

SUPPORT FOR BRANCHES THAT EMPLOY STAFF

Lots of branches employ staff to do a variety of tasks and are fortunate to have some hard-working and committed people. But if the intention is to relieve the burden on the branch secretary and other core officers, it's important that the task of managing branch staff doesn't create a different work load problem.

Branch employed staff have the same rights as any other employee – the same rights as the members the branch serves. So it's important for the branch secretary to be able to carry out the normal employer responsibilities properly and with the minimum fuss - the obvious things like ensuring:

- a fair recruitment and selection procedure
- a written statement of main terms and conditions is issued within 8 weeks
- there are terms and conditions of employment covering things like pay, hours, holidays and “family friendly” rights (adoption, flexible working, etc), and the employee understand how they can be changed
- grievance and disciplinary procedures that at least comply with the statutory dispute resolution procedures
- a sickness management procedure
- staff development
- health & safety

A branch employee has these rights whether recruited through a normal advertising process, was a retired activist, or is seconded from the main employer.

Few, if any, branch secretaries volunteered for the role so that they could become an employer or manager, and most will need help and guidance on what they need to do. So, to lighten the load for busy branch secretaries, UNISON has negotiated a scheme with a company, XpertHR, that already provides employment advice to UNISON managers.

The scheme has three elements:

1. a health check – a lawyer will examine all the branch's current practice and procedures, advising on any changes needed and drafting new documents for your approval where necessary. Or if your branch is thinking about employing staff for the first time, advising on how to proceed and assisting you with all the processes and documentation you will need.
2. a 24 hour telephone advice line - on the whole, branch staff pose few problems to UNISON branches, or for the branch secretary whose job it is to supervise them. But if things do go wrong, sorting out complex employment issues without access to expert legal advice can be a minefield and hugely time consuming. Far better to be able to talk over the problem with an expert and get advice early on.
3. a web resource giving you access to a comprehensive range of employment guidance of use to you as a manager of staff or for collective bargaining purposes on behalf of your members.

It is important to emphasise that whilst XpertHR will provide advice and draft documents (T&Cs, grievance and disciplinary procedures, etc), the branch has the final say over what to do.

Joining the scheme is not compulsory for branches, but branches that employ staff must ensure that they have access to quality independent employment advice and support. This

scheme has been developed with XpertHR to provide advice specific to UNISON branches for an *annual* cost of just £900 + VAT – a modest sum compared to the hourly cost of a high-street solicitor.

Branches are strongly encouraged to ensure you that your employment practices are those that you would expect of any good employer, and that you have access to advice when needed. This scheme provides branches with a low cost opportunity to do that.

To sign up to the scheme, or for further information, visit <http://www.creativesql.co.uk/xperthr-unison.html> or telephone XpertHR on 0208 6522 145.

Q & As

We operate on an informal and friendly basis, can't we just continue with that?

The employer responsibilities are legal requirements and branches that fail to carry them out are at risk in law and financially. Contractual rights don't undermine, but should underpin good staff relations.

Our employee is happy with the current informal arrangements

Employees have legal rights that cannot be waived. If something were to go wrong in the relationship between employee and branch, the branch would be severely compromised if it were found not to be meeting its legal obligations as well as having no proper means to address the problem.

Can't we simply employ our staff on the terms & conditions operated by our main employer, or by UNISON?

A branch might *model* the terms and conditions on those of their principal membership group, or those for UNISON staff, but they would have to be adjusted to meet the branch's needs and circumstances. For example, grievance and disciplinary procedures that reflect the position of the branch as a small employer. And the terms and conditions on offer must be ones that the branch feels comfortable with – so simply applying someone else's won't work because the branch isn't a party to setting them.

Can't our regional organiser advise us on staff employment issues?

It is not part of a UNISON organisers job description to advise a branch on its own employment issues. Branches need appropriate legal advice from an independent and specialised source.

Why can't UNISON provide this advice directly?

These staff are appointed and employed by the branch. We do not have the resources in-house to provide this service direct to our branches. Our own legal services are geared to the needs of our members and so our own managers use XpertHR for advice on UNISON staff employment issues.

Thompsons have helped in the past – won't that continue?

Any advice given to a branch secretary has been on the basis of goodwill. The service is not covered by UNISON's contract with Thompsons and from next year will not be offered.

What is XpertHR's view on staff unions?

XpertHR know what we know – that unions help to ensure good industrial relations and help resolve employment issues. XpertHR will encourage branches to promote union membership and encourage branches to work with the staff unions on employment issues.

What is the view of the staff unions?

Branch employed staff generally join either the Society of Union Employees (SUE) or the ACTS section of UNITE. Both unions want to ensure that their members have their full legal rights and are able to address any workplace issues in a structured way. Both unions support the scheme.

John Loudoun, ACTS branch secretary says "It's important that UNISON branches are independently supported and advised on matters related to all aspects of employing their own staff. I hope that through use of schemes such as this we can develop a culture of good employment practices amongst UNISON branches

Glyn Jones, SUE national president says "UNISON branches constantly strive to ensure their members are treated with dignity, respect, and above all, equity. This scheme will allow branches to ensure their decisions affecting their staff are lawful, and their terms

and conditions comprehensive, fair, and reflect the rights *our* members have in their workplace.”

Are there any additional charges – say if we need a lot of help?

No, £900 (+ VAT) is the set price to cover all the help you will need from getting expert advice to preparing any documentation you will need (terms& conditions, contracts, procedures, etc.)

Who should have access to the scheme in the branch?

Principally the branch secretary, or any other core officers designated as manager of the employed staff. It may be that you want a staff member to do some research from the XpertHR site to assist stewards in local bargaining – that is perfectly possible, but the initial health check and 24 hour helpline are for designated branch officers only.

Is the scheme and web-site easy to use?

As part of the agreement, every designated user will receive training on using the service from XpertHR on a one to one basis. This can be delivered over the phone for one user, or locally where a branch has more than one user or several nearby branches sign up – whichever is the most convenient.

How do we get started?

Once the branch has agreed to sign up to the scheme, just contact XpertHR at <http://www.creativesql.co.uk/xperthr-unison.html> or by telephone on 0208 6522 145. When you have signed up you (the branch secretary or branch officer designated “staff manager”) will be sent a questionnaire to complete. This is an important first step to help XpertHR’s legal team assess what the branch needs to do to ensure it is offering appropriate terms & conditions to its staff and meeting its legal obligations as employer. Once you have returned the completed questionnaire to XpertHR their legal team will be in touch to advise and help you, and to draft whatever contracts/procedures/documents that might be needed.