

WINTER BULLETIN – 2009

UNISON FIGHTING TO SECURE MORE RESOURCES FOR PROBATION.

UNISON has continued to make progress in its battle to secure more resources for the probation service. In his most recent statement to parliament, the Justice Minister Jack Straw said he had been listening to UNISON and Napo's arguments against the swinging cuts being proposed by NOMS. He said that for next year the proposed £50 million cut would be reduced to a £24 million cut. He did not announce how this money or the probation budgets for areas would be distributed.

At its most recent meeting with the Minister for Justice Jack Straw, UNISON again argued that more resources were needed for probation if we are to avoid large scale redundancies and the undoing of much hard work to build an effective probation service. Although officially withdrawn, many probation areas were using the indicative budgets originally provided by NOMS to make decisions concerning future years. These indicative budgets required significant reductions in the amounts areas have to spend, leading to large scale job losses. UNISON pressed Jack Straw and Maria Eagle to recognise the impending crises now facing probation and to act to ensure it remains fit for the purposes of managing offenders and keeping communities safe.

UNISON remains concerned that resourcing decision within NOMS are largely left to NOMS officials who are almost all former prison service officials and will favour the prison service when key calls are needed to be made on where money goes. It also remains much more difficult and costly to make somebody redundant who works in the prison service.

UNISON will keep pressing Ministers to be sure that the words of Jack Straw in parliament become the reality on the ground for our members. The reduced cut in resources should ensure that compulsory redundancies are avoided and we need to ensure this is what happens.

UNISON is now waiting for the full picture to emerge in the New Year when we will see how DOMS have distributed the resources. If the process is not transparent we will be complaining to Jack Straw and asking him to yet again intervene to support probation.

UNISON SECURES SIGNIFICANT COMPROMISE ON VOLUNTARY SEVERENCE TERMS FOR PROBATION MEMBERS.

UNISON has been fighting to improve the terms of severance pay for members who are offered voluntary redundancy as a means of avoiding compulsory redundancies. We have been angered by the second class status that probation members receive in comparison to what NOMS officials and prison service workers are entitled too. Many probation employers have sought to offer the lowest possible terms available to them to avoid giving a reasonable settlement. They have hidden behind a previous instruction given some years ago that probation employers could not offer terms for voluntary redundancy which were considered 'novel and contentious' It is unclear what exactly this meant however we are certain that no front line

worker in probation ever received anything novel and contentious akin to the sorts of payments received by failed bankers and managers.

UNISON has been arguing over the past year that any voluntary severance scheme must reflect what else exists in the public sector especially the local government scheme of which many members have a link through their pension provider. At long last NOMS under pressure from UNISON has issued a clear instruction that probation areas are able to use the local government severance scheme to offer enhanced terms for voluntary redundancy. This scheme allows up to a maximum of 104 weeks pay at actual wages should an employer wish to offer that to staff affected. What is clear is that probation employers have no excuses to pay sweatshop severance terms and should be agreeing locally with trade unions to give decent voluntary severance terms to encourage volunteers and so avoid compulsory redundancy. The additional resource we hope probation areas are now going to receive for 2010-11 should allow decent terms to be afforded without excuse.

INDEPENDENT SAFEGAURDING AUTHORITY TO IMPACT ON THOUSANDS OF PROBATION WORKERS.

The new Independent safeguarding Authority came into effect on the 12th October and it is going to impact on up to two thirds of probation staff many who will be UNISON members. The purpose of the ISA is to prevent unsuitable people from working with children and vulnerable adults. It is now clear that offenders will be seen as potentially vulnerable and so those in direct contact with them are likely to need ISA registration. If a member does not hold ISA registration then they will not be able to undertake any regulated activity which this involves contact, supervision, advice and treatment. The introduction of the ISA registration process will be gradual but by April 2011 the process will begin for all those requiring registration in the existing workforce. From 2010 all new employees will need registration from the commencement of their employment and an employer must check that a prospective employee is registered. The process will be fully completed by 2015.

The scope of the ISA registration is much wider than the current criminal checks CRB etc that are presently undertaken. The scope does not just include criminal activity but also relevant disciplinary records which involve abuse of vulnerable adults and children. The ISA registration is continuously updated and activity which takes place after initial registration could lead to an individual losing their ISA registration. An appeals process for those who are refused or lose ISA registration will be in place and UNISON has a special team to help members in appeal situations. A member who loses registration and is unable to carry out regulated activity could end up in a potential redundancy situation which is clearly very alarming. It will also be a criminal offence for a barred individual to seek or undertake work with vulnerable groups: and for employers to knowingly take them on.

A one off fee of £64 will need to be paid on registration for each applicant and UNISON has asked that this charge be met by the employers. We have yet to be informed of the answer.

