

BRANCH LINES

UNISON West Sussex Branch newsletter • www.unisonwestsussex.org.uk



Campaigning for you!

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WELCOME

Happy New Year! In the last edition we promised you more information on the 'softer' benefits of union membership.



Please turn to page

5 for more information. This month we also feature a wide range of issues including our response to the council's budget cut proposals, council funding of private businesses and important branch election and annual general meeting information. We're also commissioning some independent research into WSCC's Capita contract. It's going to be a busy year. Feedback, as always, is very welcome.

Dan Sartin, Branch Secretary

Dates for your diaries: AGMs



The dates, times and venues for 2015's Annual General Meetings have now been confirmed. They are:

12:30pm, Thurs 19 March, Conference Room 4, Centenary House, Worthing.

12:30pm, Mon 23 March, Bodiam Room, County Hall North, Horsham

12:30pm, Tues 24 March, Committee Room 3, County Hall, Chichester.

Make sure one of the dates is in your diary! Refreshments provided.

Andy Holt, independent consultant, will be talking at all three AGM events about the research he is conducting into the WSCC/Capita contract.

Pensions board: evading the union?

In our last issue we asked for volunteers to become pension board members for the Local Government Pension Scheme (LGPS). This follows legislation insisting that pension schemes must have a board by April 2015. UNISON has lobbied for this for many years and welcomes this reform.

However, at West Sussex County Council, the Governance Committee agreed that – against UNISON advice – they would appoint a paidfor chair hired directly by WSCC Leader Louise Goldsmith. The council has already unnecessarily spent £15,500 on actuary firm Hymans Robertson to advise them on this. We do know the consultant has suggested that unions be circumvented, completely contrary to advice given for example, in Scotland and by the Local Government Association (LGA). It was also clear the consultant didn't know the union had a retired members' section. The council expects to pay up to £15,000 for the chairmanship position: money coming directly out of the pension fund.

Quite why the council felt it needed a consultant at all when – in our opinion – government guidelines made it blatantly obvious what was required is a mystery. Most pension funds do not operate in this way.

Why is this important to you? This approach means decisions could be made about your pension by people who are not in a union or even unsympathetic towards union members. Nonmembers do not have the support of a union to advise them on pension scheme member priorities, and are not accountable to anyone, so your concerns could go unnoticed.

We hope our board nominees successfully pass the selection process and prevent the circumvention of union influence on this important board.

We will report on the progress of the pension board in future editions of Branch Lines.

Campaigning for you

UNISON West Sussex's response to WSCC budget

UNISON West Sussex commented on WSCC's budget plans, to cut £39million in 2015/16 and £30million in 2016/17.

"The chickens are now coming home to roost," said Branch Secretary Dan Sartin. "The council has adopted a short-sighted policy for several years of freezing council tax. The effect of this can now be seen as the budget available to the council has shrunk, and cuts need to be made far deeper than would have been necessary had there been modest annual tax increases."

Dan continued, "The council does not know with any certainty where they will find these eye-watering sums. £49million (71%) of the £69million that must be found is listed by the council as being 'amber'. They define that as 'medium risk', but the truth is that these £49million cuts are not part of any detailed plans. No real work has been done yet on many of the budget lines. It is finger in the air time."

UNISON has set out examples of its 'amber' concerns in three categories, shown here with proposed savings in each area:

- 1 Very risky or dangerous this includes:
- Special Educational Needs redesign (£315,000)
- Redesign of Facilities Management Services (£335,000)
- Support Services activities, Capita contract (£60,000)
- Review options for day care, dementia and rehab services (£1,140,000)
- SSO Contract/Customer Engagement (£3,380,000)

- 2 Driving down the costs of suppliers this includes:
- Placement cost reduction for Looked After Children (£1,170,000)
- Reprocurement and contract management (£1,000,000)
- Reprocure waste (£4,250,000)
- Review of top contracts (£3,750,000)

it in West Sussex will look very different by the end of the current administration in 2017."

- 3 Prevention
 this includes:
- Focus on prevention, in Health & Adult Social Care (£2,450,000)
- Focus on prevention in Care, Education and Wellbeing (£6,310,000).

