

WEST DUNBARTONSHIRE COUNCIL**Report by Strategic Lead – People and Technology****Requisitioned Meeting of West Dunbartonshire Council: 9 April 2018**

Subject: Trades Union Convenors

1. Purpose

1.1 The purpose of this report is to provide Council with information in response to the savings option agreed at the Council meeting of 5th March 2018:

- “Council agrees to reduce the number of full time paid convenors from 3.4 FTE to 2 FTE”.

2. Recommendations

2.1 It is recommended that the progress in respect of implementation of this Council decision is noted.

2.2 It is further recommended that Council note the intention to present options to a future Corporate Services Committee should agreement not be forthcoming.

3. Background

3.1 West Dunbartonshire Council currently has 5 Trades Union Convenors, which equates to 3.4 full time equivalent posts (FTE). This is spread across the recognised trades unions as follows:

- 1 FTE Unison;
- 1 FTE Unite (LG and Craft Workers);
- 0.4 FTE GMB; and
- 2 x 0.5 FTE Teaching unions

3.2 Convenors are elected by their respective branch to lead branch organisation at that level. Amongst other accountabilities, they have responsibility for negotiating and bargaining with the employer. They are also charged with developing and maintaining good employee relations with the employer.

4. Main IssuesAction taken to progress

4.1 Following the Council decision on 5th March, arrangements were immediately made to meet with the trades union convenors. The first meeting took place on 8th March and then again, as part of the regular convenor meeting schedule, on 13th March.

- 4.2** The purpose of these meetings was to begin dialogue about the way forward in reaching agreement on implementation of the council agreement and to assure them that approach to working jointly remained intact. The ideal outcome was for the trades unions to agree the split of 2 FTE and the joint trades unions intimated their intention to submit proposals for the revision of the Trades Union Recognition and Facilities Agreement.
- 4.3** The trades unions subsequently lodged a document titled 'failure to agree' which further stated a subject of 'collective grievance' on 22nd March so while the next step would have involved a further meeting to consider any proposals, a meeting has now been scheduled with the Joint Trades Union to take place on 18th April (excluding Teaching Convenors as they are not included in the collective grievance).
- 4.4** In addition, each of the convenors was invited to an individual, informal meeting. Given the unique position that each holds and the absence of a 'manager' for this element of their convenor role, the Strategic Lead People and Technology assumes the role of 'admin' manager. Ostensibly this is to provide support as and when required, to administer leave/expenses/employee assistance requests/approvals. The meeting with the Unison Convenor took place on 13th and with the Unite and Craft Workers' Convenor on 21st March. Both were reassured that, as permanent employees, all available options would be explored given the likelihood that their current full time arrangement would reduce. The aim of finding an acceptable way forward was emphasised. There are a number of actions being progressed as a result of both meetings.
- 4.5** While both Teaching Union Convenors have been spoken to briefly on this matter (12th and 21st March respectively), the individual meetings will be held after the Easter break. The meeting with the GMB Convenor is scheduled for the 9th April (again after holidays). Follow up meetings will be scheduled as required and a further meeting with the UNISON Convenor has been arranged for 19th April.
- 4.6** In accordance with the usual approach, enshrined in the Council's Partnership and Trades Union Recognition and Facilities Agreement, the aim is to agree the split of convenor time. At the current time the trades unions are intimating that this is unachievable, albeit that they have stated that it is for them to decide. In the event that an agreement cannot be secured, options for consideration will be presented to a future meeting of the Corporate Services Committee.

5. Financial and Procurement Implications

- 5.1** The financial saving attached to this decision is £50,000 p.a. Given that the decision was made on 5th March, full implementation will not be achieved by 1st April. Therefore it is likely that the full saving will not be realised in the first year.

6. Risk Analysis

- 6.1** There is a risk that the agreement on split of time for the convenors will not be forthcoming and will result in options being put to Elected Members to decide. There is a further risk that employee relations will suffer as a result of the trades unions withdrawal from partnership working and several collective bargaining fora.

7. Equalities Impact Assessment (EIA)

- 7.1** An initial impact assessment has been undertaken and while the decision reduces the number of full time convenors, the Council has established and well used facility time arrangements which continue unaffected. Similar arrangements work well in other Scottish Council's and benchmark data has been used for comparison purposes.

8. Consultation

- 8.1** The consultation undertaken to date has focused on the rights of the affected employees and outlining steps to secure the way forward. Further consultation is required as set out above.
- 8.2** The Strategic Lead - Regulatory was consulted in respect of the Council decision and the terms of the Trades Union Recognition and Facilities Agreement. Advice confirmed that section 179 of Trade Union and Labour Relations (Consolidation) Act 1992 applies to said agreement, providing that collective agreements are not legally enforceable unless parties have agreed therein that it should be. There is no such expression in the Council's agreement. As such officers are required to implement the Council decision albeit, as set out in section 4, with appropriate dialogue with the trades unions.

9. Strategic Assessment

- 9.1** The provision of paid convenors supports the Council's strategic priorities ensuring that the workforce are adequately represented and that the collective bargaining arrangements can be robustly serviced.

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Appendices: None

Background Papers: Trades Union Recognition and Facilities Agreement
Partnership Working Agreement
Equality Impact Assessment
Benchmark data – paid TU roles in Scottish Councils

Wards Affected: All.