

MONTHLY BULLETIN – JUNE 2009

UNISON SECURES MANAGEMENT OF CHANGE AGREEMENT

After months of negotiations, probation employers and unions finally agreed a probation service 'Management of Change Agreement'. This agreement which both UNISON and Napo have been fighting for was originally rejected by probation employers who argued that it was not needed and that they should have a free hand to hire and fire staff to manage decreasing resources. UNISON totally rejected this view and took its case to the government seeking redress and pushing them to keep their word when they said 'they did not believe it was necessary to have compulsory redundancies'. After a series of negotiations with the Lord Chancellor, Jack Straw at which UNISON General Secretary, Dave Prentis led the UNISON delegation, he agreed to intervene on the trade unions behalf to push for a management of change agreement, which would commit probation employers to work with trade unions to 'maintain the security of employment of probation staff in a positive industrial relations climate'

UNISON national chairperson, Matthew Lay said, "The negotiations proved difficult but we always believed we had a strong and just case to make. Although we are disappointed that we have not totally eliminated the threat of compulsory redundancies we have a solid agreement which will see the unions nationally play a key role. It will also ensure consistency is applied across the country and that the use of voluntary severance/retirement is properly used as a means of avoiding compulsory redundancy"

The key highlights of the agreement are as follows;

1. Provides an agreed framework within which Areas and unions should conduct any negotiations regarding potential job losses arising from budget cuts
2. Requires local processes to be amended to comply with the national Protocol
3. Requires recourse to compulsory redundancy to be minimized
4. Requires consultation on potential job losses to incorporate proposals for necessary changes to workload/distribution of workload; proposals for workload relief and proposals to discontinue certain work
5. Requires a Period of Reflection, to be managed by the NNC Joint Secretaries, prior to the declaration of any compulsory redundancies. This will involve meetings to mitigate potential compulsory redundancies involving the Board/Trust, recognised trade unions, NNC Joint Secretaries and the DOMs
6. Clarifies that Boards/Trusts can exercise discretion to enhance voluntary severance/early retirement.

It is important that UNISON activists notify us as soon as problems occur in a probation area, please contact Dave Bryant on d.bryant@unison.co.uk

SOUTH YORKSHIRE SAY NO TO COMPULSORY REDUNDANCIES

South Yorkshire Probation members of UNISON voted overwhelmingly to take industrial action to fight against proposed compulsory redundancies taking place in the area. Angry with the local employer, members endorsed strike action across the board including Approved Premises. With a strong mandate to take industrial action, UNISON and Napo chose 5 June to go on strike.

With UNISON and Napo reaching agreement with probation employers nationally on the 'management of change' additional pressure was placed on South Yorkshire to go back to the drawing board and enter a 'period of reflection'. South Yorkshire offered the unions a period of reflection and it was agreed that the industrial action would be suspended.

UNISON accepted the proposal to have further negotiations but stated that these must be meaningful and every attempt should be made to stop compulsory redundancies taking place.

UNISON also raised the South Yorkshire dispute directly with Jack Straw who instructed officials to help and find ways to solve this dispute.

National Officer for Probation Ben Priestley said, "The South Yorkshire members can be proud of the stance they have taken in voting for industrial action. Sadly this action has been needed to ensure the employers do all in their power to prevent redundancies and work closely with the unions as partners to find solutions to the resourcing problems we all face"

IMPROVING ATTENDANCE AT WORK

UNISON and Napo have been in discussions for some time about revisions to the current sickness absence management framework. The agreement had a review process built into it and hence our ongoing discussions. UNISON has had many concerns about the application of the national policy, the biggest being that it was a model policy and only certain aspects were mandatory. The model elements included the number of days and separate periods of absence which trigger the stages. The model agreement recommended 12 days absence and 6 separate periods before an individual triggered action, sadly a number of areas went below the recommended trigger levels, in a draconian attempt to reduce sickness. Little evidence can be given to justify this approach, and indeed those areas with the lowest rates of absence have often maintained the 12 and 6 day policy. UNISON and Napo have made some

progress on further revisions to the policy although we have made it clear we cannot agree to the proposed reduction to 10 days absence and 5 separate periods. We will only note this position. The improvements include Areas having to adopt the new policy, with the involvement of the National Negotiating Council Joint Secretaries should a 'failure to agree' be arrived at. This will be useful to those reps in areas that have gone below 10 days and 5 separate periods, or are seeking to make changes downward. The new policy will also be subject to a series of road shows across the country to help explain the policies better. These roadshows must include local UNISON representation.