Dan continued, "We're entering the unknown here. The council does not know if it can achieve these huge cuts, and it has piled the pressure on itself by obsessively following the diktats on council tax from Tory Central Office. Residents will suffer if these cuts objectives are met. And of course, if these cuts cannot be achieved, cuts will be found from other essential council services to balance the books. It will be a rocky period ahead. Local government as we know

On the collective case: restructures and consultations

At any one time, the UNISON West Sussex branch can be involved in several restructures or collective consultations. At the moment, branch officers, workplace reps and regional staff are helping our members get the best deal possible in more than 30 workplaces across the county. Here's a flavour of the wide range of negotiations we are taking part in:

- 1. Highways: we are involved in the complete redesign of the structure for Highways Services. The council is aiming to deliver improved customer service and have clear accountability for staff and customers. It will provide a staff development path and career structure. The long-term intention is for all highways staff to be co-located at one super depot. In the interim, one depot will close in spring 2015, resulting in the temporary relocation of some posts.
- 2. Children's Services: we are involved in negotiations around the largescale restructure of all children's social care services. This restructure is not being done primarily to make savings, but to ensure the service is fit to meet the needs of children.
- 3. Worthing Age of Transfer: there are a few schools in Worthing where changes to the age pupils transfer to secondary school will impact on staff numbers. The union-agreed protocol, designed to redeploy staff, should ensure minimal redundancies.

If your service is to be subjected to a restructure, or you need help for group of union members, we can negotiate collectively on your behalf. You don't have to go through it without support.



On the individual case

Caseloads vary across the year in the branch.

Here's a snapshot of the number of each main type of formal case the branch was dealing with in December 2014. This meant our members were getting one-to-one support from union reps and officers, with legal advice where necessary:

18 disciplinaries; 25 grievances; 8 capabilities; and 21 sickness absences.

These cases were supported by workplace reps, branch officers or

regional staff. The branch has invested considerable time and resource in organising and paying for training for our 100 or so workplace reps, including two branch-based training courses during 2014. Any rep wanting to support cases should contact Tim Harrison in the branch office. Any member wanting to get more involved in union work can become a rep. To find out more, simply fill in the form on page 15 and send it in to us.

Member benefits

In the last issue of Branch Lines, we promised to tell you more about some of the 'softer' benefits of UNISON membership. Here are a couple of examples you might like to consider:



Winter fuel grants...

...are available again for UNISON members who are having difficulty meeting their heating bills. Available from the union's independent welfare charity, 'There for You', they consist of a one-off payment of up to £40. Funds have been ring-fenced to support this initiative. It's a fixed sum and we are unable to make further grants once it's allocated. If you wish to apply, download an application form from our website (look under 'News'). Return it by Friday 6 February 2015.



Legal help in and outside work, for you and your family...

UNISON members can get free legal advice and help with work-related issues. If our solicitors, Thompsons, think there is a case to answer, they will fully support you. They will not take a percentage of any claim you may win. You can also access free initial legal advice on non-work related issues, along with support for you and your family for personal injury cases outside work. If you or your partner have an injury at home, you can use the union's solicitors to try to help fight your case. For work-related issues, first contact the branch. For non work-related issues, call UNISON's legal helpline on 0800 0857 857.



Personal injury successes

Since our last issue we have successfully negotiated the following financial awards:

- 1. A branch member who slipped on a pathway while walking to work injured his knee. He received £3,000 in compensation.
- 2. A branch member injured in a road traffic accident received £2,000 in compensation.
- A branch member who slipped and injured herself at work received £4,500.
- A branch member injured her back in a restaurant. The company paid her £4,000 in damages.

UNISON's solicitors took these cases on for West Sussex members free of charge. No deduction was made from the damages received. UNISON's personal injury service is one of the benefits the union offers, and covers you for injuries sustained both in and outside the workplace. It covers your partner for injuries sustained outside their workplace.

Combing through the Capita Contract

The branch has recently sought and secured resources from the regional funding pool to conduct an independent review of the outsourced Support Services contract currently operated by Capita plc. This includes services such as pensions, payroll, IT and health and safety across a number of public sector organisations such as WSCC, the University of Chichester, schools and academies.

The review will:

- analyse whether the contract is meeting its stated performance objectives;
- assess the impact on pay and conditions of staff affected; and
- consider the 'social value' of the contract to local residents and businesses from this method of public service delivery.

