

Partnership Working – A Practitioner's Guide

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Glossary of Terms

<i>USDAW</i>	<i>Union Of Shop Distributive & Allied Workers</i>
<i>PCS</i>	<i>Public & Commercial Services Union</i>
<i>IPA</i>	<i>Involvement & Participation Association</i>
<i>TUC</i>	<i>Trades Union Congress</i>
<i>ACAS</i>	<i>Advisory Conciliation & Arbitration Service</i>
<i>UKWON</i>	<i>UK Work Organisation Network</i>
<i>IES</i>	<i>Institute for Employment Studies</i>
<i>CIPD</i>	<i>Chartered Institute of Personnel & Development</i>
<i>EEF</i>	<i>Engineering Employers Federation</i>



FOREWORD

As the incoming President of the IPA, and as I return from my stint in Brussels as General Secretary of the ETUC, I am pleased to recommend this guide for practitioners on partnership working.

Partnership has not been in vogue in employee relations for a while. But the current economic crisis has laid bare the weaknesses of the concentration by much of British business on short term share holder value and its private equity equivalent, which has often bought a crude, transactional approach to employment relations in its wake.

The crisis originated in some banks but the availability of cheap and plentiful credit, together with financial deregulation encouraged poor practices on a wide scale. The debts will be with us for a generation, perhaps more. We have inflicted a rotten deal on our young people.

I see the role of the IPA as raising standards at work – standards of respect, of performance, of productivity and of skills. Our job is to help those managers who build competitive businesses for the long term, not just the next quarter; and to support unions which want to secure a fair share for workers and also to ensure that staff are trained and supported to work to the best standards, with the best equipment.

For me, the examples we should be looking at closely are the other countries of Northern Europe where a social market economy, including effective collective bargaining and influential worker involvement, has been key to economic recovery and revival. Some in British business may regard this as provocative or a return to the 1970s. But the hard truth is that the bonanzas from North Sea oil and the explosion of financial services are over, and we need to compete with the best in the real world economy.

Unless the UK pulls together, the prospects for recovery are bleak.

I would like to see a new national alliance, involving businesses, unions and everyone who truly cares about the future of the UK economy, to stand up for a serious, honest way of doing business, for sustainability, for partnership and for long termism. I hope that the IPA can step forward in a determined, united and high profile way on these issues.

Lord Monks
IPA president

PARTNERSHIP WORKING – A PRACTITIONER’S GUIDE

Introduction

This guide is intended to help managers, union and employee representatives who want to embark on the partnership journey, or who are already working in a partnership way and want to improve their practice.

The IPA is publishing this updated edition in response to growing interest in the methods and outcomes of partnership working. This new focus on partnership may be in part a consequence of the growing awareness of the importance of employee engagement in ensuring productive organisations and fulfilled employees. In many organisations a strong collective relationship with the workforce – whether through a union or an employee forum – is an essential underpinning for engagement strategies. Thus many organisations relied on engagement with their employees to get through the post credit crunch era – a time when partnership practices proved their value.

But the increased interest may also be a result of growing awareness of the less attractive alternatives to partnership approaches. As a result of external factors, including the credit crunch and the recession, and the growing impact of cutbacks in public spending on employment, employee relations are much more in the news – and concerns over the impact of an adversarial industrial relations climate are growing. A report from the CIPD in early 2011¹, for example, suggested that in the public and private services sector, relations with unions were becoming more negative – although relations between unions and managers in manufacturing and production organisations had improved in many cases, following joint approaches to meeting the consequences of the financial crisis.

There is also renewed interest in the experience of some European countries, where the speed of the journey out of recession indicates that employee relations strategies based on information, consultation and a degree of consensus may have something to teach the UK.

In today’s global economy organisational success depends on the ability to adapt and change. This is as true of public sector organisations as it is of private sector companies. At the same time, we know that tomorrow’s economy is likely to look very different to today’s. The growth of the UK economy will increasingly depend on innovation in products and processes, delivering new, high value-added goods and services. Work in this context is very different to the age of mass production, and as managers are already realising, performance cannot simply be compelled. Instead, employees need to be engaged in their work, understand the objectives of the organisation, and be provided with the opportunities to regularly offer feedback and influence decision-making.

Employees are also looking for different relationships at work. Research has consistently shown that employees want to ‘get on’ rather than ‘get even’ at work, and they want trade unions and representatives that help them to do this. Recent information and consultation regulations also place more emphasis on an adult-to-adult way of working. The IPA therefore believes that the success of partnership working in helping organisations to implement change with the assistance, rather than the resistance, of the workforce means this way of working has as much to offer as it ever did.

It is true that both in boardrooms and among union executives the idea of partnership working has gone in and out of fashion since it came to the fore in the early 1990s as a reaction against the adversarial approaches that characterised the previous decade.

Some union leaders characterise all working in partnership with managers as ‘sweetheart’ arrangements which ill serve a workforce for whom independent recourse to industrial action remains the best weapon for progress, albeit one of last resort. Some managers believe equally strongly that anything which reduces the managers’ ‘right to manage’, including sharing information and therefore power with the workforce and its representatives is anathema. Some union representatives and managers will say they are prepared to explore how to proceed, but not to call it partnership ‘because it’s got a bad name’. Still others think there’s something in it, but are uncertain what is involved and how to set out on the journey.

Perhaps the best recent exposition of the whys and hows of a partnership approach are embodied in the agreement between the Communication Workers Unions and the management of Royal Mail, which ended a long-running dispute in 2010. Although it does not identify itself formally as a partnership agreement, under the heading Transforming Relationships the agreement sets out the core argument for a partnership way of working:

Royal Mail and the CWU recognise past adversarial industrial relations and poor employee relations have not assisted either party achieve their objectives and has increasingly damaged customer confidence. Both parties also accept that unless there is a radical improvement in relationships at all levels then the business cannot succeed. Against this background Royal Mail and the CWU recognise that transforming relationships and modernising the culture is key to the sustainability and success of the business.

¹ Employment Relations Survey Report, April 2011, CIPD

The Royal Mail/CWU agreement is just one indication that the principles and practice of partnership approaches remain deeply embedded in UK industrial relations. Other major national organisations continuing to aspire towards this approach include Barclays Bank, Tesco, O2, and the British Printing Industries Federation. In the public sector the national level partnership agreement between the Department of Health and the 15 NHS unions continues; the NHS also reveals outstanding local examples of productive partnership working, including the London Ambulance Service and several NHS trusts.

What is set out in the chapters ahead is a guide to establishing and sustaining partnerships. The outcomes of partnership working will vary, but the aim is to create employment relationships based on a mutual gains agenda, where the legitimate interests of employees and employers are acknowledged and both agree to work for the success of the organisation. The guide provides information and practical advice on the ways in which this might be achieved, including effective representation and consultation to enable the employee voice to be heard in the decision-making process. It includes many case studies and details of real-life problems experienced and overcome.

A partnership may initially be conceived as a relationship between the trade union or employee forum and the employer, but in order to be sustainable and to deliver the benefits described in the subsequent chapters, it needs to be more than this. It needs to have as much impact on the way line managers engage with employees and representatives as senior manager and trade union officials. The guide therefore describes how partnership can cascade throughout the organisation to bring widespread cultural change.

The solutions and ideas presented here should not be seen as a ‘one-size fits all’ or ‘off the shelf’ problem-solving model. Rather, the guide presents a series of options which organisations may decide to adopt, amend or fine tune, as they wish. Certain policies may be applied to organisations at different stages in the partnership process, or may apply more directly to larger rather than smaller organisations. With this guide,

organisations will now have access to the sort of detailed information which will help them navigate the employment relations maze.

We should emphasise from the outset that working in partnership is not an easy option. It involves sustained commitment to a set of behaviours – when often it would be easier in the short term just to walk away. It also offers a challenge to many accepted beliefs in industrial relations lore: that employees or their representatives cannot be trusted with sensitive information, that batten down the hatches behind an entrenched position gives long term protection, that negotiation is the only game in town, that a “resolutionary” approach to workplace relations can deliver sustained long term results. And the journey itself is challenging; few if any organisations developing this way of working have not experienced problems in trying to do so. Sometimes that is because not all parties understand, or share the same understanding, of what partnership working actually means. In other cases the relationships between key individuals come under strain. Most often a serious challenge – such as changes to pensions arrangements, or redundancy plans – places a severe stress test on the new culture.

But as the organisations in this guide will testify, the benefits that may be gained more than compensate for the difficulties that may be faced.



Nita Clarke
IPA Director
June 2011



Chapter 1 – a brief overview of partnership

What is partnership?

In 1992 the IPA created a model to describe the key elements of partnership. Its foundation was three commitments to which all the parties should subscribe:

- the success of the enterprise
- building trust through greater involvement
- respect for the legitimacy of other partners

The model also identified four building blocks on which a partnership is built:

- recognition of employees' desire for security and the company's need to maximise flexibility
- sharing success within the company
- informing and consulting employees about issues at workplace and company level
- effective representation of people's views within the organisation

Lafarge Cement partnership principles

- employees are prepared to develop themselves, embrace change, improve standards and work together as a team with loyalty, integrity and good faith
- the company invests in capital projects and the development of people and respects individuals in a relationship with mutual trust and confidence
- the Trade Unions represent their members' best interests, recognise and support the needs of the business to assist in employment strategy and encourage best practice.

While many institutions and individuals including the Trades Union Congress and the Institute of Directors has advocated some form of partnership, definitions have been quite diverse. At around the time the IPA model was being developed, Larry Adams produced the following definition that remains as true today as it did in the early 1990s:

"A partnership is an interest based relationship – that is a relationship based not on simply power or rights, but on the satisfaction of mutual as well as separate interests."

