**HAY/SMG/Public Health & Agenda for Change**

**Local pay offer 2018/19 and 2019/20**

**UNISON response**

**1.0 Introduction**

1.1 UNISON received a very large amount of feedback from members. We have grouped members’ feedback around themes.

1.2 We are directly reproducing members’ own feedback, so the response is largely in managers’ own voice, with occasional clarification and emphasis from UNISON.

1.3 We have tried to use each member’s quote to illustrate a different theme, but have in some cases repeated points for emphasis so that the executive leadership can appreciate the true extent of the dissatisfaction they have caused with the proposals.

1.3 It is reasonable to conclude that whatever the decision and final outcome on HAY pay and incremental progression, substantial damage has already been done to the relationships between managers and the leadership team, and the morale and goodwill of staff. In addition, some members are re-evaluating their sometimes recent decisions to come and work at West Sussex, and in some cases decisions to apply for other roles are being deferred or put off entirely. This includes within very valuable roles to the council, in social work.

**2.0 General response: how the offer made staff feel**

2.1 Many members felt insulted by the offer and the way it was consulted on. The words ‘blackmail’ and ‘bullying’ were used many times. Some members pointed out that the approach conflicted the organisation’s stated values.

“It’s an insult, both the proposal and the way it has been announced.”

“The way it was brought out at 4pm on a Friday in August has upset even the most hard working and loyal people.”

“Confirms my view this is no longer ‘a great place to work’ but ‘a great place to leave’.”

“I’m not happy about this. The email is both threatening in tone and blackmail.”

“The approach outlined—sneaked out during the holiday season, last thing on a Friday afternoon, after no engagement—suggests a complete lack of recognition of the extent to which the goodwill of Hay managers keeps the organisation running.  It suggests a senior management team which is arrogant, complacent, and out of touch with how the organisation works day to day.”

“I am horrified to have received the letter for variation of contract.”

“From my perspective, they can stuff it.”

“This and the recruitment freeze, I am sick of working long hours covering other roles – a middle managers curse. I put in so many more effing hours that it means I don’t feel so ‘grateful’ anymore. So not working any longer tonight or this weekend.”

“Again it appears that WSCC are seeking to penalise staff and not pay them what they are worth especially new employees.”

“I am very concerned that we have not been communicated with in a transparent way.”

“A unilateral degrading of our terms and conditions is indicative of senior management’s view of the Hay cohort.”

“The hypocrisy of these proposals when set alongside the weekly message promulgated in One Voice: “thank you for the work you do to improve the lives of our residents each and every day” is breath-taking.”

“Having worked for the County Council for nearly 30 years this is the most ill thought out consultation I have seen.”

“I support the strongest opposition by Unison to these proposals, up to and including industrial action.”

“This is just not valuing your staff in any shape or form. It is promoting a culture of bullying to make people do things. This organisation has lost its way and truly does not value the staff.”

“This cannot be done by bullying people into submission. There needs to be proper thought through consultation. I am concerned about my future employment with the organisation after giving nearly 30 years of my working career to West Sussex.”

“This is not a consultation – it is almost blackmail. A consultation is ‘here’s the idea and this is what we are thinking’, what do you think? We have a conversation and then having ‘listened and acted upon’ a proposal is forthcoming.”

“How does this possibly demonstrate the Values? Listen and Act Upon; Trust and Support; Genuinely Valued.”

“I am disappointed by the approach being taken as it feels as if we are being blackmailed by our employer. I directly manage 6 Hay grade staff members all of which and including myself routinely work long hours beyond what we are paid for. We do this as we are committed to improving outcomes for children. All we ask in return for this loyalty and hard work is a fair and transparent treatment. Although I will be financially disadvantaged at this time I cannot agree to this contract change on principle.”

“In effect this is blackmail, that is if we do not accept the changes to our terms and conditions we will not receive a pay rise. This is disgraceful.”

“As a Team Manager this has made me feel undervalued and it is the first time in my career working for WSCC that I feel that the skills knowledge and dedication to my role is considered to be of no merit. This feels like an insult. I cannot put into words how strongly I feel. I also have to say that it feels like blackmail regarding the way it has been presented, either sign this or you will not get a pay increase!”

“The mechanism for introducing these changes is outrageous.”

“I feel the offer from WSCC is totally unacceptable and disrespectful. I find it all very disrespectful but also personally very upsetting as I do not feel valued by the Local Authority at this point with this proposal.”

“WSCC has a lot of staff that give over and above their commitment and time to WSCC and it feels this is completely disregarding this hard work that is done mainly working on our own and with complex situations. The emotional drain of the job is not even considered in these consultations I expect.”