Due to report in spring 2015, part of the study involves asking you, our members, to fill in one of two short, online questionnaires about your experiences. These are:

- one targeted at service users (such as council staff); and
- one targeted at Capita staff who deliver the service.

Watch this space for further information and links to the surveys.

WORKPLACE REP PROFILE

Mervyn Sams, Capita.



"I was TUPE'd over from WSCC to Capita in 2012, when Office Services was outsourced. I was then relocated from Worthing to Chichester, retaining my post as Lead Administrator".

"I'm the Capita Workplace Rep for UNISON and a member of the Branch Committee together with additional roles as the Lifelong Learning Co-Ordinator and Education Officer. Any case involving a Capita member is usually referred to me or one of the other reps. I deal with issues such as disability discrimination, sickness absence including stress, redundancy, relocation, pay, capability, grievance and disciplinary".

"Together with the Branch Secretary and other Capita reps, I am part of the 'Joint Consultative Committee' (JCC). The group discusses, with senior Capita management, proposed relocations and redundancies and negotiates the agreed application and process associated with these changes, legal precedent, employee engagement and other issues raised by staff".

"As the co-representative for West Sussex Capita, I sit on the 'National Capita Stewards Committee'. At their London meetings, we identify contractual anomalies, unfair practice plus other common issues and report these to the UNISON lead national officer for negotiation with the Capita directors."

If you are a Capita employee - whether originally from WSCC or not - and you want to raise any concerns or join the union, ask Mervyn Sams. It'll be well worth your while.

Owen Jones talks to local



UNISON officers

Owen Jones (Guardian columnist, influential commentator and panellist on BBC's Question Time, This Week, etc) gave the key note speech at a recent UNISON South-East regional policy weekend.

He discussed the key challenges trade unions face under the theme of 'Britain Needs A Pay Rise'. Owen emphasised the unique place of trade unions to influence left-wing thinking and strongly believed that unions can give people hope for a better future. Building on content from his two critically acclaimed books 'Chavs' and 'The Establishment',

"Change is not won through the good will and generosity of those above, but through the struggle and sacrifice of those below." (Owen Jones)

he explained how the establishment manipulates political thinking and action to suit its own agenda. He believed that trade unions are one of the most important forces in British society to help counteract this and described how his father's membership of UNISON had helped influence his own political thinking. A great speech from one of Britain's leading political thinkers.

The branch sent a delegation of three reps to this conference to make sure West Sussex members' views were represented.

Dave Prentis' response to the Autumn Statement

"The Archbishop of Canterbury's recent report into hunger in the UK has given all of us a chilling projection of what five more years of a Tory government



would look like: more austerity, pay freezes, further cuts to public services and increasing prices, and more reliance on welfare and food banks," said UNISON General Secretary, Dave Prentis.

"With the cost of basic foodstuffs going up by 35% over the past five years and home heating by 63%, it is not just those on welfare who are suffering. The freeze on wages and cuts to hours has fuelled a rise in the number of working poor, and the number of people resorting to food banks.

"UNISON's own welfare charity, 'There for You', has had more members turning to the union for financial support. Between 2011 and 2013, There for You saw a 75% increase in payments to members in crisis, many of whom could not afford to pay for food, bus fares or other daily essentials.

"We are campaigning to change the government's welfare reforms so that vulnerable and low-paid families are lifted out of poverty.

"But we need a government that commits to creating full-time jobs, paying a living wage across all public services, and increases funding for people in schools, colleges and further education, to help our next generation get ahead.

"Five more years of this government simply does not bear thinking about."

For any of our members needing financial support, please note that UNISON also has its own credit union and a debt advice service as well as its 'There For You' welfare service.

Branch Officers: 2015/16 Ele

The Branch Committee has nominated the following members to serve as Branch Officers for the following year.



As part of the union's democratic process, nomination forms for any of the above positions are The annual election process for Workplace Representatives has also started. The nomination

ctions



e available from the Branch Office. period for all positions ends at 12 noon on Friday 30 January 2015.

Holiday pay too low? Act now!

Two recent legal cases on holiday pay could mean that UNISON members may have claims for underpayment if they did not receive their normal pay when on annual leave.

In the first - known as the Lock case - the European court ruled in favour of a UNISON member who argued that paid annual leave should include commission



payments if these were part of normal pay.

