

REPORT FOR: EMPLOYEES' CONSULTATIVE FORUM

Date of Meeting: 23 November 2016

Subject: Information Report
Trades' Union Facility Time

Responsible Officer: Tom Whiting, Corporate Director, Resources and Commercial

Exempt: No

Wards affected: N/A

Enclosures: None

Section 1 – Summary

This report sets out management's response to the paper submitted by Unison "Facility Time (possible discrimination by affiliation)".

For Information

Section 2 – Report

Introduction

The Council is committed to collective bargaining and recognises that both council and unions have a common interest in furthering the aims and objectives of the Council.

Current agreements are set out in the Recognition and Procedural Agreements between the Council and Unison and the Council and GMB

supplemented by documents setting out what has been agreed in respect of paid time off for corporate activities.

Options considered

There is an option to continue with the current arrangements. However, both Unison and GMB are asking for action to be taken.

Background

In August this year the Leader and Portfolio Holder for Resources asked the then Divisional Director for HR & OD to review facilities time and to try to find a formula for the allocation of paid corporate facilities time that recognised that the work involved, e.g. employment policy and procedure development, corporate consultation and negotiation, is the same regardless of the number of members a union may represent in the Council.

The issue of facilities time was subsequently put on the agenda for a Corporate Joint Committee on 27 October 2016 where the new Head of People and Organisational Development proposed a new formula whereby Unison and GMB would each have a baseline allocation of time for corporate facilities work independent of the number of members they represented.

Unison representatives were unhappy with this proposal and the Head of People and Organisational Development agreed to come back to the next CJC with some formal proposals with a view to working together to find a mutually agreeable solution. Unison have now submitted the paper that is before the Forum today.

Current situation

Current facilities arrangements are set out in Recognition and Procedural Agreements with Unison and GMB and in minutes, emails and letters. Provision for corporate facilities time was last reviewed in 2014 and the current formula set out in minutes and emails is as follows:

'0 -149 members - 0.5 day per week
150 – 200 members - 1 day per week
201 – 400 members – 2 days per week
401 – 600 members - 3 days per week
And so on'

Unison have 6.5 days corporate facilities time and GMB 2.5 days. Unison's position is that, as they have 1700 members their corporate facility time should be increased to 8.5 days. GMB have 680 members. GMB are arguing that they need more than 2.5 days to adequately undertake corporate activities.

Why a change is needed

A facilities agreement that is fair and equitable to all parties is needed; an agreement that recognises that some activities require time regardless of

membership numbers; and that is affordable within the current budget allocation.

Subject to any comments from the Forum, and in response to the report from Unison, the Head of People and Organisational Development will work with representatives of Unison and GMB to:

- a. clarify the current position in respect of all facilities currently afforded them (including paid facility time, other paid time off for TU duties and training, secondments, secure office space, telephone, fax, internal mail, email, photocopiers, PCs, accommodation for meetings and TU education and reasonable, access to administrative support and secretarial services)
- b. develop formal proposals for the provision of TU facilities including a fair and equitable formula for the allocation of paid facilities time for corporate activities that recognises that the work involved, e.g. employment policy and procedure development, corporate consultation and negotiation, is the same regardless of the number of members a union may represent in the Council
- c. present these proposals to ECF Sub-Group for consideration by 31 January 2017.

This will enable management and TU representatives to find an agreed way forward.

Implications of the Recommendation

Officer time to work on the review will be resourced from the HR and OD team.

Risk Management Implications

If there is a failure to agree any party to the current Recognition and Procedural Agreements may terminate them, in full or in part, by giving three months' notice in writing. TU colleagues would continue to have their statutory rights to reasonable time off and there is a risk that managing this on an ad hoc basis would be costly in terms of effort and lead to a deterioration in industrial relations.

Legal Implications

Any revised agreement will comply with statutory requirements around TU recognition.

Financial Implications

Any new agreements would be delivered within existing resources.

Equalities implications / Public Sector Equality Duty

TU membership and officer roles are protected under equalities legislation. Again, any revised agreement will comply.

Council Priorities

The Council's vision:

Working Together to Make a Difference for Harrow

These proposals meet the following Council priorities:

- Making a difference for the vulnerable
- Making a difference for communities
- Making a difference for local businesses
- Making a difference for families

Engaging, involving and consulting with employees is part of our workforce ambition.

Section 3 - Statutory Officer Clearance

Name: Dawn Calvert



Chief Financial Officer

Date: 14.11.2016

Ward Councillors notified:

NO, as it impacts on all Wards

Section 4 - Contact Details and Background Papers

Contact: Frances Mills, Head of People and Organisational Development,
Frances.Mills@harrow.gov.uk

Background Papers: None