BAE

BAE Systems management recognises and respects the importance of the role of the trade unions to represent their members and equally the trade unions acknowledge the responsibility of management to manage the business. It is accepted that, in the best interests of both the business and its employees, a close working relationship based on meaningful consultation and mutual trust is fostered and continuously developed between the trade unions and management. This approach has led to a real openness between management and the unions to new ideas and influences that are at the very heart of the company's creativity.

The TUC's six underlying principles of partnership are also a good starting point for understanding what partnership might mean in practice:

- Joint commitment to the success of the organisation
- Joint recognition of each other's legitimate interests
- Joint commitment to employment security
- Joint focus on the quality of working life
- Joint commitment to operating in a transparent manner
- Joint commitment to add value to the arrangement

HSBC

Chris Pilling, Head of Direct Banking at HSBC, is clear that sharing the organisation's vision is key to business success: "It is vital that you are open and honest with staff about the organisation and how it fits into the bigger market picture. If you want your people to work with you and really buy in to what you are trying to achieve, you need to treat them like adults – give them the information and trust them to help you develop and implement the solutions."

These principles translate into common features that are associated with partnership working. For example, employees would show a strong commitment to the goals of the business and would be flexible in their approach to achieving these goals. In turn, the organisation would understand and listen to employee concerns and actively pursue policies to address such issues wherever possible.

The outcomes of partnership working are varied but as Dietz et. al argued;

"The litmus test for all partnerships – unionised or not – is the quality of the joint problem solving processes...giving significant influence to employees over organisational decision making early in the process, and in delivering regular, acceptable mutual gains for all parties."¹

The benefits of partnership

Partnership is more than a just an agreement between trade unions and employers. The benefits of partnership occur when agreements are translated into partnership principles and practices. The approach to partnership described in this guide relies on high levels of involvement and participation on the part of the wider workforce. It is also associated with new ways of working that empower employees and managers enabling them to contribute to the partnership.

The benefits of partnership, therefore, are wider than improved employment relations, important though that is.

¹ Dietz, G., Cullen, J. and Coad, A. 'Can there be non-union forms of partnership', *Employee Relations*, Vol. 27, no. 3 (2005), pp. 289-306

There is a body of research that points to the benefits partnership can bring to both employers and employees including improved productivity, performance, innovation, wellbeing and working conditions.

At the heart of partnership are regular gains for employers as well as employees. Without the benefits to employees, it could be argued that any improvements in productivity or performance are simply achieved through work intensification.

Many organisations would argue that the increased commitment of employees is the most important benefit that can be gained from partnership. For employees, the most profound benefit is the realisation that their views and opinions are valued by managers and, as a consequence, the feeling that they are able to understand and influence decisions made in their organisation.

In recent years employers have become increasingly interested in employee engagement. This term describes an approach to managing the workforce that unlocks people's potential at work, ensures they are committed to the organisation's goals and values and motivated to contribute to its success while enhancing their own wellbeing. The MacLeod Review of employee engagement found that there were four enablers of engagement:

Leadership – providing a clear strategic narrative about the purpose and direction of the organisation and creating a line of sight between the individual's work and the organisation's endeavours

Managers who are engaging – managing in a way that facilitates and empowers employees rather than controlling and restricting. They develop their teams and offer regular and constructive feedback

Voice – an effective and empowered employee voice. Employees views are sought out, listened to and employees see that their opinions make a difference

Integrity – behaviour throughout the organisation is consistent with the stated values, building trust

There is considerable crossover between the approach to partnership described in this guide, and employee engagement. Both rely on an empowered and informed employee voice, effective managers who enable employees, communication of organisational strategy and a high trust culture. The IPA believes that partnership working can support employee engagement.

This belief is underpinned by a number of studies:

- Research by the TUC showed that partnership organisations were 24 per cent more likely to experience higher labour productivity²
- A study by Black and Lynch on US health care providers showed productivity gains of up to 20 per cent when high involvement, new workplace practices and cooperative industrial relations were in place³
- A study at Leyland showed that the adoption of partnership led to a 30 per cent reduction in operating costs and an improvement in quality of 30 per cent⁴
- A study by the Work Foundation showed that employees in partnership organisations stayed with employers longer, had lower levels of absenteeism and higher satisfaction⁵
- The same study showed that partnership delivered a more flexible workforce focused and committed to shared problems
- A joint study by the ICTU and IBEC showed that partnership has a significant impact on learning, skills and career development opportunities for employees
- Appelbaum's study of US workplaces found that participatory approaches to work increased the operating efficiency and competitive advantage of plants at the same time as improving working conditions⁶

JCB

JCB actively communicated with employees in face-to-face sessions to explain the background to the overall business situation and the measures being taken in response. This has meant that each employee has clearly understood the rationale behind all proposals and decisions, even though these were difficult for all concerned and in some cases, meant redundancy or reduced pay for certain employees.

The benefits of partnership for trade union and employee representatives

Partnership gives trade union representatives the opportunity to widen their influence in the workplace, thereby better meeting the needs of their members. Whereas non-partnership organisations may restrict the role of representatives to negotiating over pay, terms and conditions, and health and safety, for example, partnership is based on the idea that employees and their representatives should be involved and consulted on any substantive change in the organisation, and have a legitimate role in influencing company strategy.

For employee forums, partnership can bring far greater legitimacy and influence. Employee forums are often set

² TUC, *Partners for Progress – Winning at Work*, (London; TUC, 2001)

³ Black, S. E. and L. M Lynch, 'What's driving the New Economy: The benefits of workplace innovation', *National Bureau of Economic Research Working Paper 7479*, (2000)

⁴ Quoted in NCPP, *Achieving High Performance: Partnership Works – the International Evidence*, (Dublin; NCPP, 2003)

⁵ Work Foundation, 'Best Practice: The Regular Benchmark', *Managing Partnership*, Issue 87, (2001)

⁶ Appelbaum, E. Baily, T., Berg, P. and Kalleberg, A., *Manufacturing Advantage: Why High Performance Work Systems Pay Off*, (Ithaca, New York; Cornell University Press, 2000)

up by companies to meet their legal obligations, but, through partnership, forums can become an integral part of the decision-making process and gain real influence on company strategy. Some forums have full-time officers, hold their own budgets, and are consulted on annual pay settlements.

By extending partnership throughout the organisation, representatives and employees can also use partnership working to address day-to-day issues such as the quality of management and job design.

Partnership does not rest on high levels of union membership, but it can be a way for unions to raise their membership. In a partnership organisation trade unions should be seen as valuable stakeholders, and play an important role in engaging the workforce and facilitating change, therefore it is in the interest of the employer to ensure that as many employees are members as possible. To this end, many partnership agreements will include access and support for unions to recruit new members.

Partnership working will provide opportunities for representatives to develop new skills and new ways of working. Representatives will be required to develop their business acumen to be able to challenge the decision-making process and develop alternative options to those put forward by the business. Representatives will also need to strengthen their communication skills so that they can present strategic information to employees in an accessible way and engage them in the decision-making process.

A representative working in partnership certainly does not have to agree with everything that is placed in front of him or her. The difference to what has been referred to as old-style industrial relations is that objection should not be based on ideology. If a challenge is made to a business decision, it should be made in such a way as to facilitate a meaningful discussion. The challenge to unions and employee forums is to think of another way of achieving something, rather than trying to stop something happening.

The benefits of partnership for managers

Partnership can help managers at a strategic level and in their day-to-day people management by improving decision-making, supporting change management, and creating a culture of involvement and participation that can improve performance and productivity.

At whatever level of the organisation, managers will face the challenge of implementing change. Through partnership managers know that employees will already have been informed of the change, consulted, and had questions answered through the consultation process before implementation. Although there may still be concerns, a strong partnership should at least build confidence that the impact of change on employees has been considered. Over time this can help build trust between managers and employees, removing much of the resistance to change.

Partnership can also support successful change management by improving the decision-making process. Employees are often the experts in their jobs; they are closest to the customers, service users, and technology and are best placed to understand the impact of change. By involving employees directly and through the representative structure, leaders can gain valuable insight that improves the probability of successful implementation of change.

But partnership can also help managers, including line managers, in their day to day people management. Partnership and consultation give managers a way to involve their employees, engaging them more thoroughly in their work. Partnership encourages the dissemination of strategic information, leading to more informed employees who are better able to put forward ideas and contribute to the aims and objectives of the organisation.

Accord (the banking union) representative role profile

Job purpose:

To work with the support of the bank to establish strong union membership, while seeking to represent members' views in a balanced and constructive manner through active and early dialogue with managers and HR colleagues. Able to influence management decision-making process, engaging in joint problem-solving when appropriate.

Accountabilities:

- Always acting in accordance and in the spirit of your union's constitution
- Supporting members to the best of your ability, seeking an effective solution at a 'local' level whenever possible
- Working on developing an understanding of the bank's policies and procedures
- Displaying a positive and enthusiastic image when representing your union
- Attending relevant meetings with your union and/or local management
- Promoting the benefits of union membership and making good use of the time you have for recruitment campaigns

Partnership will also require managers to develop new skills in order to manage in a way that empowers and enables employees. Employees will see the involvement of the workforce through their representatives in strategic level decision-making and will expect change to be done with them rather than to them in their daily work. A manager must be equipped with the skills to present the business case, respond positively to challenges and accept the employees’ desire for information, representation and consultation before final decisions are taken.

London Ambulance Service

A new approach was developed, based on a partnership framework, setting out new ways of working, based on the principles of building trust and mutual respect, honesty and transparency, a positive approach and willingness to learn together and from each other, and early discussion of emerging issues. Staff engagement and involvement was at the heart of the new approach.

HBOS

The agreement also goes further than might be expected in holding the company to a set of employment principles. Although it acknowledges a manager’s right to manage, the employment principles address dignity at work and the quality of work and management which employees can expect.

