

# Outlines



UNISON NEWCASTLE CITY BRANCH NEWSLETTER

August 2013

## Pay Claim 2013 Update

### **UNISON accepts NJC pay offer but vows "enough is enough"**

UNISON has voted to accept the 2013-14 NJC pay offer for its local government members.

But the union's Local Government Secretary Heather Wakefield has warned employers that "enough is enough", and that the union will be mounting an immediate, high-profile campaign "to stop the rot" - building towards industrial action in the event that the offer in 2014 is not acceptable. In voting for the 1% pay increase, with an extra 1.4% for the lowest paid, the NJC committee noted it was "completely insulting" and did not come anywhere near the union's aspirations.

In UNISON's branch consultation, 59% of members in England, Wales and Northern Ireland, and 78% of branches voted to accept the offer.

**Newcastle City Branch will be undertaking a series of open meetings with members over the next few months in the run up to the submission of our pay claim for 2014. It is crucial that members influence the national negotiations so that we can secure a pay deal that we can live on not just live with.**

PGJ

**Paul Gilroy  
Branch Secretary**

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UNISON won the right to have the government's introduction of fees for taking cases to Employment Tribunals subjected to a judicial review, in a hearing at the Royal Courts of Justice.

The fees, which can be as high as £1,200 for "complex" cases came into force today. UNISON's arguments against them are scheduled to be heard in October.

General Secretary Dave Prentis said today: "The timing could not be more critical, but today we are one step closer to justice for workers.

"The government should not put a price on justice. It is disappointing that, in the interim, fees will still be paid, but we will be making a strong case for a judicial review in October because we believe that these fees are unfair and should be dropped."

UNISON members taking union-supported employment tribunal cases will not have to pay the new fee of up to £1,200 that the government is introducing from summer 2013.

The new plans will mean that claimants will pay an initial fee to start the claim and another fee if the claim goes to a hearing. These can add up to £1,200 for the more complex cases.

"We argued strongly against the introduction of these fees which represent a barrier to employment justice for working people," said Bronwyn McKenna, UNISON Assistant General Secretary for Organisation and Resource Development.

"The government has gone ahead with these punitive plans but we are making sure that our members will not pay a premium for justice.

"If a UNISON member needs to go to tribunal in a union-supported case, they will not pay a penny to get the justice they deserve.

"That's a real source of security for our members and another great reason why anyone working in public services needs to join UNISON."

The UNISON scheme, agreed by the National Executive Council (NEC) in June, means that:

- members will not pay the fees;
- an application for fee remission will be submitted with the claim;
- the union will then advance the fee to members through a loan;
- the union's solicitors will be instructed to ensure that fees are recovered in all cases which settle or are successful at tribunal.

The level of fee varies with the type of case. "Short" cases (such as unlawful deduction of wages) will have an issue fee of £160 and a hearing fee of £230.

Other cases are likely to have an issue fee of £250 and a hearing fee of £950 (e.g. the fees for taking a discrimination claim would total £1,200).

## **Changes to making a claim**

As well as planning to introduce fees, the government will introduce significant changes to the procedural rules for employment tribunals later this year, though it has not yet said when.

The changes create more risks for claimants and increase the potential for negligence claims against those who help them. Most of these matters can be dealt with by the union solicitor who is

running the claim, but the increased importance of getting the details of the claim right first time means that it is more important than ever to get assistance at least a few weeks before the deadline for issuing the claim.

Ideally there should also be time for a member to sign the claim so that they give informed consent to any claim being lodged for them by reps.

Two further procedural changes are expected in spring 2014 when the government hopes to introduce an "early conciliation scheme" - forcing claimants to submit a form to conciliation service ACAS before they have a right to take an employment tribunal claim - and financial penalties for employers, although these will be paid to the government not to the claimant.

## Universal Credit – TUPE Update

The LGA has threatened to take the Department for Work & Pensions to court if councils are forced to make benefits staff redundant because of the switch to Universal Credit.

The sector body's Chief Executive, Carolyn Downs, told the LGA's executive meeting that it had negotiated with the DWP for six months about whether 20,000 local authority benefits staff would be transferred to central government under TUPE conditions. Should the DWP decide TUPE does not apply; councils will face large redundancy bills.

"We have left [the DWP] in no doubt whatsoever that we will mount a legal challenge if they make a decision that TUPE doesn't apply", Ms Downs said, adding that she had been told the department had not yet decided what would happen to the staff.