And recently, the Employment Appeal Tribunal (EAT) ruled in another case that overtime payment should be included in holiday pay if members are required to work overtime regularly.

The EAT took the UNISON Lock judgement into account when it reached its decision.

Both cases referred to the European Working Time Directive, with its guarantee of paid leave, and the judgements only apply to the statutory leave entitlement.

Both issues may affect members who have been

underpaid in the past when taking leave. UNISON will support members who have a claim.

As with all tribunal cases, there are strict time limits for when a claim must be submitted. For these cases it is three months, less one day, from date of the last alleged underpayment following a period of statutory annual leave.

If you think you may have been underpaid talk to us now.

The West Sussex branch is negotiating protocols to clarify how the issues arising from these judgments will be handled with its larger employers, including WSCC.

New guidance on supporting transgender employees

New county council guidance supporting transgender colleagues in the workplace has been launched. It was developed and approved by a transgender UNISON member and Branch Secretary Dan Sartin, working with WSCC HR colleagues.

The guidance clarifies issues on all forms of 'gender dysphoria' and gender reassignment. It helps both managers and transgender staff to successfully manage through - what can be - an uncomfortable and emotionally challenging time.

People who have gender dysphoria feel their assigned gender at birth and their gender identity do not match. It can place a great strain on the individual. The decision to undergo gender reassignment is a difficult one. It is not uncommon for the individual to feel that they must leave the job they are doing in the old identity and to seek new employment in the new identity. Both UNISON and West Sussex County Council are committed to supporting individuals at work so that their valuable skills and expertise can be retained.

As the guidance is also relevant to schools, you can find the guidance on both WSCC's intranet and the Grid for Learning.

Public pot props up pie production

Over 20 private sector businesses have been subsidised for development using public money through the government's £500,000 'Kick Start' funds allocated to WSCC. These include:

- a £25,000 grant to a pie company to move to bigger premises;
- £24,732 to a vineyard to help improve a visitor centre; and
- £25,000 to a company to help lobster pot production.

The council is also looking to award the Weald and Downland Museum a total of £100,000 to help build a new 'gateway' entrance to the site.

UNISON understands that government spending restrictions mean these funds must be specifically allocated to help economic regeneration. They cannot be used on the day-to-day running of services.

It does call into question government priorities when many public buildings are in a state of disrepair through lack of investment and services are deteriorating as budgets are cut. The public sector is creaking at the seams, yet government money can be found to subsidise pie factories.

We're told there is an emphasis on 'job creation, quality and sustainability' as part of the assessment criteria for these bids,



but there is no specific reference to refuse to subsidise businesses who may employ people on zero-hours, short-term, part-time contracts with this money.

Independent advisors have also been appointed to support the project for a fee of over £37,000.

Be assured that UNISON will be closely monitoring progress reports to make sure any jobs generated by these subsidies meet the highest standards.

WOMEN IN UNISON

Women managers face 'pay crisis'

According to a recent Chartered Management Institute survey, a 'mid-life pay crisis' is hitting female managers, with women aged 40-plus earning 34 per cent less than men.

"The findings of the CIM survey make depressing reading and offer no incentive to women who might be considering this career path, which has been traditionally an area where women are underrepresented."

(Fiona Roberts, UNISON Regional Women's Officer) To earn the same as a male manager over her career, a woman would have to work the equivalent of over 14 years more - which, based on a pension age of 65, would mean working until nearly 80.

The survey, which covered over 68,000 professional UK workers, found a gender pay gap that hits professional women hardest in the second

half of their working lives. The monetary value of the pay gap between men and women aged between 45 and 60 stands at £16,680 per year. When the average across all age bands is taken into account, the average male salary is £9,069 greater than the annual female takings of £39,461 - a 23 per cent difference.



Good practice at Grace Eyre Foundation

For over a hundred years the Grace Eyre Foundation (GEF) charity has supported people with learning disabilities and mental health needs across Sussex. In 2012 WSCC, contracted GEF to run some of its supported living services. At that time some existing UNISON West Sussex members were transferred to them.

Since then, UNISON has provided support and advice to our members individually, and negotiated collectively through the Joint Consultative Committee when GEF consulted on changes to contracts and working practices.