“Rather interesting if one reflects upon the values of the organisation. The first is that we are ‘Customer Centred’. In this context I am the customer and I do not feel that this offer is customer centred. The second is that we ‘Listen and Act Upon’ which also clearly does not fit this issue. It would seem that they are blackmailing colleagues to accept this ‘offer’ by making it clearly that it is a ‘take it or leave it’ situation. The next one is that we are ‘Honest and Realistic’. Clearly we are seeing the complete opposite in this instance. It is neither honest nor is it realistic. The fourth one is that we ‘Trust and Support’. I am not sure how anyone making a threat that you either accept the imposition of a change in your contract or you get nothing can seriously expect people to believe that senior management ‘Trust and Support’ colleagues. The final value is that we feel ‘Genuinely Valued’. I doubt that a single person will feel ‘Genuinely Valued’ after they have received this threatening email purporting to be a consultation.”

**3.0 Lack of meaningful consultation**

"The lack of time to consider this indicates there is no serious intention to consult with staff or the unions. It’s a joke.”

“It’s the worst possible way to bring about a change to people’s pay ; it’s an arbitrary and ‘take it or leave it’ offer [which] suggests management by diktat.”

“I think it is absolutely outrageous this has been put forward in such a way, at this time of year, with only 2 weeks to respond.”

“To set a deadline of 17 August, when lots of staff are away is not good practice. It says the word ‘consultation’, but it’s not. It’s asking us to sign up to new terms and conditions on our pay. There is no asking our thoughts on the process and ability to effect change, therefore not a “consultation”. To me, it feels close to blackmail.”

“Like many others with school age children I am currently on holiday. I am away during the consultation period so am composing this response on an I-phone in a hotel room. Others may not have had this opportunity. I consider the timing of this a rather Machiavellian tactic by my employer and hardly demonstrating the West Sussex values. The fact that senior leaders have ’miscommunicated’ with Unison is also of huge concern.”

**3.1 Lack of clarity and lack of evidence to justify proposals**

3.2 In addition to the comments below, UNISON was also approached by member’s considering applying for new roles. The proposed changes have stalled those decisions and in some cases put them off, as it is likely to be better to stay on a grade with incremental progression than accept a new grade with no guarantee of incremental progression.

3.3 It is noted that staff on Agenda for Change/Public Health grades have not been consulted with alongside the SMG and HAY cohort due to the unplanned and rushed nature of the consultation. It is unclear what will apply to them and whether anything is achievable by September.

“There is no indication of what will happen if I do not reply. What assumption will be made about those who do not respond? I doubt that I am the only one raising these kinds of questions – so where will the FAQs be posted to help staff make a decision by 17th August?”

“Incremental progress – This paragraph talks about incremental progression and how it is subject to ‘satisfactory performance’ although this is currently not enforced? Is this really the case? I believe this has been applied in the past, so rather than just saying this can there be some facts and figures.”

“Where is the evidence presented to back up the conviction that PRP will motivate staff and improve performance? If I proposed fundamental changes to my manager without offering a scrap of evidence I would rightly be challenged. What gives them the right to change my pay system without offering me some evidence for those changes? Do we work in an ideological organisation where evidence no longer matters? This certainly fits with the times.”

“The Chief Executive expects evidence-based decision-making which has to go through a number of channels of scrutiny before any decisions are made. Please can the Chief Executive provide the evidence to its employees for scrutiny, so that they are fully aware of the risks and benefits of moving to a performance related pay structure. If there is little evidence of the risks / benefits, little evidence where this type of framework has worked in other areas and no suggested performance-related pay framework is forthcoming, how does the consultation fit with the values for WSCC?”

 “How can this consultation be a consultation, when there is no appraisal document to review as part of this process? How can I make an informed decision to sign either way when there is no document for the new appraisal and I have no idea what is looks like?”

 “With no clear framework for what will be viewed as good enough for progression I feel that there is a real risk of complete inconsistency across the county.”

“I am fundamentally opposed to any suggestion of agreeing to something when it has not been set out. There is no detail about the performance related pay methodology and thus the ‘consultation’ is meaningless as it is a take it or leave it option (with the ‘it’ undefined). I would support Unison in taking appropriate action to resist this change.”

“The approach seems to me to punish anyone who does not agree to the imposition of changed terms and conditions.  It is not clear how this is supposed to contribute towards a highly motivated workforce.”