**UNISON has sought copies of the information that the DWP has shared with the LGA. Following a refusal to provide that information the matter has been referred to the Information Commissioner and UNISON has now been advised that a ruling from the Information Commissioner can be expected around October 2013.**

# North East PEOPLE'S ASSEMBLY Against Austerity



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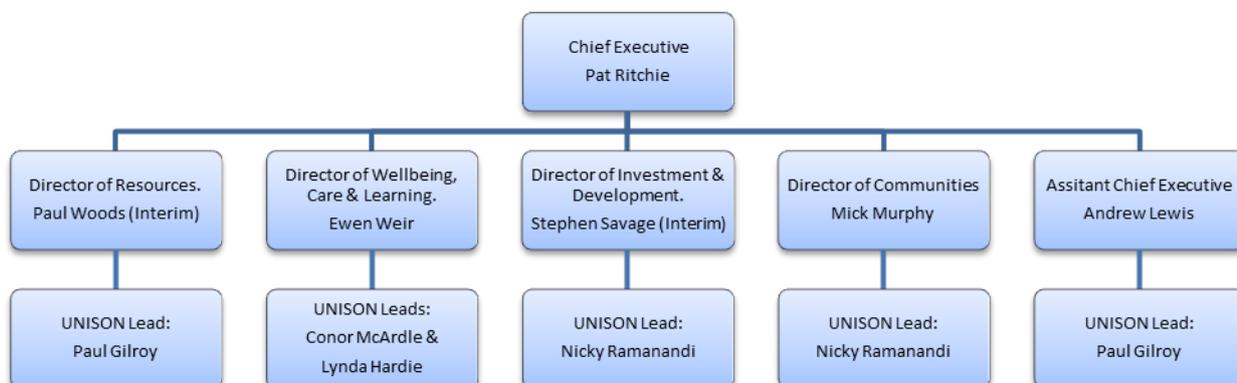
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**Council Structure & Senior Management Pay & Grading Review**

Over the course of this calendar year UNISON has been supporting its members in negotiation with the Council with regard to; a high level organisational review; a senior management re-structure and a senior management pay and grading review.

This resulted firstly in a new Directorate structure:



To date the Council has made three permanent Director appointments, with the remaining two positions being filled on an interim basis; pending the completion of the appropriate recruitment processes.

Following closely on from the organisational review the Council announced its intentions regarding a senior management re-structure, in line with its budget commitment to reduce senior management costs by a minimum of £1.5 million over two years. At the same time proposals were issued in respect of a senior management pay and grading review.

As a result of UNISON's representation, we persuaded the council to review and revise a number of its initial proposals on both structures and pay:

- The council withdrew its performance related pay proposals,
- The closing date for EOI's was delayed by a week,
- Salary Protection has been extended by a further 7 months for lift and drop staff,
- Any cost of living pay award will be included in the protected pay element in addition to the substantive salary,
- The implementation date has been delayed by 1 month,
- Implementation will be universally applied with salary backdating applied for those who gain, but no recovery made from those who will require protection,
- The council have agreed to a pay and grading challenge process for staff who are lift and drop and for staff appointed to new positions.

Following full consultation the Council implemented the new senior management structure.

A significant number of service areas and related posts in the new structure were, at the point of implementation, deemed not to have changed substantially. Therefore those post-holders were subject to "lift & drop". This meant that they were confirmed in post without change to job role, grade or the need for selection through a competitive process. However, the Council has made it clear that it intends to review many of these areas in the near future. UNISON will be fully involved in any such reviews.

The Council then sought to recruit to the remaining posts in the senior structure in accordance with its recognised policies and procedures; this included the use of the selection matrix.

The revised final pay and grading proposal was subject to a ballot of UNISON members affected. A majority of the votes cast were in favour of acceptance; this has been confirmed to the Council. Subsequently the new pay and grading scheme will take effect on 1<sup>st</sup> September 2013.

Full details of the organisational and senior management reviews can be found on the Council's intranet site:

<http://intranetapps.newcastle.gov.uk/budget2016/content/senior-management-review>

## Library Update

The current library estate is made up of 18 libraries with 158 staff. In order to achieve some of the budget savings that were required across the council, it was proposed to close some of these libraries. In year one alone, 7 libraries were earmarked for closure with 2 to be relocated.

