABO) process commits many of our nationally employed members to 'monitor' branches' employment practices including their pay, terms and conditions;**
- e) **Some members feel they are coming under increasing pressure to become more involved in the determination of BES pay, terms and conditions up to, and including, making recommendations to Branches about how they employ staff;**
- f) **Some members in roles of either servicing or advising Branches are finding it increasingly difficult to differentiate between these instructions.**

**We therefore resolve to:-**

1. **Use our own publicity resources to remind members placed in any potentially conflicting positions that their normal job role does not involve recommending any particular pay, terms and conditions structure(s) to UNISON Branches;**
2. **Approach the national employer with a view to their eradicating potential conflicts and giving a definite affirmative response that no nationally-employed staff should be actively seeking UNISON Branches to employ staff on worse pay, terms and conditions than those negotiated between the nationally recognised trade unions and Unison;**
3. **Provide full support to any member finding themselves in any difficulty with their line management for adhering to this policy and their defined job role".**

#### **4. UNISON and financial cutbacks**

**"The financial plight of UNISON is obviously of major concern to all Unite in Acts members, whoever they work for, and it is only to be expected that there is more than a little anxiety in our ranks at what is in store in the immediate and near future.**

**This is exacerbated by the seeming lack of a coherent strategy on UNISON's behalf to tackle what may be significant budgetary implications for all concerned. It would appear that each Region, for instance, is being left to its own devices on making cutbacks.**

**Our members understand the need for prudence in such times and have demonstrated this already by their entering into debate – when allowed – about potential savings. However, without an overall strategy and, therefore, no commonality, it is difficult for members and, more importantly, their Stewards to make informed decisions.**

**This could mean, for instance, staffing numbers and responsibilities differ from region to region. As has been discussed at previous AGMs, we are aware this already happens, but it stands to get worse. This could have potential problems in relation to job evaluation with some Regions 'stretching' job descriptions of some grades beyond their intention (or, indeed, evaluation). Vital support roles – such as RMS, clerical and secretarial – which ensure that UNISON operates efficiently could be at risk of being reduced to an unacceptable minimum or removed completely.**

**Added to this, Regions may also be looking into other cost savings, such as reviewing all suppliers/contracts, or even exploring ways to increase revenue.**

**It has never been entirely possible to make strict comparisons about such matters, as staffing ratios and financial/resource management varies across**

**Regions. But we recognise that, now more than ever before, we need to make every effort to formulate, discuss and circulate proposals and/or agreements made in each Region/Constituency.**

**We also recognise that financial cutbacks will affect Head Office staff, possibly more so, and Senior Stewards in Head Office will play as important a role in this as those in Regional Constituencies.**

**UNISON Branches are also experiencing the same financial restraints which are likely to worsen before improving; cuts are either happening or being mooted in the largest areas of Branch expenditure, including staffing. The knock-on effects of National/Regional cuts can sometimes have even greater implications for our BES members, facing their own cuts and an increased workload due to 'devolved work'.**

**The Branch Committee is charged with ensuring that –**

- 1. Senior Stewards provide written reports on a regular basis that can be circulated to other Stewards throughout the Branch. This will ensure we are all aware of developments in other constituencies and able to discuss best practice in answering proposals or offering alternative solutions. Such reports should also reflect where UNISON Branches are employing staff themselves in organising or representing roles and the consequent effect that has on current members.**
- 2. Full discussion is continued at Branch Committee so our own strategy can be updated accordingly with tactics and ideas debated and pursued. We cannot afford to let each Constituency deal with cutbacks separately.**
- 3. Regular compiled reports are provided to the membership detailing our discussions and opinions and seeking endorsement as and when necessary”.**

## **5. Branch employed staff**

**“The membership of UNISON is changing as more members are being employed in the private and community sector, as a result of this more UNISON Branches are employing more staff in different roles, working directly with members and supporting activists. These roles include caseworkers and organisers as well as admin staff. These Branch employed staff (BES) work at the grass roots, side by side with members, Stewards and Branch Officers.**

**There is a great variety in roles performed by Branch employed staff, and the terms and conditions they are employed under. The UNISON Code of Good Branch Practice makes it clear that the Branch is the employer. However, these BES, play an important role in Branches, and like other professional require support. BES are generally not able to access the support and training UNISON gives directly employed staff, neither are they able to access information on the website for UNISON members. In many cases the TUC have not recognised BES and not allowed access to union professional’s website.**

**Many BES work day to day with UNISON members and activists however they are not covered by the UNISON policy and procedure for dealing with harassment at work of UNISON employees. This policy is time restrained. It was established in 1997 as it was felt by UNISON’s National Executive Council the disciplinary action Rule I and the disciplinary procedures in Rule D were not appropriate when its obligations as an employer were considered. This procedure avoids long, drawn out procedures which are damaging and negative to the BES, the UNISON Branch and the UNISON member involved.**

**Therefore, we instruct the Branch Committee, through our representatives on the Trade Union Side, to open negotiations with UNISON nationally to examine**

ways of supporting Branch employed staff by:-

- Either amending, UNISON's policy for harassment at work of UNISON employees, or producing and equivalent for BES.
  - Ensuring that BES are able to access to the TUC professionals website, and online training.
  - Allowing Branch employed staff access to appropriate member only information on the UNISON website, in order to refer UNISON members and stewards to this".
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**BRIEFING** *is intended to provide Stewards and members of the Branch with accurate and up to date information Branch policies and activities, as well as details of external campaigns supported by the Branch. It is sent to all members of the Branch Committee for sharing with members and displaying on workplace notice boards.*

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