UNPAID WORK CONCERNS RAISED BY UNISON OVER BACKDOOR PRIVATISATION

UNISON is becoming increasingly concerned that attempts are being made to encourage the private sector to take on the running of large parts of work within the unpaid work sector. At a recent meeting UNISON raised a series of concerns about how the new Best Value regime would be operated in the reviews of Unpaid Work in individual probation areas. The Best Value regime will be closely controlled by the new DOMS and it will be they who decide if an area needs to invite bids from the private sector and to what extent the private sector will grab a handhold in this provision. This approach discredits any merits that a Best Value approach may have had to improving service delivery and also further reduces local accountability and decision making. It is also clear that workforce matters have been left on the shelf in the rush to create a scheme that is as user friendly to the private sector as possible. UNISON rejects the Best Value approach put forward by NOMS and wants it to reconsider a regime more akin to what happens in local government.

UNISON is also concerned at development in London with the market testing of Unpaid Work there already underway. UNISON has raised concerns about the use of the private sector even on the public sector option which could still large swathes of work transferred into the profit making sector.

NEW PROBATION QUALIFYING ARRANGEMENTS AGREED

Following the consultation period on the new probation training and qualifying arrangements the government have agreed the new proposals and work is now being undertaken to ensure that the new arrangements are able to be introduced from April 2010. A number of HR related issues have yet to be agreed including issues that UNISON have raised, such as dedicated time off arrangements to undertake on the job training and also protected learning time. UNISON is also seeking a commitment that no detriment will occur to any individual who undertakes the training whilst currently employed.

UNISON has remained supportive of the principles that underpin the new training regime and how they should benefit existing staff. We are disappointed that still not formal link through has been provided for clerical and admin staff however we will continue to push this as we see it as vital to ensure on going pathways exist for staff to continue to develop.

UNISON is currently also pushing employers for firmer commitments on how it will assimilate staff onto the new NVQ based qualification taking full account of prior accredited learning.

UNISON COMPLETES INITIAL PAY CONSULTATION EXERCISE

UNISON has completed an initial pay consultation with activists and members on its views towards the pay negotiations that are currently ongoing with the probation employers. The last element of the two year deal has now taken place which was the 3/2/1 incremental points awarded on the 1st Oct 2009. We have been advised that only a one year deal will be agreed this side of any general election, so multi year deals are off the menu.

The initial consultation has placed securing jobs as the number one priority linked to an affordable pay increase implemented through incremental progression. UNISON is therefore seeking to secure incremental

progression on the 3/2/1 basis for members in 2010-2011.

It is clear that this years pay discussions will be the toughest yet with the both government and employers looking to hold back pay increases. Linked to this is the ongoing issue of incremental progression and how this will be activated going forward. The employers are continuing to push for increments to be linked to annual performance, measured through the appraisal system. Without this the employers say they will not move forward. UNISON has rejected this as unworkable and deeply divisive. UNISON continues to argue for a competency based framework and has reminded employers of the flexibilities they already have within the conditions of service which they have not advanced. UNISON does not believe members should be punished for the lack of progress on the employer's side. A series of negotiations have already taken place and UNISON is clear that if a deal is to be reached it must be agreed before the next general election otherwise we could be waiting years for any progress.

WELL DONE UNISON LONDON PROBATION BRANCH

A special mention must go to the London probation branch who continue to battle against the odds fighting for UNISON probation members working for the London Probation Board. Despite the pressures they have been under they managed to secure a stunning victory for trade unionists everywhere when they succeeded in winning an employment tribunal for the unfair dismissal of one of its members. The total compensation awarded was a staggering £83,385 against London probation board which went to the member concerned. Once again well done London!

UNISON SECURES PAY RISE FOR MEMBERS IN CONTRACTED OUT SERVICES.

Unison has been successful at last in winning its long running campaign to get its members a pay award they have long been entitled to. UNISON members who worked for local probation areas in estates and F&M services and were subsequently privatised first under Morrison and Mitie and now with Interserve and Amey, missed out on entitlements to pay and incremental increases. UNISON has been fighting this for many months and thanks to the intervention of Jack Straw and Maria Eagle the payments have at last been made. This is money they are entitled too and demonstrates that UNISON membership is a small price to pay to deliver justice in the workplace and securing for workers what is theirs by right.

UNISON NATIONAL PROBATION SEMINAR SUCCESS.

UNISON held another successful national probation seminar in November with over sixty delegates from around the country in attendance in London. The main speaker at the national seminar was the Probation Minister Maria Eagle who addressed delegates and answered questions for over an hour. She also agreed to receive a series of written questions that delegates left behind to be forwarded on and answered in the New Year. The seminar also heard from the national chair of UNISON'S probation committee Matthew Lay and received greeting from UNISON'S general secretary Dave Prentis. The rest of the event was workshop based with key discussions taking place on Pay and Conditions, Budgets and Cuts and

UNISON structures.

MILLION VOICES CAMPAIGN HITS WESTMINSTER

UNISON's Million Voices campaign hit Westminster in December with a key event which featured members explaining to MPs what it's like working on the front line today in Britain's public services. UNISON National Probation Chair Matthew Lay explained about his work in Approved Premises and how cuts to this service would jeopardise public safety. The event is one of many, which UNISON is running to raise awareness of the work of so many of our public servants who do so much to enrich the life of their communities and on a daily basis answer the needs of millions of people. These services are now under threat as the political parties look at how they save money. Go to the WWW.UNISON.CO.UK and look up the Million Voices campaign to see what is happening and how you can get involved to save Britain's public services.