**Local pay 2019 – UNISON response**

1.0 Standard of consultation

1.1 UNISON was not sent the communication which staff received to launch the consultation and on which the consultation was based. This is very poor practice and not becoming of a county council. This is particularly poor when the failures of the 2018 process are considered.

1.2 We requested the consultation document; this request was not responded to, but upon chasing UNISON was then sent an excerpt from the consultation document. A further request for the full consultation document was refused. UNISON has relied upon its members to see the full consultation letter they received.

1.3 The consultation commenced whilst all of the UNISON Branch’s senior officers were discussing the county council’s change of approach to the local pay offer within a regular consultative meeting with the Chief Executive. This gave the branch no notice of the consultation; UNISON was placed on the back-foot and was not able to communicate with its members until two days after the launch of the consultation.

1.4 UNISON requested the data for the staff in the local pay groups. WSCC has previously confirmed that providing the data is not a breach of GDPR. It is particularly important that the branch has this data so it can communicate with accuracy to staff in the pay group. Although every year previously WSCC has provided this data to help facilitate meaningful consultation, it has decided not to do so this year. This is quite churlish, and again is particularly poor when the failures of the 2018 process are considered.

1.5 The lack of data means we have been unable to communicate with accuracy to the group of Children’s Services Practice Managers who were upgraded to HAY pay in 2018. We have instead relied upon the 2018 data we received, which takes no account of upgraded practice managers or of staff who have left or joined the local pay groups. Therefore to supplement this we had to communicate to all our members to ‘scoop up’ others who should engage with UNISON on the consultation. Ironically, the council has complained of UNISON’s communication to its membership on a publicly available website, but we had no choice but to do so with this exercise as UNISON was not provided with the data by the council.

1.6 The council’s change of approach on engaging with staff to ascertain consent to collective bargaining is still largely unexplained. The paragraph below, extracted from the letter which staff received at the consultation outset but UNISON was not provided, does not explain the full picture to staff:

*“However, the discussions and actions to date have not given me confidence that there is currently sufficient common ground on which to base a voluntary recognition agreement and hold constructive pay discussions or to support us in meeting our key areas for challenge: performance, finance and culture.”*

1.7 UNISON has provided its members with a fuller explanation, and this is available at: <http://unisonwestsussex.org.uk/news/local-pay-wscc-2019-20/>

1.8 UNISON has used its Smart Survey facility to run a consultation with members. We have encouraged members to share the survey with non-members, and we are able to cross reference non-members responses to see if they vary from those of UNISON members.

2.0 2% pay offer

2.1 UNISON recommended to its members that they accept the management offer of 2%. This offer was in line with the NJC award and was not attached to an assessment of performance. This was a different recommendation to 2018 when UNISON recommended its members should reject the pay offer, and this is what members and non-members did.

2.2 All percentages within this report are rounded to the nearest one per cent.

2.3 **99%** of respondents to our survey voted to accept the 2% pay offer. There is therefore no appreciable difference in response between members and non-members, or between the responses of staff on HAY, SMG4 or AfC/Public Health pay scales.

2.4 UNISON therefore accepts the local pay offer and asks the management-side to implement it at the earliest opportunity.

2.5 We gave survey respondents an opportunity to leave qualitative data with the survey response they gave on accepting or rejecting the offer, and below are a selection of comments under their general theme:

Consultation

*I am quite confused since I feel bombarded with information from management and I need to make a decision on this in a short timeframe with little or no background. Many thanks to Unison for helping me with the decision.*

Workload

*We need to ensure members are protected with their workload. This goes on increasing, leaving staff open to criticism.*

Cost of living and inflation

*Offer however is still below cost of living increases so local authority officers continue to be poorer in real terms.*

Equity with NJC staff (including on performance)

*I don't want a different award from the NJC staff, as this would be unfair and inequitable (on either side).*

*Seems fair in the current financial climate and considering the previously agreed NJC award.*

*I will not accept performance-related pay as my performance is mainly dependent upon West Sussex systems which are appalling.*

*I feel this is a reasonable offer, comparative with NJC staff. I am particularly pleased that the offer no longer links to performance.*

*It's reasonable and as it's not linked to performance I'm happy to accept.*

*Given that NJC staff have been offered 2%, I don’t think Hay staff should receive a higher increase than them. I would support a policy of seeking a greater increase across the board, but not just for Hay staff.*

 Fair offer

*I’m happy to accept this award because the council are financially challenged at the moment and I think it’s a fair offer under the circumstances.*

*Seems fair now – thank you for negotiating this!*

*I think this is a fair offer but do not agree with the council's view that Unison should not be part of future pay negotiations.*

2.6 A critical reason why the offer for 2019-20 was acceptable to members and non-members alike was that it matched the NJC award and was not linked to performance. These were both key factors in what made the 2018 offer unacceptable to staff. UNISON believes that these responses give the management-side reason to reconsider re-linking local pay to the NJC pay award. UNISON would accept this.