Conclusion

Partnership working is a relationship based on the satisfaction of mutual as well as separate interests with respect given by both parties to those separate interests. However, partnership works best when representatives think about the business and business thinks about the employees before any decision is made or any action is taken. By doing so, a virtuous circle can be achieved rather than a vicious one.

Partnership at work — properly defined and encouraged — can provide an important means for moving forward to the urgent creation of high performance workplaces. Contrary to its opponents’ views, the concept offers a credible and effective strategy that does not undermine the independence and autonomy of workers or trade unions, but can reconcile the often divergent and conflicting interests that exist within most workplaces.

Robert Taylor, *Partnerships at Work - The Way to Corporate Renewal?* (Swindon: ESRC, 2004)



Chapter 2 – Establishing a partnership

Why organisations decide to establish a partnership

There are several reasons why organisations, including trade unions, decide to establish partnership as their way of working. Although these reasons are both positive and negative in their nature, there is little evidence that either – with one exception – is particularly influential in whether that partnership is successful or not – that depends on the many other factors that are covered in this guide.

The first reason is to cement an existing positive relationship. In other words, the organisation and trade union have already been working to solve problems jointly, have reached a position of mutual respect and trust and, essentially, have rejected adversarial behaviours. In these cases, making the partnership more formal, by means of an agreement, is intended to embed this type of working relationship.

The second reason is to manage change more effectively. The Work Foundation's survey of 300 companies found that 53 per cent saw partnership as a way to manage change effectively and deliver business needs (48 per cent). As more partnerships have been established and publicised, the potential benefits have come to the fore. As one chief executive noted, "Partnership allows us to implement change with assistance, not resistance" and this resonated with a number of senior managers and HR professionals who were facing such challenges in their business. The potential cost of poorly managed change, including the disengagement of the workforce and the added time taken for implementation, have acted as incentives for employers to look for better ways of working.

The third reason has been described, quite accurately, as a "leap of faith". The "leap" from merely tolerant relationships or, sometimes, adversarial relationships to partnerships has been considerable in some organisations. The trigger has often been a realisation that "we have a trade union so we may as well try and get the most out of it". Several successful partnerships have started this way but the new relationship can take much longer to establish. This is often because, quite understandably, trade union officials and some managers have become suspicious at the apparently sudden desire to change the relationship. This is why the "faith" element becomes so important as only this allows key players on both sides to suspend suspicion or cynicism about each others' motives.

The fourth reason is based on a trade union's survival instincts. As union membership levels dwindled from the 1980s to the present day, some trade unionists saw

partnership as a means of avoiding de-recognition or the establishment of employee forums as an alternative to the union. Some also saw it as a means to maintain influence over the organisation's strategy even if membership levels were relatively low. More significantly, however, some trade unionists correctly identified partnership working as a means to recruit people who might not traditionally join a trade union because of their dislike of adversarial industrial relations. In the case of UNISON at United Welsh Housing Association, this was a spectacular success with union membership numbers rising from 29 per cent to 59 per cent over an eighteen month period following the signing of their partnership agreement in 2002.

The fifth reason is unpalatable but, unfortunately, one that cannot be ignored. There is no doubt that some organisations have developed partnership agreements simply to control a trade union or to stifle its ability to represent its membership. This is not a desirable reason for entering into partnership. It is impossible, in these circumstances, to have a shared understanding of what the partnership means and neither would it be possible to develop an open and transparent way of working together. This is why these agreements, often referred to as "sweetheart deals" are unsustainable and often fail at the first challenge. In fact, it can result in more adversarial relations than had occurred in the first place. There are many examples of aggressive conversations between managers who think the union is there to "rubber-stamp" everything rather than challenge, and union representatives who thought they would have opportunities to influence at a much earlier stage in the decision-making process. Mutual frustration and misunderstanding are not sound bases upon which to develop partnership working.

How to start a partnership

There is no definitive template to establish partnership working because organisations will start from different positions. However, taking care and attention at the early stages can lead to more sustainable partnerships.

Informal, un-pressurised discussions between senior managers and senior representatives are a desirable way to start the process for several reasons. The informal "sounding out" without the requirement of agreement is a good way of establishing an early understanding but, more importantly, a means of sharing concerns, or even genuine fears, at the outset. It is important that this is done in a safe and confidential environment, and may often be undertaken with the support of an external facilitator.

The commitment of senior managers is vital to the success of any partnership and organisations and trade unions establishing a partnership will want to increase their knowledge of what partnership might mean and how it might require significant changes to processes and behaviours. This should be done before discussions begin. The importance of senior managers going into these discussions with the full picture cannot be overstated. This also applies to the senior representatives and, as a result, joint explorative workshops are invaluable as an early step.

It is better at this stage that all parties are aware of the full potential of partnership working in order that they can adopt a strategic approach to the eventual agreement. This reduces the number of potential disagreements about the detail which is often where organisations and representatives start. It is not uncommon for a draft agreement, based on one obtained from another organisation, to be used as the starting point of the discussions. But agreement should be developed jointly by the parties as a result of discussions specific to the organisation. The often repeated expression that “there is no one size that fits all” partnership model is fundamentally true and, as such, it is critical that organisations and representatives concentrate initially on what would work for them rather than what has worked somewhere else. Of course, knowledge of good practice is hugely significant but the notion that one organisation's partnership can be copied exactly by another is unrealistic.

Once the workshops and informal meetings have produced the necessary common understanding and purpose, a steering group or working party can be established to look at a number of important tasks including:

- Establishing structures to make the partnership work, for example, pilot areas in larger organisations
- Writing the agreement
- Establishing who signs it
- Communication strategies
- Endorsing the agreement
- Electing key participants
- Organising training and awareness

Although it is not necessary that chief executives and regional officers get involved in too much detail, they will need to stay engaged with the working party or steering group in order to ensure that the group works within the established strategy.

The role of the written agreement

Some practitioners with established partnership ways of working believe that over time the written agreement becomes relatively unimportant. Such a view is

indicative of the success of the agreement but there are reasons why a written agreement is important both at outset and as the partnership develops. A formal written agreement can serve a number of functions:

- As a joint statement of strategic intent for everyone in the organisation to understand
- As a key reference point in times of disagreement
- As a communication tool for staff and the outside world
- As a safeguard if key practitioners leave the organisation or change jobs
- As a means of capturing good practice

This list is not exclusive but a written agreement is invariably desirable. It does not, however, need to be particularly long or bureaucratic as long as it covers certain key elements:

- The agreed partnership principles
- Who is covered by the agreement?
- How, and under what circumstances, will formal meetings take place?
- How often will meetings take place?
- What topics are included and excluded?
- Formal and informal processes
- A commitment and process for communicating with staff
- Facilities time for representatives
- A process for handling disagreements
- Notice period for termination

A code of conduct, outlining how people will behave towards one another is crucial. This can either be included in the partnership agreement or as a separate document that underpins that agreement. As with the partnership agreement, the code of conduct should be developed jointly with a great deal of care to ensure that it plays a positive role in the partnership.

Launching the agreement

Not all partnership agreements are ratified by a ballot of the employees or union members. However, it is good practice to do so both in terms of basic democracy and as a means to ensure everyone is engaged and involved. This does, however, create a responsibility to inform and educate those all who will vote about what partnership is and how it will affect them. Some organisations have gone to great lengths to ensure all employees are informed by a series of face-to-face meetings where presentations can be made and questions asked. Although, by this point, senior managers and union officials will be committed, an element of bravery is required to carry employees with them and to accept that some flexibility may be necessary in order to do so.

In 2010, **UKCES** held a series of well attended “Lunch & Learn” meetings in Wath-upon-Deane and London where employees were given talks by the organisation, the PCS Union and the IPA before they were asked to consider how they would prefer to be represented. A large majority of employees, now fully informed about the different options, favoured a partnership involving PCS and elected employee representatives which was developed successfully.

Some agreements are launched with a “fanfare” while others have been introduced with a low-key communication strategy. This depends partly on the size and culture of an organisation but, however it is done, it is vital that all employees are informed about such a major development for their organisation. Nobody should be left feeling excluded.

Training and creating awareness

Training is an important way of translating the partnership principles set out in the agreement into practice, and can also raise awareness of the partnership throughout the organisation. Establishing a training plan is often part of the early partnership discussions. Formal partnership training for the key participants is absolutely essential if the agreement is to work effectively. The attendees will typically be senior managers and senior representatives. An independently-facilitated training programme is the best way of bringing an agreement to life by exploring a number of tools and techniques, many of which are covered later in the guide:

- Option-based consultation and negotiation
- Interest-based negotiation
- Understanding the link between partnership and engagement
- High quality communication strategies
- Understanding partnership behaviours and tactics
- Developing the code of conduct
- How to ask and answer the key strategic questions
- Establishing the opportunities and threats
- Plans to disseminate and embed partnership working throughout the organisation

Line managers and lay-representatives should be given the same training as the strategic partnership group. The big advantage of this is that line-managers can learn the same tools and techniques and use them with their teams; option-based consultation as an example, which has been successfully used by line-managers at United Welsh Housing Association as a means of getting employees involved in how the department is run and how it implements the strategic decisions that get made at the senior levels.

Organisations may also choose to look at ways of informing the wider workforce on how partnership working will affect them and what their responsibilities are as a result. Away-days or conferences might be one way of achieving this, but regular communication through intranets, newsletters and notice boards, for example, will also be important in raising awareness.



