

# Private contractors and the fragmented workforce **committing to the future**



Developing effective and democratic union organisation in the outsourced and private sectors of UNISON is critical to the future of the union as a whole. That is the core message of the composite motion on “Organising in fragmented workplaces” that was carried at this year’s National Delegate Conference. The terms of the motion are attached.

As president and general secretary of UNISON, we are issuing this statement to emphasise how important it is that the work required to implement the terms of the motion effectively is prioritised across all levels of the union.

The outsourced and private sectors are now the fastest growing areas of the union, particularly in the private sector. This reflects both the continued tide of privatisation and outsourcing that is taking place across the public sector, as well as increased joiner rates in the private sector. We now have around 175,000 members in these areas of the union, with over 100,000 private contractor members. There is every likelihood that the increased pace and scope of privatisation will lead to a doubling of the size of the outsourced public sector over a short space of time, with corresponding growth in this area of membership within UNISON. That will mean that UNISON’s outsourced and private sector membership on its own is bigger than the membership of most other TUC unions.

Irrespective of the outcome of the next

general election in 2015, it is likely that outsourcing and privatisation will remain a prominent feature of the operation of our public services. During the coming year UNISON will continue to campaign against the ideology that is driving the public sector privatisation agenda. We will also campaign for changes to the way in which public sector commissioning and procurement is conducted, to try to secure greater protection to keep services in-house. We will campaign for the best, but we must prepare our union for a future where privatisation and outsourcing continues to transfer services and jobs from public sector management control to private sector and community and voluntary sector control. The outsourced and private sectors will become an increasingly large and important part of UNISON.

The conference motion spells out clearly the challenges that our members in these parts of the union face, both at work and with regard to their ability to have an effective voice within UNISON. These are areas of the union where



we have been unable to organise as effectively as we need to do and they are characterised by low union density. When our members are outsourced, our strategy must be to follow those members into their new employer and build an effective and democratic union organisation within that new environment. Organising and bargaining in these areas present massive challenges for us as a union. We are faced with a situation where members are spread across thousands of employers, many with which we do not currently have recognition, and an even larger number of individual workplaces. Their bargaining and representation needs place huge demands on our existing branch officers and stewards, which they are struggling to meet, particularly with the facility time restrictions that are increasingly being imposed across the public sector. The dispersion of these members across multiple UNISON branches and service groups, together with the lack of structures across the union for the private sector members, present additional challenges for how we can best organise them, encourage greater union activism from within them, and give them a stronger democratic voice within the union.

These are challenges that we must face up to as a union and find effective organising and organisational solutions for. Securing membership growth in these parts of the union, allied to increased density and effective trade union organisation, is essential to the future of our union as a whole. If we fail to do this, we will face a situation where the union could shrink in size, which would impact adversely on our status, our negotiating and influencing power and sustainability. We cannot allow that to happen. That is why we are emphasising the need for the union to prioritise the work needed to implement the conference motion effectively.

A high level working group has been established to oversee the implementation of the conference motion. The working group is chaired by past president Maureen Le Marinel and includes the NEC presidential team, the chair of the development and organisation committee, a representative from the regional convenors and members of the senior management group.

#### **Amongst other things this work will include:**

1. Implementing the annual strategic national organising planning process that is outlined in the conference motion. This will include national, regional and branch private contractor targets.
2. Identifying the larger private contractor employers where sustainable organising can be targeted.
3. Ensuring that private contractor members in smaller employers are adequately supported within branch and/or regional structures.
4. Securing recognition and developing good industrial relations with those private contractor employers that are willing to work positively with UNISON.
5. Developing relevant national and regional private contractor structures.
6. Developing private contractor steward networks.
7. The designation of regional heads of private contractors to facilitate improved co-ordination between the national private contractors unit, the national strategic organising unit and regions, and to give greater focus to private contractor organisation within regions and branches.
8. Developing an enhanced private contractor database within the existing bargaining support system.
9. Continuing to support efforts to protect facility time, and developing organising solutions to the challenges posed by cuts in facility time.
10. Developing trade union training and learning packages aimed at private contractor members.
11. Sharing organising models and examples of good practice across regions and branches.

**Dave Prentis**  
General secretary

**Lucia McKeever**  
UNISON president

## COMPOSITE A

### ORGANISING IN FRAGMENTED WORKFORCES

#### (Motions 5 and 6. Amendments 5.1, 5.2, 5.3, 5.4, and 6.1)

UNISON remains committed to and will continue to fight for public services delivered by workers directly employed on terms and conditions that have been collectively bargained by democratically accountable public bodies.