“I have no intention of signing the letter but it is unclear from the communication where this will leave me: will failure to reply constitute assumed no agreement with the consequences laid out? Are the variations shown on the letter or is the extract just the proposed new version ie what changes have been made/proposed?”

“The organisation would need to implement significant changes to the appraisal system, the management of the system and the recording of results. As none of this is currently defined we would be agreeing to a contract change with no visibility as to how a key component of that change would be achieved.”

“It is impossible to agree to a change in contract terms without knowing what the framework is for the performance related pay is. It is also impossible to agree to a change when there is no appeal process in place [for appraisal scores].”

“There is no system yet designed or detailed (including an appeals system).”

“Is an allowance [in performance assessment] made for a person who has been off long term sick [or is disabled]?”

**4.0 Flaws of PDR process which would impact on implementation**

“Given the continual lack of resources and consistent clear targets, the proposals are unworkable.”

“I have had 6 different managers in the last 5 years, so am not confident my current manager (an agency consultant) could accurately assess my performance.”

"There has been no serious effort to improve our woeful PDR process which is now [proposed to be] at the heart of what fixes your pay.”

“Performance in teams under so much pressure is largely linked to our families’ interaction and despite best efforts our staff may not be able to have successful outcomes and this would be unfair.”

 “I am also very concerned about how this is to be measured objectively. In my role for example I have a clear [X] target to achieve as one of my objectives which is easily measurable however, the other elements of my role are somewhat more abstract and harder to quantify. These other elements also rely on many others to achieve in my case specifically [X], so if [X] don’t perform I am going to be penalised.”

“Appraisals have not been done consistently for Hay grade managers in adult social care for a long time - the last time I had a proper appraisal with end of year feedback was April/May 2015. I went for months without any formal supervision and no clear target setting between Nov 2016 and April 2018 and since April I have been supervised by three different people due to sickness and change in director.”

“I am unclear what WSCC consider reasonable expectations for its managers. Extremely long working hours appear to be the norm, just to cope with immediate demands. This impacts on workers mental and physical resilience. Some of the tools to do the job, such as the client information system (mosaic), the financial processes, including SAP, the current approach to complaints, are unwieldy and unhelpful. These tools are non-existent in the case of competent admin support and team by team performance data. The ability to change these obstacles is beyond our control but has a huge impact on our ability to do our jobs and therefore will ultimately impact on our pay. There has been a lack of consistency in senior management and strategic direction for a long time, again this lack of clarity makes it hard to perform well as the goal posts are ever-changing.”

“My last appraisal was written by me as the interim DASS wanted it completed before she left. Although I had what I thought was achievable targets, these were changed by the departing DASS to reflect the 100-day plan and some are unachievable. My concern about introducing any performance related pay before the end of the 100-day plan is we have not reached a point where there is consistency across the directorates.”

“How will our performance in 2018/19 be monitored in order to enable the April pay rise of 3% being offered? Also, as we are halfway through the year without having the performance pay framework in place, will it be fair and equitable to offer the 2019/20 pay rise based on only half a year’s performance?”

“Objectives and appraisals have already been set for 18/19 on which the 3% increase would be based and there is no explanation of how ‘Good’ or ‘Exceptional’ will be determined within the context of this current process. I am also not happy with the fact that the process can be changed at any time without consultation.”

“Also concerned for the managers who have to make the decision about who gets money which could leave them open to charges of bullying.”

**4.1 Difficulty setting objective targets**

“We still don’t have clear targets set for the year for adults services, some [targets] are directly in opposition to each other, e.g. to increase provision of direct payments would lead to an increase in costs and make it harder to achieve savings targets.”

“I am very sure that areas of the service where they struggle to employ staff (frontline social work) will ensure all their staff receive ‘good’ or ‘excellent’ just to retain staff regardless of whether they performed well or not – this would be inequitable.”

“Objectives are set in individual areas and there is no organisation standard for ensuring fairness in setting those objectives. There is no moderation either at the objective setting or objective scoring stages and therefore no consistency across the organisation.”

“Additionally, some parts of my PDR are unachievable due to pressures elsewhere in the service and because my service is currently responsible for supporting the frontline with assessment work as an ad hoc measure.”

“Objectives tend to be set without taking into account the reality of these for example, managing within budgetary constraints, when a variety of external factors beyond my control will impact on this; and when budgets are imposed, rather than set according to need/demand and taking into account achievable savings plans.”

“I have previously had experience of being asked / told to set aside a personal target in order to meet a service need. E.g. exceed allocated budget in order to take a child in emergency circumstances. Would this now impact on my pay?”