Now UNISON West Sussex and GEF have extended the existing union recognition agreement to cover all GEF staff working in East and West Sussex and Brighton and Hove. This will provide a single point of contact for GEF for discussions, consultations and negotiations. It will be particularly important in 2015 when GEF bids to continue its existing contracts and seeks new opportunities, particularly in supported living services.

In November 2014, branch and regional UNISON members staffed a recruitment stand at the annual GEF staff conference, celebrating the organisation's successes and developments. At the end of the day we had signed up several new members.

If you want to be part of the successful collaboration between UNISON West Sussex and the Grace Eyre Foundation, you can join by filling in the form on page 16.



Essex Cares consultation

The contract for 'reablement' services (ie those services helping to rehabilitate vulnerable people in their own home after hospitalisation) is due to be re-let in the next few months.

The local authority 'spin-out' organisation Essex Cares is currently contracted to provide these services. There are likely to be significant changes to the current contract that will impact on the service provided and the roles and responsibilities of UNISON members working for Essex Cares. UNISON is fully involved in the negotiations and will support our members through whatever scenarios arise. Currently Essex Cares is consulting on cutting its management layer down from two to one. When the contract began, four council managers transferred to Essex Cares, UNISON has serious concerns about the proposed level of management, and is supporting our members affected. For more information contact Brian Walter (Negotiations Officer) in the UNISON office.



WORKPLACE REP PROFILE



"I don't think people are generally aware of the wide variety of tasks we take part in," says Paula, workplace rep for Legal Services.

"Take me for example.
As well as representing members within my service, I'm one of a team of reps who assess role profiles under the WSCC job evaluation process. Our experience and training helps us decide whether or not a role profile justifies the scoring. We need to be

WOMEN IN UNISON

Paula Herbert, Legal Services, County Hall, Chichester

really objective, do lots of intense reading and talk through our results with other reps and HR officers."

Paula is a Chartered Legal Executive in the Litigation Team at the council. Legal Services has just moved location to a new, openplan office in the West Wing at County Hall.

"One of the benefits of being a union rep," continued Paula, "is that I can influence working conditions for my colleagues. For example, when the second floor was being refurbished, developers didn't realise there would be no easy access to toilets for any Legal Services staff. As we had at least one person who was

pregnant, it was a really serious issue. I spoke to Facilities Management who then changed plans to allow continued access to toilets. I don't think my request would have been as successful had I not been a rep."

One of the key issues for Paula is the need to recruit from a team of staff who are used to dealing with legal situations. "People think they can deal with any employment situation themselves, but my UNISON employment law training has really helped me to help others in challenging situations. It's always good to have someone else on your side."

Working together works wonders!

UNISON Further Education Rep Karen Fisher and Branch Negotiations Officer Brian Walter worked on a successful joint approach to challenge a job evaluation (JE) outcome for a group of credit controllers at Northbrook College, Worthing.

JE outcomes were signed off in June 2013, but after analysing job requirements, it was clear that credit controllers should have been upgraded and an appeal was launched. A moderation panel decided to downgrade the role having used an out-of-date job description.

There were many further meetings and setbacks over

many months. Our rep Karen was asked at one point to be removed from the moderation panel as she was allegedly 'too partisan' to moderate the role, so Brian took over.

He successfully managed to get the job upgraded, but the college refused to back date pay to June 2013. Karen advised local members to take out a collective grievance

against the HR director which they won. After 18 months the credit controllers finally won their case. Pay was backdated.

The case proved that working together, reps and members can achieve excellent results.

As Karen says, "If you think something is right then keep fighting until reason prevails!"

Returning to work: a disabled Capita member's experience

One of our members tried to negotiate a phased return to work with Capita after a long and severe illness left them permanently classified as disabled.

However, not all was at it seemed. Believing that Capita would be subject to the same policy for people with disabilities as WSCC, this person expected to return to the same job, with appropriate 'reasonable adjustments' in place to help them cope during the first few difficult weeks. Unfortunately, this was not the case.

One of those reasonable adjustments was to reduce hours to part-time, with the remaining hours covered by a job-share arrangement. This was to help our member cope better with ongoing lapses of concentration (due to treatment) and sustained periods of fatigue: residual effects of the illness.

This was not permitted. The reason given? It increased headcount.

Indeed, not only was there no offer of a reduction in hours, but a complete change in the type of work being given to our member. This new work would normally done by staff operating at a lower grade, and not a good use of our member's skills, knowledge and ability. New tasks did not consider our member's specific needs and issues, resulting in increased stress levels.