Chapter 3 – Consultation as the foundation of partnership

By way of introduction, it is important to establish that this chapter is about consultation which is distinct from negotiation. The IPA has defined consultation:

Definitions of consultation

“To seek views of employees through representation before decisions are made and to take them into account when the decision is reached”

The IPA believes that consultation provides the best foundation for sustainable partnerships. Through consultation trade unions and employee representatives have the opportunity to influence decision-making at a workplace and company level, and influence a wider range of matters than are typically addressed through collective bargaining. Consultation does not depend on union membership levels and can enable partnership working in organisations that have employee representatives rather than trade unions.

Moreover, consultation makes it more likely that the relationship between the employer and trade union or employee representatives is maintained. Although the aim of consultation is entered with the expectation of reaching understanding and agreement, if that is not possible, then the relationship between both parties can still be preserved. Unsuccessful negotiation, on the other hand, can either lead to the break down of the relationship or a compromise that does not meet either party’s objectives or the long-term needs of the organisation.

It is possible to deal with a wide range of employment matters through partnership consultation, including pay, and terms and conditions, departmental reorganisation, changes to HR policies, strategic planning, flexible working, equal opportunities, and health and safety. By using consultation to address all these issues, several advantages can be gained:

- A clear understanding of the business rationale
- A clear understanding of the decision-making process and its thoroughness
- High quality communication to employees
- The best possible decision to meet the core objective
- A change process implemented with assistance not resistance
- Elimination of disengagement caused by unpopular change

However, some organisations separate issues into matters for consultation, and those dealt with by negotiation. It is still possible to sustain partnership working in these circumstances, but it is important that the consultation machinery, such as a joint consultative committee, does not come to be seen as a talking shop, incapable of addressing real concerns. In order to avoid this, consultation must operate at a strategic level, be business focused and prove it can address employee concerns. If an organisation does have separate structures for consultation and negotiation, then it is important that they have a shared understanding of each other’s role.

Description	Employee consultation forum	Joint Consultative and Negotiation Committee	Union and non-union employee consultation forum
Constitution	✓	✓	✓
Representatives are elected	✓	✓	✓
Union representatives attend	x	✓	✓
Staff representatives attend	✓	x	✓
Facilities time given	✓	✓	✓
Rights to training	x	✓	x
Right to be consulted on collective redundancies & TUPE	✓	✓	✓
Negotiation	x	✓	x
Joint decision-making	x	✓	x
Joint problem-solving	✓	✓	✓
Elected management representatives	✓	x	✓
Strategic agenda	✓	✓	✓
Code of Conduct	✓	x	✓

Option-based consultation

In today's fast moving economy it can seem as if there is little time to involve the workforce particularly when facing pressures from shareholders, regulators and media to make quick decisions. However, those tasked with implementing change will understand the benefits of undertaking a process that means that decisions are understood by the workforce and have some legitimacy. Time taken in consultation can often save time during the implementation phase by removing resistance and gaining valuable feedback on the problems that may arise.

To support organisations to carry out effective consultation the IPA developed option-based consultation. Its relevance has become more acute as concerns about the sharing of sensitive information, who makes the decisions, how much influence employees really have, and how much time all this will take, begin to develop amongst organisations. Option-based consultation does exactly what it says. When the need for business change is identified, it is good sense for the managers of an organisation to consider a number of options to meet that need. It is extremely rare that a decision is made without looking at a number of ways to achieve an objective but, in all cases, there are two: do something or do nothing.

Option-based consultation allows employees to influence decision making from the earliest stages, but should this opportunity be missed for some reason, they are still able to influence the implementation. Even in some partnership organisations, consultation takes place, at best, once a decision to implement business change has been reached. This is not true consultation but it can still be an effective way of improving communication and, therefore, of implementing change.

The option-based consultation model is focused unreservedly on the business case. It is about getting the best outcomes when managing change and critically, it is about making sure that decisions, sometimes unpalatable, have legitimacy in the eyes of the staff.

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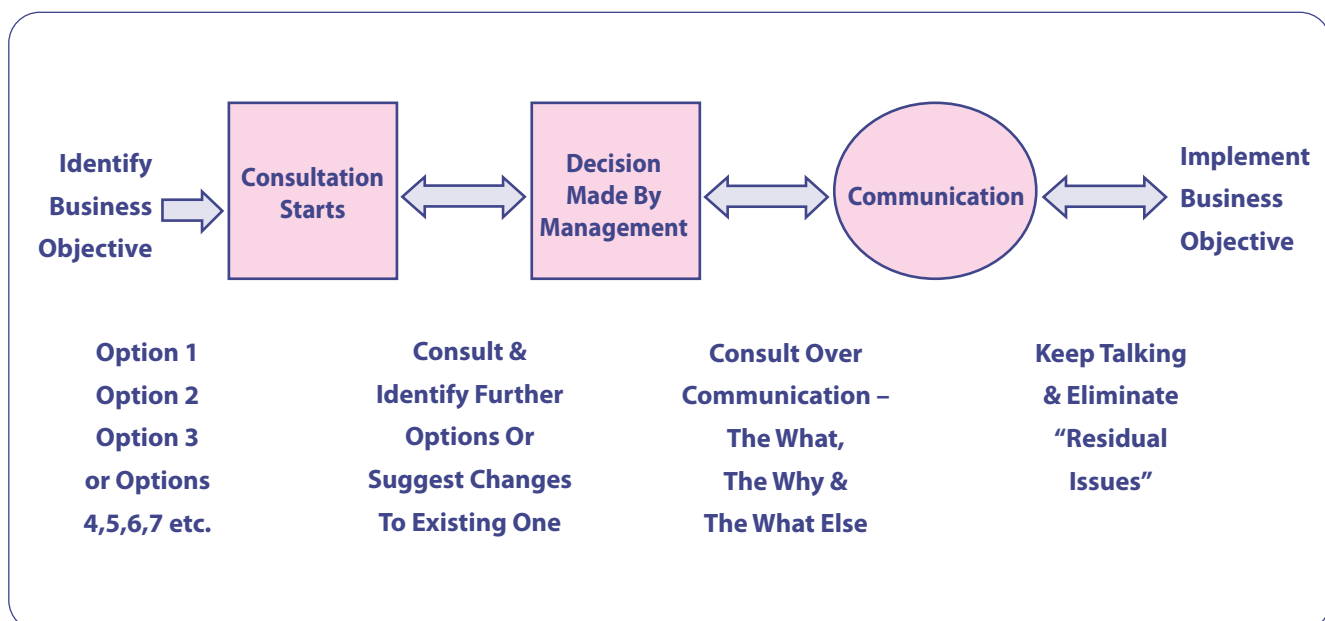
Standard Life/VIVO

In the event of restructuring, the first stage of the process is to have an informal pre-consultation discussion with VIVO. There is no strict timetable for when these meetings should take place, although they are expected to occur before any decisions have been taken to give staff representatives an opportunity to discuss different approaches for dealing with the situation. Information is also provided to the potentially affected business units or sites so as to secure an understanding of the need and nature of changes by the workforce. Following that, an option-based consultation process, based on the IPA model, takes place.

It is rare for employees to be fully informed of the range of options managers have considered before making a decision, and often they feel that managers do not give sufficient thought to how employees will be affected. In a redundancy situation, for example, employees might believe that the redundancies are the business objective itself rather than a consequence of it. Buy-in to any change process is difficult to achieve in such circumstances.

Because it is rare for employees to be involved at an early stage of the decision-making process, there can be the feeling that it is too late to influence the outcome by the time the discussions about implementation start.

Fig. 2 Option based consultation



Principles of option-based consultation

As soon as a business objective is identified and options to meet that objective have been looked at, consultation with representatives should begin before one option is selected as the way forward. This, of course, has implications for managers in sharing potentially sensitive information but this establishes everybody's responsibilities right at the beginning of the process. Employees and representatives have to be aware that a single breach of this confidence will lead to the partnership being undermined. For managers, it is a good opportunity to develop their skills in both the consideration of an issue and their ability to communicate their views.

Since all this happens before a final decision is made, the representatives' opportunity to influence the outcome can be a real one. Once a decision has been made, there are only two possible outcomes; agreement or disagreement. It is often the latter. If anyone has ever played football, they will know it is impossible to get a referee to change their mind once they have made a decision, however unjust that decision appears to be. The psychology in this process is no different; once managers have made a decision it is almost impossible to change it unless industrial muscle is used as a persuasive tactic, and that is often unsuccessful.

United Welsh Housing Association

The organisation recognised it needed to respond more quickly to change, specifically to move away from a command and control working culture to a learning and empowered culture. Working in partnership with its recognised trade union, UNISON, United Welsh introduced its People Engagement Model which has a people strategy and partnership working at its core. Staff at United Welsh have the opportunity to be involved in the decision-making process, whilst recognising management's responsibility to manage. In practice the majority of people are happy to be informed or consulted on issues that affect them, but the fact that they have the ability to influence decisions before they are made ensures that there is a real 'buy-in' and commitment to decisions made. Staff have been involved in decision-making on a wide range of issues including opening a regional office, departmental restructures and reviews of terms and conditions of employment.

The discipline of stating the business objectives and the thought process involved in developing them is a good one for managers and, if the employee representatives are unhappy with the current options on the table, they can always suggest alternatives. This, in turn, presents the representatives with a greater challenge than merely saying "no" and it is important that they think carefully about any further options that may be more palatable to employees but will still meet the business objective.

At this point in the process there will be a shared understanding of the need for change and the various ways available to make the change. There may not yet be agreement and nor is that necessary, but a clear understanding of why something has to change is fundamental to the success of the process. The representatives should challenge the business case if they do not understand it or agree with it. They should challenge the options presented to them but management should also challenge the representatives to come up with alternatives. It should produce a healthy, mature and courteous discussion aimed at producing the best decision for the organisation's needs while taking into account the interests, views and concerns of its employees.

For communication to work effectively it needs to focus on information which is either essential for the employee to do his or her job or give a perspective on broader workplace issues.