A very public campaign was run in opposition, in which UNISON was heavily involved. As a result, some elements of the proposals did change, with a number of libraries remaining open that would have otherwise closed. These libraries would not be part of the core network and would be funded through a partnership arrangement, or be run by community groups.

Dinnington and Jesmond library have now closed but will re-open and be classed as a community-run library. Moorside is also closed, but options regarding community involvement are on-going. Denton Burn and High Heaton are operating on reduced hours while a partnership approach is explored. Cruddas Park will be a partnership library and is closed for refurbishment. Fenham will also operate as a partnership library and will close for refurbishment shortly. Walker has been relocated to the Walker Activity Dome.

Although it is good news that libraries have remained open, concerns remain regarding both a community-run library and partnership approach, and what this would mean for staff and service users. **Community-run libraries** will be run entirely by the community; local authority employees would not staff the buildings. **Partnership libraries** would mean a partner running the building and paying for the costs associated; a library would still operate and be part of the library network but on reduced hours.

The introduction of both a community-run library and partnership library is a complete move away from the services as they are currently provided. Both raise concerns regarding the use of volunteers. With regard to community-run libraries, members and the branch leadership see this approach as a direct threat to library staff employment as these replace paid employees with volunteers. We believe no work that is currently carried out by paid staff should be undertaken by a volunteer.

We have met with both councillors and senior management to convey this view, and it has now been agreed that a community-run library would operate as a standalone service. There will therefore be no book drops, book collections and cross reservation services between the core service and any community-run library – a positive outcome for our members. Members have also stated that they are not willing to take part in any cross training with the volunteers who run these services instead of paid staff.

We are still waiting for more information on partnership libraries and the impact these will have, but we will of course consult with our members once we have this.

## Spotlight on Donations

The branch receives donation requests from a variety of organisations which are considered at Branch Committee, and if in line with both branch and UNISON policy, and approved, they amounts are recorded in the branch committee minutes (published on the branch web site [www.unison-newcastle.org.uk](http://www.unison-newcastle.org.uk) ).

One such organisation is the **Working Class Movement Library**, located in Salford.

# **.WORKING CLASS. MOVEMENT LIBRARY**

Working people have always struggled to get their voices heard. The Working Class Movement Library records over 200 years of organising and campaigning by ordinary men and women. Our collection provides a rich insight into working people's daily lives as well as their thoughts, hopes, fears and the roles they played in the significant events of their time.

## **YHN Update**

Following the Government's changes to the benefits system – the introduction of the “bedroom tax” and benefit cap in April 2013 and then the national roll out of Universal Credit, which replaces many existing benefits beginning in October 2013 YHN have had to consider how it delivers its housing management services to the City's Council housing tenants.

The introduction of the bedroom tax alone has seen rent arrears increase massively across the City hitting those who can least afford it the most. The introduction of Universal Credit is likely to make the situation even worse. YHN's housing management function has been centred around a generic housing management approach though it is proposed that this is about to change. Consultation is on-going with staff and UNISON with restructuring the service and creating specialist housing management roles based around housing options (lettings), income and estate management. For many staff used to delivering a generic role this is a fairly radical change and UNISON are at the forefront to ensure that jobs and salaries are maintained to at least current levels. YHN has also commenced the consultation process with members and the Newcastle Tenant and Residents Association.

As well as the above staff are also awaiting the outcome of discussions around the future of the ALMO as NCC deliberates over a number of options which include bringing YHN back “in house” to the City Council. Again no decision will be finalised without full consultation with members and tenants.

## **Branch Secondment Opportunity**

The Branch is looking to second a member of staff to take up the role of **School Organiser**. There are a number of changes taking place within schools and this post will take the lead in this area, with a particular focus on recruitment and organising. The secondment will initially be for one year, but may be extended.

The applicant must be a UNISON member and must agree their secondment with their manager prior to application. The salary is same as the applicant's current salary, but expenses incurred will be reimbursed. Training and support will be provided.

A Job Description and Person Specification is available from the Branch Office. And applicants are required to submit an expression of interest no longer than two sides of A4, detailing how they meet the Person Specification. Shortlisted applicants will be notified of an interview date.

If you require any further details, please contact either Lynda Hardie or Conor McArdle in the Branch Office. The closing date for applicants will be the end of **September**.

**999  
Emergency!**

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