It was only after 14 anxious months - when the union was formally approached - that any serious attempt to provide reasonable adjustments was introduced. Largely through the union's intervention, improvements have been made.

Anyone can become disabled at any time. Equalities legislation is in place to protect workers from discrimination. Contact us if you need advice.

"All the evidence shows very clearly that if you are a member of a trade union you are likely to get better pay, more equal pay, better health and safety, more chance to get training, more chance to have conditions of work that help if you have caring responsibilities... the list goes on!"

Frances O'Grady, TUC General Secretary

"When surveyed in 2013
[by Ipsos Mori], almost
80% of the British public
agreed that trade unions
are essential to protect
workers' interests.
This high level of public
confidence in trade
unions has been recorded
consistently in surveys
over the last 40 years."

CLASS: Centre for Labour and Social Studies

Public money: for private or public sectors?

Despite £0.5m of public money being granted through WSCC's 'Be the Business' project to local, private businesses that have nothing to do with public services, the council isn't willing to invest in improving one of its own day centres: Burnside in Burgess Hill.

At a recent public meeting, Peter Catchpole (WSCC Cabinet Member) didn't even turnup to hear the views of UNISON members. staff and service users. This is in spite of the council promising service users that they will be 'at the heart of the decision'.

A review of the centre found the building was 'beyond economical repair' and should be closed, with alternative services offered reflecting reduced demand. However, no detail was offered on those alternatives.

Some attendees claimed the council had let the building fall into disrepair and run the service down through lack of investment. This inevitably led to fewer people using the service, but provided the council with a stronger case for closure.

Dan Sartin, UNISON Branch Secretary, said: "The service has been understaffed for years. There were cuts two years ago, but even that level has not been maintained. The interests of the service users are paramount, and our members accept that. The scandal at Orchid View, run by Bupa, should serve as a warning that these services should remain publicly owned, and publicly run. UNISON supports the option to improve the building and develop the service."

DID YOU KNOW?

Even if wages rise at 2.5% each year from 2015, most wages are unlikely to return to their pre-crisis level before 2020.

(Resolution Foundation)



NOMINATION FORM to become a UNISON Workplace* Representative

Complete and send to: UNISON West Sussex, County Hall, West Street, Chichester, PO19 1RQ.

I would like to become the Workplace* Representative for (name your team, location, directorate or employer):

Full name (PLEASE PRINT)	Signature	Date
Proposed by (PLEASE PRINT)	Signature	Date
Seconded by (PLEASE PRINT)	Signature	Date

Please note: proposers and seconders should be UNISON members from the same workplace. *A workplace may be a large team, a location (a day centre for example), a section within a directorate, or an employer.

Thank you UNISON West Sussex!

Here's a selection of feedback quotes from members who have been supported by our reps and branch officers over the past few weeks. If you need help, please get in touch. Tell your colleagues to join us! You never know when you might need help.

"Just wanted to say a big thank you for all your hard working supporting us, it has been extremely reassuring the level of support given. The UNISON response document is a strong and true reflection of the situation and its members views."

UNISON WEST SUSSEX BRANCH

Branch Secretary: DAN SARTIN

Branch Lines Editor: GRAHAM ANDERSON

Feedback:

editor@unisonwestsussex.org.uk Phone: 01243 777636 "I am very grateful for all your help and time in dealing with this matter and it will certainly allow me the time to deal with the situation I have."

"Thank you Unison for supporting me through this difficult time and achieving a satisfactory outcome. I don't think I would have had the confidence to tackle this without your help."

"I am writing to let you know how supportive and helpful X has been in dealing with my grievance and redundancy consultation. He has always been there to represent me and give advice, support and guidance in all of the meetings. With his help and support I am no longer at risk of redundancy and have kept my full time role. He is a superb Unison Representative for all staff here at X."

Join UNISON! MEMBERSHIP FORM REQUEST

Complete and send to: UNISON West Sussex, County Hall, West Street, Chichester, PO19 1RQ. You can also join online at: www.unisonwestsussex.org.uk/join

Name (PLEASE PRINT)	Email address
Workplace address	Home address

I would like more information on (please tick all that are relevant):

Joining the union



Becoming a rep