John Oliver, Director of Team Enterprise Solutions and former CEO of Leyland Trucks

With all of the information about the options and the representatives' views in front of them, management now have the responsibility to make the decision. This process is not about removing the right of managers to make decisions; in fact it firmly establishes this right and responsibility where there may have previously been some ambiguity. More importantly, it extends the right of the representatives to having a clear and full understanding of why a decision has been made and why other options were rejected. This is important for the representatives because, although they may not like every decision that has been made, they will be able to explain the reasons for them with authority to their constituents or members. This authority must never be underestimated in its contribution to achieving a more open, transparent and trusting culture.

Communication between representatives and their constituents or members is an integral part of the consultation process. Depending on what issue is being discussed, on rare occasions this communication might take place very early by means of a genuine canvassing of views and reporting them back. This is more likely to happen at an operational rather than strategic level. More usually, the consultation process will require total confidentiality until an announcement or a joint-announcement is made.

Best practice strongly suggests that the options under consideration should always be confidential at a strategic level until the final decision is communicated, as premature discussion with employees can lead to a great deal of confusion and disengagement. For example, employees may get the impression they are voting on strategic decisions – cynicism can develop if

the option they thought they were voting for was not the one that was finally implemented.

All parties have a shared interest in making sure communication is delivered well. Discussing the communication process as part of the consultation will achieve this and it is particularly helpful in ensuring that neither party surprises the other with what they say and when they say it.

Benefits of option-based consultation

Option-based consultation will also achieve real business benefits in terms of better decision making and removing the gap between decision makers and those affected by their actions. It can work equally well in a unionised or non-unionised environment provided the representatives and managers are fully trained in the skills and behaviours necessary to make the process work properly. Option-based consultation will give representatives greater ability to influence by intellect

and reason than they might have by simply using power. It should also make managers more comfortable in engaging in the consultation process earlier.

A key benefit of option-based consultation is greater awareness among employees of the thorough process of management decision-making which leads to greater acceptance of the quality of the decision being implemented even if the change is unpopular. Moreover, the development of a consultative culture and improved communication of the organisation's strategic agenda can support better employee engagement through the development of employee voice and a line of sight between organisational strategy and employees' work.

Option-based consultation provides the potential for all discussions to go into the partnership agenda. Even pay discussions can be brought into the equation, particularly as the model can pave the way for companies to share market data with representatives.

United Welsh Housing Association and UNISON

United Welsh Housing Association and UNISON began using the IPA's model of option-based consultation at a time when the business was considering opening a new office in Cardiff and relocating a number of employees from their existing head office in Caerphilly some five miles away. Although the UNISON representatives had drawn their own conclusions about the business need for the new office and supported the idea, it was quite revealing to hear the senior management team explain their thinking in such a comprehensive and open manner.

They revealed that the reasons for the move were not limited to the need to deliver service to the local community and put their customers first. Other drivers such as; strategic influence, political influence, diversifying the business, being closer to their largest proportion of business partners and making their service more flexible were also important and through the consultation process were discussed openly along with more practical considerations such as some of their other offices being full. Most significantly, the chief executive outlined how he and his management team had given a great deal of consideration as to whether the organisation would simply be disadvantaged if they did not open an office within the rapidly expanding economy of the Welsh capital.

This discussion provided the union representatives with a complete picture of the management's thinking on a major re-structure for the organisation. There was still a feeling, however, that the very nature of the issue under discussion produced a *fait accompli* of sorts, in that the seemingly obvious answer to these business objectives was, indeed, to open an office in Cardiff. Further discussions revealed that the reality was not quite so simple. In fact, a number of options were explored by the senior management team including the operation of a

"virtual" office, joining an existing group structure in the area and even moving the entire organisation there. The other option of doing nothing was also considered taking into account costs and the possible effects of disruption to the business and to the staff.

The union representatives could see that this issue was not change dreamt up on a whim; there were serious business reasons for doing so and the solution was also not decided on a toss of the coin. From this position of mutual understanding, a number of further consultation issues were identified and discussed outside of the workshop in the Joint Consultation Group. At the top of their agenda was the development of a communication strategy as well as the more nitty-gritty issues such as, skills matching, selection criteria for moving, car parking, child care, how to utilise flexible working in the new office, addressing peoples' fear of change and how to take special individual circumstances into account. The end result is that the Cardiff office is now up and running and, although a few concerns were discussed for sometime after the move was successful.

Although United Welsh Housing Association and UNISON initially used option-based consultation from a retrospective basis, they have continued to utilise the model for all subsequent discussions at their Joint Consultation Committee meetings. In addition to this, all of the organisation's managers have been trained to use the model, wherever possible, when dealing with their employees on issues that relate to their teams. This is important because it has meant that there is little confusion between the consultation that takes place between the union and management at the Joint Consultation Committee and the consultation that an individual manager must undertake with his or her employees.

A good illustration of this can be seen in the organisation’s discussions surrounding the Responsive Repairs Maintenance Service re-structure. This area provides a key service to the organisation’s tenants and a need was identified to improve that service by reacting quicker to requests by, among other things, creating better communication between this department and the Housing Officers. As the consultation developed and options to meet this business objective were discussed, the employees in the area became involved as part of the agreed communication strategy. As the senior UNISON representative stated, “We, in the union, are keen to let people do their jobs. This is easier to do when you don’t have to second guess a strategy.” In fact, it was an employee who suggested a further option that the management of the area decided to adopt, thus clearly illustrating that partnership with a sound consultation basis can spread throughout an entire organisation. Another senior manager supported this idea; “You can’t have partnership without empowerment. Managers have to manage otherwise there will be a gap in the consultation process. Here, the union empowers the managers to manage.”

When the organisation identified the need to review the shift patterns for their Cardiff Housing Link department, the initial consultation with the UNISON representatives conformed to the option-based model, during which a discussion paper was put together and subsequently issued to the staff. The business case and the options considered to meet it were outlined in the paper. Once

the management made the decision about which option to adopt, the employees were given the reasons why it was chosen and, importantly, why the other options were not. Even though the option chosen resulted in a change from a 35-hour week to a 38-hour week, the shifts became more flexible and employees eventually accepted the change. Less reliance on agency staff resulted in less pressure on the permanent employees and the union representatives have confirmed that the employees are happy with the outcome. What could have been a very difficult process – an increase in working hours is an emotive issue – went through smoothly and efficiently. This has certainly not been the case in many other organisations.

United Welsh Housing Association and UNISON have worked hard to use the option-based consultation model both in a practical sense to deal with real issues and as a strategy to ensure their partnership is sustainable. The relationship is further underpinned by a code of conduct, written in plain English, which outlines how people employed by the organisation should behave while performing their day-to-day work. All employees have received training on how option-based consultation is being used in their organisation including how it links with this code of conduct. This has required a great deal of commitment - for example the line managers have been involved in two full-day training sessions - but the investment in making sure everyone is involved and feels involved is clearly having a positive effect throughout the organisation.



Chapter 4 - Extending partnership throughout the organisation

Partnership agreements may be signed by the CEO and general secretary, but in order to create a sustainable and meaningful partnership, it must extend to all levels of the organisation.

In a survey undertaken by the IPA in May 2002, union representatives in a major UK retail company appeared to consider that partnership had not lived up to what they had expected. Their involvement in the business had not materialised. Rather, partnership meant centralised decision-making and they were merely part of the implementation process, without either a problem-solving, decision-making or employee voice role locally (of the kind found in many strong partnership cultures). As a result, many felt disenfranchised and feel disenfranchised by partnership with a much reduced role.

Partnerships that essentially exist only between senior managers and the senior trade union officials can work well, but only for a limited amount of time. As these key individuals move on to other roles or stand down from their elected posts, the sustainability of the partnership may be threatened. As we have examined in the previous chapter, the option-based consultation model provides a mechanism to create a consultative culture throughout an organisation of any size and, therefore, a more sustainable partnership.

HBOS

The challenge for both the company and the union was to move partnership from a high level agreement to something that impacted on the day-to-day working lives of workplace representatives and employees. To that end, Accord and Unite applied for funding from the Union Modernisation Fund, run by the Department for Business, Enterprise and Regulatory Reform (now BIS) to run an extensive training programme. The training would both fulfil the union and company's long held ambitions to raise the skills, competencies and status of representatives, and disseminate and create buy-in to partnership working throughout the organisation

The approach to partnership discussed here extends the responsibility of working in a consultative way to line managers, the network of representatives and even to team leaders and the employees themselves. This creates a large number of individuals within an organisation who have gained the necessary skills and experience to continue working in this way as they gain promotion. It is only by extending these participative ways of working from formal employment relations into day-to-day work that organisations can expect to see benefits such as increased commitment and employee engagement.

How to involve managers

If partnership is to extend to all levels of the organisation, then first tier and middle managers must be engaged and involved. Managers play an important role in connecting high level partnership rhetoric to every day working practices, and are therefore crucial in making the partnership meaningful to employees.

Too often middle managers are perceived to be a problem with regard to partnership working. This stems from the fact that they are often excluded from the processes that underpin partnership. To them, partnership is something that happens at the senior management and representative level and does not concern them so long as they reach their targets and objectives. Many believe that consultation slows things down and takes away their responsibility for decision-making resulting in a loss of their leadership status.

Building relationships with managers is, arguably, the key to keeping the whole subject of information, consultation and partnership relevant to organisations. It sounds straightforward to do this but, if it were, it would not be such a recurring theme during training sessions or discussions about how to embed high quality information, consultation and partnership working. Essentially, it is about building trust. As with so many issues, a shared understanding of each other's role is important.