3.0 Statutory recognition

3.1 As well as consulting on the pay offer, due to the way the offer has come about this year and how it was communicated, UNISON wanted to test how its members and non-members felt about UNISON using the statutory recognition process to secure collective bargaining for local pay at WSCC. We asked whether survey respondents agreed with us taking this step.

3.2 **96%** of survey respondents agreed UNISON should push for statutory recognition.

3.3 Non-members were a minority of those who undertook the survey, because their participation only occurred if members forwarded the survey to them, but they were statistically relevant. **80%** of non-members felt UNISON should push for statutory recognition.

3.4 This gives UNISON confidence that any statutory process which tests the opinion of non-members is likely to deliver a positive outcome for statutory recognition. UNISON also has a clear mandate from its members.

3.5 There was no significant difference in view between staff on the question of statutory recognition. All groups delivered overwhelming majorities in favour of it (**100%** of AfC/Public Health staff; **96%** HAY staff; **88%** of SMG4 staff).

3.6 We gave survey respondents an opportunity to leave qualitative data with the survey response they gave on statutory recognition, and below are a selection:

*What a shame this step seems to have become necessary. I would have thought it would have been in the employer's interest to agree to voluntary Unison recognition for this pay group and would show them in a much less confrontational light.*

*I am pleased that probably due to Unison intervention last summer, the same debacle has not been repeated and we have the same offer as NJC. In the current climate is as much as I believe is reasonable & realistic. However, if there is no recognition, preferably voluntary, then I think future pay offers may not be as reasonable. As a manager seeking Unison help I have always found Unison extremely helpful and pragmatic about trying to find a way forward to achieve service goals.*

*WSCC have not upheld their values and behaviours. I would want Unison to be involved in any changes in pay and terms and conditions that affect me and my fellow workers.*

*It’s absolutely outrageous that WSCC have not already recognised Unison for the local pay award. It shows a lack of respect and value towards its employees.*

*The refusal to recognise Unison is shocking and appears to be a complete rejection of the values that we as staff are supposed to model.*

*I completely agree and am appalled at the way Unison has been dealt with, which I think is totally unreasonable.*

*Over the past year-18 months WSCC has sent out some confusing communications, where HR start out on a course then backtrack. I think they would say they are listening to staff – but it is because the proposals (and notably on performance pay) are not thought through enough. So what tends to happen is a communication from HR followed by some staff uproar, then a back-track. We i.e. senior managers, staff, the whole of WSCC simply don't have time for this nonsense!*

*I have never really worked anywhere with such an antagonistic attitude to trade unions. What on earth is wrong with collective negotiation? I think HR and senior management would benefit from this as much as staff.*

*I think WSCC should work with openness and honesty with Unison, as per the supposed values of the organisation.*

*I strongly believe that recognising Unison for the local pay award would have a massive and positive impact on morale and retention of experienced staff who will be crucial in improving our Ofsted rating. It would demonstrate that staff actually matter and will be listened to.*

*The manner in which the employer has conducted pay negotiations over the last 18 months is very poor. Whilst the offer has improved this year I believe that is because of the response from staff and the union, not because of a change of heart. Therefore strong representation offered by the union is required to make sure the employer approach is moderated.*

4.0 Conclusion

4.1 UNISON would like senior management at WSCC to listen to UNISON and to listen to its staff – whether they be members of UNISON or non-members. Its continued approach is considered by a large portion of its employees to be antagonistic, and this is doing damage to the reputation of WSCC as an employer.

4.2 UNISON and staff accept the 2% pay offer and would like it to be implemented as soon as possible.

4.3 Overwhelming majorities of staff in all categories wish to see UNISON push for statutory recognition. UNISON would like WSCC to return to discussions with UNISON with a view to commencing a staff-wide survey on voluntary recognition before the end of August. If this is not possible, UNISON will lodge a request for statutory recognition in the autumn.

**Dan Sartin
Branch Secretary
12th July 2019**