“The outcomes of our work can be adversely affect by external forces that are beyond our control.”

“In my own role it can be difficult to set meaningful and measurable objectives as it is largely project based and those projects can often be impacted by changes which are outside of my control. The scoring of appraisals is also currently based on the "values". However, the values are a subjective scoring system rather than objective and therefore I do not see how performance could be based on these as they can be difficult to evidence - how would I evidence that I have been ‘genuinely valued’ or ‘honest and realistic’?”

“The turnover of Interim Managers for some workers will not be helpful in obtaining a consistent view of progress for workers for a fair outcome in terms of the PDR being used to measure performance which will affect pay outcomes.”

“Adult Services has now had three Directors in the last year, all have very different ideas and varying understanding of what constitutes SMART objectives. It should be noted that the most recent interim DASS has agreed to review all the appraisals and targets completed by the previous interim DASS due to issues raised with these. Priorities have also changed with the continual changes in Director.”

**4.2 Impact on recruitment and retention**

“As a new member of staff to West Sussex I am disappointed that the authority do not consider it necessary to lift Hay pay in accordance with the national uplift of 2% for public sector workers. I am also aware of other Local Authorities who have acknowledged their staff’s work at all levels, Brighton & Hove managers are subject to NJC scales and my colleagues have all received a 2% increase as of April this year – we are now in August and are not only being offered 1%, we are also being asked to accept a significant variation in contract that would introduce performance related pay. I feel so strongly about how this process has been conducted that I have lost confidence in my employer. Given I have only been with West Sussex for a short period, this is disappointing and is not positive for any future here.” [Children's social work manager]

“Pay levels for managers significantly lag behind our neighbouring LAs already. Brighton and Hove pay a Pod Manager (managing 6 social workers) the same as West Sussex pays a Group manager (managing 5 Practice Managers and 30 social workers) this could lead to managers further lagging behind in pay.”

“I am particularly annoyed as I have been encouraged to apply for progression from NJC to HAY grades as a PM within children’s services. To link the cost of living increase is fundamentally wrong and unfair in my view and is something that will make me further consider if I will remain as an employee of West Sussex.”

“I worked for an LA that actually did cut pay [similar to this exercise] but the backlash meant more expenditure on agency staff, loss of morale and workers no longer being willing to go the extra mile.”

“There [will be an] impact on morale when we are told we are highly valued. This will not only impact the managers but the staff who work with them. This will be compounded by the likelihood of more quality managers leaving WSCC. There is a large body of managers who are deeply concerned by the approach used.”

“I am also aware that a number of colleagues have been taken ill with stress related illnesses over the last few months. Our pay has not been increased in line with inflation since 2010. People have bills to pay and so confusion and threats around pay increases are likely to lead to increased pressure on any colleagues who are feeling the effect of stress. I wonder how that fits into the councils policies on Health, Safety and Welfare?”

**5.0 Objection to performance-related pay (general)**

“A different level of pay award to NJC is divisive.”

 “I do not agree with PRP in WSCC. It is individualised and subjective according to your manager. As an organisation that is meant to value its staff I think this is a disgrace!”

“I strongly disagree that our pay increase (below inflation rates) should be linked to performance. In my experience, the goalposts will continue to move and the criteria to meet good/exceptional will become an almost impossible target.”

“If we are being offered incremental increases [like] a private sector employer, we should have the salary of a private sector worker and be paid for all of the additional hours we do for no recompense and for the level of responsibility we hold.”

“Linking performance related pay to cost of living increases is introducing a pay cut - we know that the cost of living in the SE outstrips any inflationary pay rises for public sector workers. This does not send a message to staff that they are valued and will encourage people to seek employment elsewhere - I certainly question my loyalty to WSCC following recent events in adult social care.”

“I do not agree with linking cost of living pay awards to performance. My bills are going up all the time and as a single parent I am now struggling to pay the mortgage, the food bills and the basic electric, gas and water on the pay I receive. There are policies in place in the council to address poor performance, which I would expect to be implemented if I was not doing my job to the standard the council expect.”

“I am opposed to this in principle as I think it is subject to misuse and inconsistency and feel performance of staff should be managed through robust supervision and appraisal processes”

“We will in effect have a two tier paid workforce.”

“This is a divisive measure that is not going to improve teamwork, rather it will increase suspicion and competition between staff members. It will have an impact on the way work is allocated.”

“A few years down the line pay scales will become meaningless as the amount someone is paid on a spinal column point will be dependent on how they have performed over all of the previous years. I am unsure of what analysis has been done to review how these different pay levels would be managed within the ERP system or how much additional cost could be added to the organisation in order to achieve this.”