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If these managers do not consult but behave in a command and control manner, a gap between the way industrial relations are conducted at the senior levels and how employees are treated in their day-to-day working lives emerges. Such a gap can create tension between local representatives and these line managers which cannot be rectified by simply telling them to work in partnership. It is important to engage in dialogue with managers who hold such views because only evidence to support partnership working will convince them.

There are several ways in which managers might be positively engaged and involved in partnership:

- **Awareness or training** – this has to be focused on, not only the strategic partnership at senior levels, but how managers can use practical tools to engage with their employees. For example, the option-based consultation model is ideal for getting employees involved in implementing change at operational levels.
- **Building confidence** – middle managers need to ask more relevant questions to their own manager about the organisational strategy in order to answer similar

questions that they will get from their employees. This will help them in terms of showing leadership qualities but it will also encourage greater engagement with their employees. Over a period of time, employees will know that they will get an answer if they ask a question rather than a deflection such as, “that’s nothing to do with me, that happens at senior levels”.

- **Avoiding one-dimensional management** – middle managers need to achieve results and meet objectives but it is good for their development if they are encouraged to challenge themselves to consider the question – at what cost? To enable and encourage managers to manage in a partnership manner, organisations should consider reviewing their accountabilities to include consulting with their teams over organisational change. Managers will find it hard to change their ways of working if it is deemed to be incompatible with their core objectives. A more rounded set of objectives and accountabilities is needed to encourage management more compatible with partnership.

- **Support from representatives** – there is no doubt that experienced representatives can be a great help to line managers as sounding boards. In partnership, one of the roles of a representative is to assist the managers to manage better. The more knowledgeable and skilful a line-manager is, the easier the job is for a representative and the better it is for their employees. It is partnership delivering not just a win-win but a win-win-win.

“I see the union very much at the forefront for helping me to implement some very difficult changes that we’re having. So, an example of that is when the announcement first came out that Lloyds was taking us over, ... we had a huge queue of people out the door here ... It was almost like a match made in heaven; I was dealing with the customers and their concerns, and she [the Accord representative] was dealing with the staff and their concerns.”

Branch manager, HBOS

How to involve representatives

Representatives are often in a similar position to line managers in feeling that partnership is something that happens between a few senior representatives or officers and their business counterparts. However, representatives are crucial in translating partnership rhetoric into reality, and therefore their involvement in the partnership is vital.

The first step is to improve communication between the union or employee forum leadership and the representatives. This can be done through regular face-

to-face, email or newsletter briefings to inform representatives of the progress the partnership is making, and the issues that are being discussed with the management, with opportunities for them to ask questions or give feedback. Representatives are likely to have the most contact with members or constituents, and it is therefore important that they are able to describe the role the union or forum is playing in advancing the employees’ interests.

Representatives can also benefit from joint training with their managers. This can help to build a shared understanding of partnership, and help them explore what it will mean for day-to-day working practices. One of the frustrations for representatives is the disconnect between partnership agreements and commitment from leaders, and the reality of their relationships with managers. Joint training can help to overcome this and involve representatives more closely in the partnership.

Representatives should also be equipped with the tools to carry out their role in partnership. Toolkits and handbooks can be a valuable source of support after training, and provide a reference point in day-to-day work.

Partnership sometimes consists of little more than warm words, but our Partnership Principles, signed in 2000, are backed up by a range of practical arrangements to enable the union to represent its members and help promote our common interest of the continued, long-term success of the business.

Having a strong network of local representatives means that mechanisms such as the disciplinary process run more smoothly since employees know where to go for support and to be accompanied at hearings. And as we devolve more responsibility to line management, the infrastructure of trained lay representatives lets consultation take place at the appropriate level.

P Dugmore, Group Employee Relations Director, Barclays, “Partner of the Union”, IRS Employment Review, 24 January 2003, Page 2

How to involve employees

There are a variety of ways to engage the workforce in the partnership. Smaller organisations might hold an annual employee conference. This has to be followed up with regular communication to encourage participation. For larger organisations, there is less possibility of giving the message to all employees at once unless it is done by means of video, recorded message or a written communication to everyone. The disadvantage of these forms of communication is that they are one-way and

people will not have an opportunity to ask questions or debate the arguments. It is important therefore, that information is cascaded by word of mouth, by formal training sessions, focus groups, team away days, team meetings and online discussion forums.

It is not realistic to expect everyone to actively participate in focus groups, away days and team meetings, but it is important that everyone is given the opportunity to do so. Just as trust has to develop between managers and representatives, it also has to grow between managers and their employees before employees are willing to contribute views that they may believe are controversial. Employees are often reluctant to do this because they fear being regarded as difficult. This is why representatives can add such value but, in an open and honest organisation, the opportunity for direct feedback from employees can help to make people feel involved and to allow them to have an influence over their own working lives.

Broadway

Broadway, a London-based homelessness charity, ensure that all staff understand the organisation's values and standards, and that they have clarity on what is expected of them. Staff are given the information they need to do their jobs well, and 80 per cent agree that they have plenty of ways to feed their views up the organisation.

Partnership working underpinned by a solid consultative process must extend beyond the boardroom, national joint consultative committees, and regional consultative committees to sites, offices, areas and teams. Only then will the benefits of partnership working become fully realised by extending it from an organisation and a group of representatives working together in a more positive way to a huge cultural change throughout that organisation and group of representatives. However worthy the former is, the true potential of partnership working will only be unlocked if everyone gets the chance to contribute.





Chapter 5 - Embedding partnership

Partnership can help to build a high level of trust between managers and the workforce, enable more successful change management and support higher levels of employee engagement. But in order to do so, partnership must involve the wider workforce. One of the objectives of partnership is not just to provide a way for employees to express their views, but to create an informed employee voice capable of contributing to and influencing the organisation's strategy.

Creating an informed employee voice

Some of the challenges faced by organisations that have set up partnerships with both trade unions and information and consultation arrangements as their base include:

- Why is the agenda full of the basic “tea & toilets” issues?
- Why do representatives bring a wish list of requests from employees?
- Why do so few people stand for election?
- Why are employees disengaged from the process?
- Why are managers unwilling to participate fully?
- Why do we not see improved results from employee satisfaction surveys when they have been given a “voice”?

In many cases, organisations seem to be starting their partnership journey at the wrong place. Here, the agenda is unfocused and is often centred on “hygiene” matters, such as “tea and toilets” and meetings are dominated by trivial issues which would be better raised with line managers who are equipped to deal with them. As a result, senior managers do not see the value of the process and quickly become disenchanted with it.

To have a more positive and strategically-minded employee voice, it is necessary to start the journey from a management-driven strategic agenda based on the major changes that are affecting the workplace. In conjunction with this, the process needs representatives who are able to understand a strategic agenda and will ask the questions necessary to elicit information on managers' decision-making rationale.

Only then can organisations take the first of five key steps that will change the employee voice from one which is interested only in trivial or individual issues to one that is informed and interested in their organisation's strategy.

These five key steps are as follows:

Step 1: Bring employees closer to strategic decisions made by the senior management of the business.

It is vital that every employee understands why key strategic decisions are taken and what the thought process has been. This means that strategy has to form the basis of discussions at information and consultation or partnership meetings in order that the representatives can scrutinise and evaluate management decision-making. This will require them to ask the sorts of questions that employees will not necessarily think of asking at this stage of the journey. The answers to these questions have to be the foundation of the high quality communication back to the employees that is essential if the process is going to be successful.

VIVO/Standard Life

Since the amendment of the arrangements in 2008, VIVO, with the crucial support of the senior management and the development of a partnership relationship with the advice of the IPA, has developed its strategic influence over individual and collective workplace issues. Management representatives believe that the new arrangements are already producing better results than the old staff associations. In contrast to the ‘tea and toilet’ issues, which dominated the agendas of the previous arrangements, the discussions between management and VIVO are now mostly concerned with ways of making the business more successful.

The first job of any representative is to ensure the employees they represent understand the context, enabling them to make sense of why change is necessary. Employees should, as a result of the representatives asking a series of key questions, be able to trace any change in their own circumstances to a strategic decision. This has the effect of ensuring that employees do not perceive change as something that is done to them, rather than with them.

Diageo

“At a basic level, emotional engagement is about making a strategy personal. It's about seeing the connection between what I do and delivering something larger and more meaningful, the overall result. An emotionally intelligent strategy is about people getting fired up by the thought that the world will somehow be a better place as a result of what they're doing, playing their part in delivering the strategy. If a strategy engages people emotionally, there's an authentic commitment to making it happen.”

Stuart Fletcher, President of the international division of Diageo.

Step 2: Creating buy-in to the strategic decision.

Buy-in does not mean employees agreeing with or being happy with organisational change. The basis of employees buying-in to a decision that results in organisational change rests with their complete understanding of that decision.

HBOS

The agreement encouraged the business to involve the union early in decision-making at strategic, operational and task levels. For one senior operational leader, early involvement of the union had been critical to delivering change successfully in HBOS and getting staff buy-in.

This requires not only an understanding of why these decisions have been made but also how they have been made. In a mathematics exam, marks are given not just for the final answer, but also for the process by which the answer is reached. Scrutinising senior management's decision-making is like that – it is not so much the decision at the end of the process that achieves buy-in, it is management's "working".

Essentially, respect for decisions comes when employees understand the process and, equally importantly, the quality of the decision. When managers begin to fully explain to employees their reasons for making a decision, and how the decision was made, trust between managers and employees increases as employees are shown that managers do not have a hidden agenda.

John Lewis Partnership

Partners have oversight of strategic business issues through the Partnership Council – this body is able to hold the chairman of the business to account and to question senior management in a similar way as shareholders would in a plc. Partners are informed about strategic business decisions through a wide range of communications, and can influence their working environments through the open structure, particularly newly revamped branch-level fora; the suggestion scheme, and through management consultations on key areas and issues such as performance management.

