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1 February 2012

Dear Stewart

Publically – funded trade union activities at Peterborough City Council

Thank you for your letter of 24th January 2012 which, as Cabinet Member responsible. I am very happy to provide you with the answers to the questions you have raised. I have also provided some further information which may be of help to you as well.

I do fully understand the need for us to manage appropriately the time/facilities afforded to Trade Unions, particularly in the current financial climate.

However, the need to review (for good reason) also comes at a time when we are engaging with the Trade Unions far more than usual in order to deliver the change needed to secure our financial targets. I believe that through building positive relations with the Trade Unions, that we have been able to effect change to date without litigation or industrial action/unrest.

Trade Unions have had a statutory right to reasonable paid time off from employment to carry out trade union duties and to undertake trade union training since the Employment Protection Act 1975. These statutory rights are currently provided for in section 168 of the Trade Union and Labour Relations (Consolidation) Act 1992. It would be, therefore, up to central government to bring about any change in the current legislative framework under which local authorities are required to operate.

Given that the current industrial relations legislation provides the duty on an employer to provide reasonable paid release for representatives to undertake their duties (such as representing their members at meetings), it clearly comes down to how best this should be organised within Peterborough City Council having regard to cost and impact on services.

Clearly an option would be to do away with the full time roles, two of which are funded by Peterborough City Council. However, this would certainly lead to a demand for more employee representatives based in front line services and I believe it is better to have relations concentrated in a few TU representatives rather than being spread across a far greater number for the following reasons.

1. It is easier to gain agreement to change through a few individuals who are well briefed on the need for change and with whom positive working relationships are formed.
2. Meeting our legal obligations to provide time off and facilities to Trade Union representatives, concentrated through "full time" roles is I believe, less disruptive to the services we provide to the public. Meetings with full time trade union representatives do not disrupt services. A larger number of "local" Trade Union representatives, most of which are employed in front line services would certainly create pressure points on services as a result of more of their time being diverted onto Trade Union duties.

3. The full time roles are directly managed/overseen by our Head of Human Resources who also undertakes an annual Performance and Development Review process with them in order to ensure that their work priorities are closely aligned to the needs of the Council. This management relationship helps significantly to ensure that the money invested in this resource is well spent and focussed on outcomes relevant to the Council.

I hope this background information is useful on what I do understand is an important issue. I will of course ensure that we keep under review our arrangements balanced with the demand for Trade Union involvement.

With regard to your questions, I have responded to them below.

“What is the current estimate of the budget outturn for 2011/12 of funding of trades union activities by post and department, undertaken within Peterborough City Council?”

The budget outturn for the two funded Peterborough City Council staff is provided below.

Position	Post Holder	Estimated Outturn 2011/12
Rona Hendry	Branch Secretary - UNISON	£43,600
Mark Burn	Assistant Branch Secretary - UNISON	£29,700
Total		£73,300

The total outturn for 2011/12 is estimated to be £83,500 with the inclusion of office facilities/schools support.

“Does the City Council lease any property to trades unions for their activities and at what level of rent and is this considered to be a market rent?”

In weighing up the pros and cons of this suggestion, I do not believe that it would be in the interests of promoting good industrial relations to do so, given that they occupy a small office on a floor in Bayard – an office facility which has to be provided for anyway to accommodate Children’s Services staff. There is also a requirement under the legislation/codes of practice to consider what reasonable facilities should be made available to Trade Unions which includes office facilities and equipment.

“For what reason Peterborough City Council does not collect data on the resource implications on a day-to-day basis of trades union activities in the workplace (e.g. absence on course and conferences etc) and will this position be reviewed?”

The full time roles are managed through the Council’s normal attendance control channels and requests for time off to attend courses/conferences are channelled directly through the Head of Human Resources in the same way as any other employee would be required to do. In addition, these posts, as mentioned earlier, are subject to our normal performance management review system, helping to ensure that their time is used effectively on Council priorities. I also receive requests on a few occasions by email for union staff meetings direct from the Branch Secretary, which I am asked to approve. Whilst the full time roles absorb a great deal of the day to day duties, (thereby reducing the dependency on the need for a greater number of local representatives), where due to workloads or other reasons local representatives are required to provide support, (such as representing staff in workplace issues), it is more difficult to monitor these activities, albeit such requests for time off are of course subject also to local line management approval. Nevertheless it is I believe something we should review and I have asked our Head of Human Resources to look at this so that we are able to monitor the situation better.

“Do you have any protocols in place for Heads of Service and other senior managers in respect of managing absence in pursuit of trades union – related activity?”

A “facilities/recognition” agreement which was agreed some time ago with the trade unions does exist which sets down the arrangements available to the Trade Unions. It is our intention to revisit this agreement with the Trade Unions, at the appropriate time.

I hope the above responses are helpful to you. Should you have any further questions, please don't hesitate to contact me.

Yours sincerely



Councillor Irene Walsh
Cabinet Member for Community, Cohesion and Safety