“When PRP is used for bonuses it is acceptable as you would only get the bonus if you have met the targets but in this case it is affecting base pay which would appear to go against the equal pay for equal work objectives of the organisation - presumably WSCC have decided that this essential belief is no longer fitting with the ethos of the organisation.”

“If the performance of the workforce is such a concern then use the capability policy. If it’s not then we have a value base: 'Trust and support' - we trust and support each other to achieve our goals.”

**6.0 Objection to ‘satisfactory’ performance becoming unacceptable and not commensurate with cost of living pay awards and incremental progression**

6.1 Members believe that ‘Satisfactory’ should be a level of performance which is acceptable and should not be used to deny staff a cost of living pay award, which if not made will reduce their quality of life as the value of their pay would reduce in real terms. Nor should satisfactory performance deny incremental progression.

“This offer suggests that in order for an employee to receive an increment in line with increased costs of living (i.e. to maintain a standard of living, rather than to improve it) the individual needs to exceed what is ordinarily expected of them in their role. It seems to be that if your performance is "Satisfactory", you would be given a real-terms pay cut as a direct result.”

“My experience over the past 10 years over a number of managers is that the grading system is subjective, not objective; managers are not clear enough on using SMART targets and therefore measures are not clear enough to determine, what is good and what is exceptional. Also, I would like to understand why 'satisfactory' performance would not qualify for increases. It suggests that 'satisfactory' is not actually 'satisfactory' and I strongly disagree with this. Although we all strive for good and exceptional performance, there may be times in our lives where for either external factors or personal reasons, we have not achieved good or exceptional, but the work is still satisfactory and agreed outcomes have been met.”

“An appraisal stating ‘meeting expectations’ is saying that you are fulfilling your role, but in effect Nathan is now stating that fulfilling expectations is no longer enough.”

**7.0 Concern about impact changes will have on the appraisal process**

“For the last 2-3 years we have been informed we have appraisals which are very individualised, two way conversations etc. The new approach to performance related pay indicates this is untrue and they are actually PDRs and this [securing a pay rise] will surely be the main focus *not individual development*.”

“This will change the nature of the exercise and become about the award of a cost of living rise and increment – and less about the supportive and reflective process it should be in our profession.”

“It's a big change for managers who line-manage, and they could not withhold money which is a huge responsibility.”

**8.0 Trade unions**

“Why are trade unions not recognised for the purpose of agreeing terms and conditions of employment relating to pay, or allied pay arrangements? They always have been.”

“I am also being asked to vary my terms and conditions in respect to collective bargaining, however this is not in any way outlined within the consultation. If this is a change then, for consultation, I would have expected this to be made much clearer. The Statement of Particulars I received states ‘…<the council> supports the system of collective bargaining in every way...’”

“I am also not clear [about] the contract variation in relation to UNISON's future role.”

“I am also concerned that Unison have not been updated through this process and this demonstrates a culture where senior managers are not transparent with their staff.”

“[I have a number of concerns including] the apparent drive to no longer recognise Unison as a valuable partner in staff related matters, especially terms and conditions.”

“How is it reasonable to make signing away union representation in pay negotiations a requirement of future pay rises?”

“I would be concerned about a change that means that Unison would not be involved in any aspect of pay arrangements.”

**9.0 Conclusion**

9.1 Management must work harder to reflect and live the West Sussex values they are asking other staff to work to. They have not met these standards on this occasion.

9.2 Considerable efforts will need to be made to repair trust and goodwill with this group of managers.

9.3 UNISON members are strongly opposed to the proposals.

9.4 UNISON members were highly critical of the process used to achieve them.

9.5 UNISON requests the following:

9.5.1 That proposals to link cost of living and incremental progression and vary contracts with regards to Trade Union recognition are halted.

9.5.2 That the 2% pay offer made to UNISON is reinstated for July 2018-March 2019 and is supplemented by: a 2% award for 2019/20.

9.5.3 That work is done to establish the desirability of re-linking local pay bargaining to national NJC pay bargaining and that this is consulted on in due course.

9.6 UNISON is seeking legal advice on the proposals as we believe them to be unlawful. We consider this to be an unlawful inducement under Section 145A and/or 145B of the Trade Union & Labour Relations Consolidation Act 1992.

9.7 UNISON is convinced that its members feel strongly enough about this issue that we should keep all campaigning and industrial options open. UNISON would also need to work with our members in the NJC group so they are aware of the potential negative repercussions for them.

Compiled on behalf of UNISON members by:

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