Step 3: the What, the Why and the What Else.

Employees are almost instinctively suspicious about what lies behind major decisions that are taken in their organisation, and need reassurance that these decisions have been made with proper consideration.

From the perspective of those within the business leading the redundancy process, the unions engaged early, tabled well-informed challenges and suggested options that the company had not considered. The business acumen of the senior union officials meant that the unions were able to put forward a robust challenge which was valued by the business in confirming that they had considered every option.

HBOS, IPA Case Study, May 2010

Only an exploration of the "what else" will overcome this and it is, therefore, imperative that managers talk through the options that they have considered before they reached the final decision. This will, ideally, be done before that final decision has been taken but it can be done retrospectively depending on when the consultation starts. The timing is actually of secondary importance to the quality of the communication that the representatives and managers provide to the employees. It is this regular communication that will lead to Step 4.

The importance of the "what else" cannot be over estimated. Although the rejected options can only be communicated once a final decision has been made, the realisation that management do, indeed, think it through has had a major effect on reducing or eliminating what the IPA calls residual issues that are caused by the implementation of unpopular change. In other words, the "what else" reduces the moans and groans and helps reduce cynicism.

Step 4: Continued improvement in employee satisfaction and the building of trust (the working environment).

As organisations move through the preceding three steps, employees will start to feel that they are in a safe pair of hands, and over a period of time will begin to trust their senior managers and the decisions they make. This is closely linked to employees feeling valued and having confidence in the way decisions are made. There is also comfort in the predictability of knowing they will be involved and that the decision-making process is not clouded in secrecy.

United Welsh Housing Association

Mandy Symonds, Community Investment Co-ordinator, of United Welsh said: "Being involved not only gives me real opportunities to influence the decisions which affect me and my future, it also means I am more aware of the wider picture. As a result I can be confident United Welsh are going places, so for me it's the place to be."

Blackpool, Fylde and Wyre NHS Foundation Trust

Blackpool, Fylde and Wyre NHS Foundation Trust has embedded engagement and partnership working across the whole of the Trust's operation. Engagement and partnership working are described as 'the Blackpool way; it's how we do things around here.' Its foundation is a clear statement of the Trust's aims and values, and a well-communicated strategy, which identifies and builds on the issues of most importance to staff. An engaged workforce enabled the trust to undertake significant reform and achieve Foundation status, while taking the staff with them.

**Telefónica O2**

"It's not unusual for a company to have a three year business plan," says CEO, Ronan Dunne. "What's unique about ours is that we're articulating the journey to everyone. We're creating visibility across the entire organisation regarding decisions, investments and choices that will define the path we'll travel in later years."

Step 5: Create an informed and credible employee voice in a culture where employees want to contribute and get involved.

If the consultation process properly addresses any cultural problem by following the previous four steps, cynicism and rumour-mongering will be reduced. It is within such a fresh, positive culture that employees will be interested in talking about organisational strategy. They will stop speculating about why something has happened and will be more interested in debating what might happen next.

The benefits of this engagement may well be seen in employee surveys. More employees will also want to stand as representatives as the role is proved to have real value and influence in the organisation and as more people become aware of the role as a result of better communication.

Perhaps more importantly, for some individuals it will result in a less cynical attitude and a more positive work experience. A representative might ask themselves if there is anything more significant that they could possibly achieve than this.

These five key steps reveal why so many organisations have struggled to get employees engaged with an information and consultation or partnership process and why so many employees see that process as ineffective. Many have tried to start the process at Step 5 by setting up a simplistic "backwards and forwards" communication between the employees and the representatives with the latter bringing forward the wish lists of the former. This only leads to dissatisfaction and disengagement.

KPMG

Staff expect managers to tell them how it really is – in good times and bad, and this has been the foundation of developing its Flexible Futures programme as one of the approaches to help weather the uncertainty of the recession.

To create the culture or environment where more people want to stand for election to a forum or trade union than there are places, the organisation has to work through the key steps in order. There is no short cut. This reduces the importance of "quick wins" but it sharply increases the need to manage the expectations of the employees, particularly in terms of how quickly they will notice the measurable benefits.

HBOS

Accord had shown its ability to maintain confidentiality, understand the business environment and be part of the change process rather than an obstacle to it. They had built a good relationship with the chief executive during this period, James Crosby, who saw the union's potential as a strategic partner. At the Accord biennial delegate conference of 2006, Crosby publicly laid the ground for partnership by confirming the importance of the union as a partner in the success of the company and the need to alter the perception of representatives, so that becoming a representative would become part of the career development pathway.

Tools and techniques: asking the strategic questions

To support representatives to engage in strategic discussions with managers, the IPA has developed the 15 strategic questions. This list of questions is designed to enable representatives to elicit high-quality information on the decision-making process that they can then feed back to their members or constituents.

The questions not only provide an effective scrutiny mechanism, encouraging managers to examine the quality of their decisions, but over time managers will anticipate the questions and come to meetings with representatives prepared with the appropriate information. These key questions are as follows:

- *What is the core business objective?*
- *How did you come to this business objective or need for change?*
- *Is a copy of the business plan available?*
- *When did you first identify the business objective?*
- *Who was involved in producing the business case / decision making?*
- *What other options did you consider in coming to this decision?*
- *Why did those options not meet the business objective?*
- *Have management identified and taken into account all the possible knock-on effects to other areas of the business?*
- *What risks are involved?*
- *How are we going to measure the success of the change process?*
- *What is the timeline for completion of the change process?*
- *Over what period of time will we measure that success?*
- *What is management's plan B if this doesn't work?*
- *How are we going to communicate this consistently and factually?*
- *What is management's strategy to engage with employees who are the most upset / affected / resentful?*

The way in which these questions are asked, and the behaviours exhibited by the representatives are important in achieving a good outcome. These behaviours are discussed in the next chapter.

Chapter 6 – Partnership behaviours and ways of working

An organisation can have any number of partnership principles and practices in place, but unless peoples' behaviours are compatible with them, individual relationships will break down and the partnership will be weakened. Trust is at the heart of partnership working and therefore the behaviour of all those involved in the partnership must help to build and sustain the trust of the other party. Partnership behaviours are about respect and dignity and a desire to try and solve problems however difficult they may seem.

The **NHS social partnership forum** came up with 10 partnership behaviours

- Having mutual respect
- Actively listening
- Working from shared values
- Walking in each others' shoes
- Being honest with each other
- Being solution focused
- Acknowledging each others' views
- Being inclusive
- Open communication and information sharing
- Trusting each other

In the past, it was not unusual to hear senior representatives and managers in a partnership say "we could have a big bust up in a meeting but then we would go to the pub afterwards and everything would be forgotten". The problem is that the "bust up" would not be forgotten, tensions would inevitably re-emerge at the next formal meeting. People may appear to be able to change behaviours with a flick of a switch with no consequences but the reality is quite different. Bad behaviours have a cumulative effect or, if severe enough, will cause an instant and irreparable breakdown in relations. As well as the direct effect of bad behaviours, they can have a negative effect on those who witness them encouraging people to disengage from the partnership.

Inland Revenue

One manager at the Inland Revenue was particularly honest about this issue, "I have some difficulty with members of the trade union. When they approach me, I immediately want to say no. They are like a dog with a bone and won't let go."

It can be useful during the early stages of a partnership to use a training session to explore what behaviours managers and representatives believe will be helpful in sustaining the partnership, and what they expect from one another. People often have different understandings of words such as respect, dignity and inclusiveness. As a result of such differences in perception, it is very easy to accuse someone of not treating you with dignity and

respect and for the other person to be bewildered by the accusation. Therefore it is important to take time to find common meanings and to draw out what each word will mean in practice.

This audit tool can help partnerships to assess whether their behaviour is compatible with partnership principles. Managers and representatives should ask themselves the questions below to assess the extent to which partnership principles are translated into behaviours and ways of working. It can also be helpful for partnerships to develop their own tool, and through doing so, establish shared understandings and expectations of behaviour.

Behaviours and ways of working audit tool

1 Mutual Respect

Are meetings scheduled in good time?

Do meetings start on time?

Do members set aside sufficient time to address the issues on the agenda?

Do members come sufficiently prepared to seriously address the issues at hand?

Do members keep promises and deliver what they say?

2 Actively listening to each other

Is there space on the agenda for each party to present their views/issues without interruption?

Is there open debate about difficult and controversial issues?

Are questions and constructive challenges encouraged?

Do members demonstrate active listening?

Do members regularly see things from the others' perspective?

Do members demonstrate an inclusive approach?

3 Working from shared values

Are there regular opportunities to discuss the strategic aims and objectives of the organisation?

Do you regularly discuss what your common aims are as a partnership forum?

Do you regularly review how you are working in partnership?

4 Mutual understanding

Is there regular opportunity to discuss mutual expectations and roles?

Is there recognition and acknowledgement of the constraints each other have to work under?

Is there regular opportunity to provide each other with constructive feedback?

5 Being honest and open with each other

Do you regularly share information about the organisation's financial position, performance and future prospects?

Do you often tackle difficult issues?

Are members prepared to admit their mistakes?

6 Being solution focused

Does your shared agenda address important issues to staff and customers?

Does the Partnership Forum contribute formally to the organisation's policy and decision-making?

Do you solve problems jointly?

7 Being inclusive

Do members avoid using defensive/aggressive body language?

Do meeting room arrangements avoid creating separation or sides?

Do you set aside sufficient time to give serious consideration to the issues at hand?

8 Open communication and information sharing

Is important information, except when confidential, always shared at the earliest opportunity?

Do you ensure that communication from your meetings is factual, clear and consistent?