Nevertheless, Conference recognises that more and more public service workers are employed by the private sector and the community and voluntary sector.

Often working:

- 1) In fragmented workplaces, such as academies;
- 2) Private homes, in the case of personalised care;
- 3) Or in places where there are many different employers delivering public services.

And notes that these workers increasingly find themselves employed on contracts:

- a) Where they are denied access to collectively bargaining rights;
- b) Or where their employment is precarious because they are:
  - i) On short term contracts;
  - ii) Or on zero hours contracts;
  - iii) Or work for agencies;
  - iv) Or are in bogus self employment.

Overall it is estimated that over a quarter of all public service workers are working on outsourced contracts; this number is increasing as government increases the level of privatisation of public services under the mask of austerity.

Conference recognises the difficulties associated with organising workers in the private, voluntary and independent sectors. Conference believes that current UNISON structures may inhibit the effective organisation of the increasingly fragmented public service workforce and that the organising these fragmented workers is a priority for UNISON and will require a change in the culture. It is increasingly difficult for members in these areas to participate in our union- they often work with employers where UNISON is not recognised and where it is difficult to get time off. Conference believes that outsourced and fragmented workers must be encouraged to play a central role in the life of the union. Our current structures do not facilitate this. However Conference acknowledges that many branches have established a multi-employer branch structure, as set out in the UNISON Code of Good Branch Practice, and provide excellent support to members in non-lead employers.

Current UNISON structures are built around employer based branches allocated to regions, and the regions largely reflect the local government provincial council areas. However the new patterns of employment no longer fit into this structure. Branches are no longer based on one employer, with the average UNISON branch representing workers employed by 26 different employers. Representatives in our core employers are increasingly prohibited from using their facility time to recruit, organise, represent and maintain members in these outsourced areas. Key branch activists also find that their own posts are under increasing pressure as a result of the government's austerity programme. Regions frequently only have a partial picture of the extent and nature of the operation of larger private and voluntary organisations that they deal with.

There is a need for a targeted and coordinated approach focused on delivering the most effective organising in the workplace, but appreciating that the workplace will frequently comprise, not one, but many employers where UNISON should be organising. Conference recognises the role that retired members and Self-Organised groups could play in assisting the Union meet its approach.

The evidence is that organising is most effective when it is coordinated with the bargaining agenda, as in the case of Four Seasons where UNISON membership has more than doubled since UNISON got recognition.

Conference therefore agrees that UNISON should implement a system of prioritising organising that incorporates branch, regional and national priorities, whilst ensuring that the key principle of a lay member led union is maintained and strengthened. This should in the first place be done as part of an annual planning cycle so that resources can be tied to the prioritised organising campaigns. In order to ensure lay member engagement the following steps shall be taken each year:

- A) Branches shall identify potential organising targets through the Joint Branch Assessment (JBA), ensuring that the wherever possible and appropriate employers other than just the main employer are targeted. As usual JBA priorities shall be signed off by the branch committee in conjunction with the region;
- B) Regions shall produce a regional plan identifying region wide targets amongst employers whose operations do not cover more than one region. These priorities shall be agreed with the Regional Council;
- C) Service groups shall identify areas where the bargaining agenda offers organising opportunities which cover more than one region. Overall service priorities shall then be discussed with the Joint Service Liaison Committee;
- D) Discussion shall then take place at a National level bringing together regional and national priorities together with analysis from the strategic organising unit to produce a coordinated and targeted organising plan, which shall be signed off by the National Executive Council In order to ensure that we are more effective in organising the fragmented workforce, UNISON at a National and Regional level shall work together to identify new opportunities for the changing workforce to be more fully integrated into union democracy.

To be effective the plan shall:

- I) Target the fragmented workforce;
- II) Initially focus on the larger employers with the greatest potential for membership growth, including winning trade union recognition for UNISON where UNISON is not recognised.
- III) Focus on those employers where organising and bargaining can be used in combination;
- IV) Prioritise the development of new activists amongst the membership in the fragmented workforce.
- V) Ensure branches are adequately supported to deliver effective local representation of members interests by stewards in each work group, within a framework agreed by the branch and encourage the participation as appropriate of retired members to meet I) and IV) above.
- VI) Work with regions, branches, Service Groups and Self-Organised groups to develop proposals for future democratic, lay-led UNISON structures and seek to ensure that these workers are no worse off than those members employed by the core employer when it comes to playing a full and active part in UNISON.