UNISON remains concerned at how employers are interpreting the sickness absence management framework. Please contact UNISON if you have any concerns.

NEW APPROVED PREMISES CIRCULAR DUE TO BE RELEASED

A new Approved Premises circular is due to be released outlining changes to current requirements to provide double waking night cover. Although the circular will remove the absolute requirement to provide double waking night cover, the circular will state that this should remain the norm. Alternatives to double waking night cover can now be considered and for very small hostels these may be acceptable, however a clear and rigorous process must be undertaken before the Public Protection Unit will agree to any derogation. The approval of the PPU is an absolute requirement. The process will include a full risk assessment looking at a range of issues including location of office, size of building, number of self harm/suicide incidents etc. Any alternatives must also be agreed by unions locally. A key issue for UNISON has been the growth of private security firms in Approved Premises to provide front line cover. The new circular makes it clear that those areas who use private security waking night cover, must ensure that they have a board/trust employed member of staff working alongside them 'awake' on duty at all times. This person would ordinarily be the officer in charge and should be graded as such. It is important that activists raise concerns locally when any such changes are sought or attempts made to downgrade provision. Should a serious incident take place concerning offenders placed in Approved Premises we need to show that UNISON has informed management of our legitimate concerns. UNISON considers the use of private security firms to provide front line cover, as a serious risk to members and local communities. Local management must be held accountable when they take decisions to downgrade cover. Remember the Government's view is that resources should follow risk. Probation Areas would do well to remember this.

NEW QUALIFYING TRAINING ARRANGEMENTS TO BE CONSULTED ON

UNISON is pleased that Jack Straw has agreed to sign off the consultation on the new probation qualifying training arrangements. The consultation will last for a month.

UNISON is supportive in principle of the new arrangements and sees them as meeting the aspirations of many of our members. We continue to argue for a better link in to the training and development of clerical and admin workers and UNISON is committed to fight for a seamless transition through training for all workers. UNISON has agreed the following comments on the new training arrangements however a more detailed response is being put together following further consultation.

1. We welcome the model of on the job training without breaks in service.
2. We welcome the modular approach to training with a mix of academic and practical experience. We support both the development of minimum level of qualification introduced for Probation Service Officers at NVQ Level 3 and an Honours Degree or equivalent for Probation Officers. We would also support the introduction of an NVQ level 2 awards for Admin and Clerical staffs.
3. We welcome the commitment to a strong and universal approach to induction for new staff leading to certification.
4. We would support a strong emphasis on the development of the current workforce. This means that opportunities to invest in current staff should be prioritised.
5. We expect to see a clear commitment to develop the mechanism and process to accredit prior learning. This must be done as a priority and requires a level of investment that needs central direction. All areas must give a commitment to do this and an appropriate timescale for it to be achieved. It is UNISON's belief that the overall success of the new arrangements will be compromised if this is not achieved.
6. The next few years are unlikely to see many new external recruits into probation employment due to budgetary problems. The current level of expenditure on training TPO/PSO grades should be maintained and used to support the development and implementation of prior accredited learning.
7. A clear pathway should be identified to support the development of clerical and administrative grades linked to the new training proposals.
8. Strong central control should be maintained over the new training arrangements including NOMS undertaking the procurement of Higher Education services. UNISON is concerned that without this we will end up with a two tier system in which some areas choose not to develop the existing workforce and do only the minimum required denying opportunity and development to sections of the workforce.

RULE CHANGES SET TO GO BEFORE UNISON CONFERENCE

The rule changes that are required to deliver a new Criminal Justice Service Group for UNISON members is set to go before the UNISON national delegate conference in June. UNISON members in probation would become a sector in the new Service Group with greater power and freedom to determine policy and negotiating strategy. The National Probation Committee is supporting the rule changes.

FIGHTING FOR BACK PAY FOR INTERSERVE MEMBERS

UNISON has been pursuing the two year Probation pay deal, covering 2008 and 2009, for ex-probation staff now working for Interserve. Most of these members are low paid women and it is a disgrace that we are having to fight for something that they are contractually obliged to receive. UNISON has taken up the case with Interserve, NOMS and the Home Office and is seeking the full amount including back pay to 1 April 2008.