BAE

BAE HR director (employee relations) Dave Ryan said: "BAE Systems' industrial relations history in the early 1990's was typical of many British engineering firms, with a long history of industrial action and a relationship between management and unions that was aggressive, adversarial and characterised by a complete lack of trust. This traditional approach has been replaced by a process of solving issues together through joint working parties based on partnership, not conflict. The aim of the whole process is to solve problems, not to create disputes. At first it was hard for managers and trade union representatives to change culturally embedded behaviours, because change of this nature is uncomfortable, and in some cases it was more comfortable to adopt a traditional 'us and them' approach. However, both parties have shifted towards a collegiate attitude to such matters.

Partnership working has to spell the end of certain attitudes on both sides. For managers, we have explored already that there is a need to engage in consultation early and accept that there will be challenges to his or her way of thinking. However, there is more to it than that. They also have to have the courage to change their minds if they hear a better way of achieving a business objective and not see it as a sign of weakness. Similarly, the representative must not be afraid to change track during the course of a meeting and must remember that partnership is not

about power and weakness – it is about reaching the best solution to a problem.

"for a high quality of working life it doesn't matter so much what the business is but how the people in that business behave."

Ruth Spellman, Chartered Management Institute

This is a huge change from the attitudes which many managers and representatives are often used to. Those representatives who display command and control type behaviours usually rely on rules and procedures and, therefore, find it difficult to exist in a partnership where the nature of discussions is more informal. It is usually a sign that they lack confidence and knowledge which then makes it difficult for them to discuss issues on an equal footing with managers. The managers, who might be expecting a more open discussion, find this frustrating and will not look forward to further engagement with that representative. This is especially so if the representative becomes overly focused on a particular issue. Consultation, the foundation of the partnership, is far less likely to be effective in such circumstances.

IPA comment: Lafarge Cement

The partnership at Lafarge Cement is one of the best examples of management and unions working together we have seen in the UK in the last decade. It has helped keep UK plants at the front of the field in the fiercely competitive international cement market. And at times when tough business decisions were needed, the unions have worked to achieve the best outcome for the workforce - even when it has meant site closures.

Assertiveness

The key to solving these problems is to understand and to be able to deploy assertive behaviours.

• **Assertive behaviour is based on the belief that your views are important but not more so than those of others**

• **Aggressive behaviour is based on the belief that your views override those of others**

• **Submissive behaviour is based on the belief that your views are less important than those of others**

There are several ways to ensure you can display assertive behaviours:

- Be sure of your facts by gathering all of the relevant information – the more you are informed, the easier it is to debate an issue and to solve problems jointly
- Put yourself in the position of the person you are talking to – how does this sound to them?

- Be persistent in seeking an explanation for why a decision has been made – what else did they consider?
- Do not bang your head against a brick wall trying to change a decision – there will always be another serious issue that requires concentration

Constructive ways of working

The representative's role in partnership is to influence the decision-making process and ensure members' or constituents' interests are represented. In formal and informal meetings the approach taken by representatives can influence the extent to which they are able to achieve this objective. This simple checklist will help ensure interactions between managers are constructive and that the 15 Strategic Questions, outlined in the previous chapter, are used positively:

- **Talk strategy not "tea and toilets"** – the more strategic a conversation is, the more engaging it will be for all parties. Hygiene issues, important though they may be, are best dealt with elsewhere.
- **Challenge positively and constructively** – it is always better to look at the positives first and any negatives second.
- **Come up with alternatives** – it is not acceptable in partnership to simply say "no". Empowerment brings responsibility, and that responsibility is to contribute to a joint problem – solving strategy. This is harder work for representatives but, over a period of time, the discipline of doing this will greatly increase their skill set and effectiveness.

- **Don't try to "score points"** – it is unproductive and wastes time. Employees have the right to expect better from their managers and representatives.

- **Don't speak for the sake of speaking** – there is only a point in asking a question if you really need the answer.

- **Don't try to "catch people out"** – partnership discussions should be based on mutual respect not the undermining of the other party.

- **Know what's going on in the business world you are dealing with** – Intelligent debate based on knowledge will usually produce a better outcome.

- **Explain why you are asking a question and refer to what stage on the 5 Key Steps will suffer if you don't get an answer that you can feedback** – this has improved some managers' diligence in presenting business proposals and has led to higher quality communication.

In the IPA's experience, we have found that senior management in the majority of organisations are highly skilled in strategic decision-making. Nevertheless, all management decisions must be examined and understood by representatives and staff, whether it is during the decision-making process or afterwards in order to create employee buy-in.

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Chapter 7 – Partnership training

Training plays an important role in creating shared expectations and understandings of partnership. It provides a safe space to explore concerns and new ways of working and develop appropriate behaviours. Regular training also ensures that partnerships remain sustainable by developing new employees' partnership skills and allows all parties to evaluate and develop the partnership over time.

Training can provide an opportunity to explore the real potential of partnership. If partnerships are borne out of the desire to improve foundering relationships, that partnership will be limited to what each side feels comfortable discussing in a formal setting. A training course creates an environment where any possibility can be discussed openly particularly when exploring best practice in other organisations.

Once a shared understanding is established, this needs to be cascaded to all levels of the organisation. Employees, even if they do not receive formal training, will need to be informed about what the partnership will mean for them. In short, partnership training can be a large undertaking for an organisation which requires investment and time commitment. Although there is merit in trade unions providing a general guide to partnership, they cannot establish a shared understanding if only one of the partners is present.

Training for representatives

Representatives working in partnership will require a high level of skill and will need to develop detailed knowledge about the business or service they are working as well as skills in partnership working itself.

A representative working in partnership requires the following skills:

- business acumen
- an understanding of behaviours and their impact
- the ability to come up with alternative ways of achieving business objectives
- the ability to ask questions that staff will not think of
- to communicate factual information at the right time
- the ability to keep confidential information
- An understanding of how to recruit new members on a partnership platform.

Training for managers

Senior managers involved in the strategic partnership group will also need training in order to understand what partnership will mean for the business and how to sustain it over time.

A senior manager working in partnership will need the following skills:

- The ability to present their strategic thinking, including the options phase, to representatives
- The discipline to consult early and allow room for the ideas of others
- The confidence to accept challenges presented in the right way
- To answer difficult questions in such a way that they can be communicated to staff without disengaging them
- To understand the potential impact of their words
- The ability to explain why some ideas cannot be implemented

Partnerships will need to train middle and line managers so they can work in day to day partnership with representatives and employees. Instead of partnership being something that only relates to how the senior management and the union or employee forum interact, it becomes a useful management strategy which achieves better decision-making and acceptance of change. Training can give these managers an understanding of what partnership can achieve, and give them the opportunity to explore how it relates to their daily work.

Middle and line managers working in partnership will need the following skills:

- Knowledge of how to use option-based consultation with their teams
- Increasing their own business acumen by having the confidence to ask important questions up the line
- The confidence to answer questions down the line
- The ability to take responsibility for decisions
- The discipline of consulting with their local representative
- A thorough understanding of the organisation's disciplinary and grievance policies
- The ability to identify good role models

Joint training

Basic skills training can be delivered separately to each of the parties, but joint training between managers and representatives is vital in order to build relationships and shared understandings and expectations of the partnership. Not only does it set the foundations of the partnership in place, it makes sure those foundations are solid enough to keep it going even when individuals move on to other roles.

Prior to that joint training, it is invariably useful to perform a diagnostic which would then inform the joint training programme. Such a diagnostic can take several forms from individual interviews to focus groups but the most important aspect of it is to determine what can realistically be achieved in a reasonable time frame.

Once people have used the safe environment to air their views, concerns and fears, it is far easier to achieve solid and long-lasting foundations for the partnership through the joint training.

IPA training outline

The following training outline describes a standard agenda for initial partnership training for managers and representatives.

Over the course of three days, 5 key questions are addressed in the joint partnership workshop:

- Where are we now?
- What challenges do representatives & management face in the future?
- What are our options?
- What supports these options?
- What are our next steps?

These questions are explored in the following training modules as follows:

1. Overview of where we are now

- Overview of the industrial relations climate and definitions of partnership working
- What currently works well and what needs improving?
- Passive or active – how can unions get more involved in the strategic decision-making?
- Partnership case studies – what can we learn from them?
- What are senior managers interested in (e.g. employee engagement)?

2. The challenges

- The need for representatives to think more strategically
- A retrospective analysis of specific problems experienced in the organisation
- How these could have been overcome by working in partnership?
- How we present ourselves working in partnership? An exploration of the tactics that support partnership working
- How we identify and understand our mutual and separate interests

3. What are our options? – Tools & techniques for partnerships

- Interest-based negotiation – multi-issue negotiation
- Option-based consultation & negotiation – single-issue negotiation
- Asking and answering the important strategic questions
- Developing high quality communication strategies
- Exploring ways to embed the partnership and involve all employees

4. What can practically support these options?

Skills – how partnership has unlocked the potential of employees in organisations

Behaviours – how these skills have been supported by appropriate behaviours

Modern agreements – can representatives and managers within the organisation learn from others?

Action planning and next steps

BPIF/Unite

The key issue was how to address the common challenge to partnerships in general – how to turn a national agreement into something that comes alive in the workplace. The BPIF/Unite workplaces are diverse in terms of numbers and industrial relations practice so dissemination of tools and techniques to support the partnership agreement and code of practice was always going to be a step by step process. The first step of this process was a series of four workshops, facilitated by the IPA, held in late 2007 and early 2008. The high attendance at these workshops illustrated a huge commitment from both the BPIF and Unite to ensure that all of the hard work expended in setting up the partnership agreement and code of conduct would translate into a practical tool for the workplaces.

These workshops set the BPIF/Unite agreement in the context of other partnerships ranging from those which have sustained over a period of ten years to those which are relatively new. The key challenge, however, was to create a means of dialogue that would allow local managers and union representatives to talk about the key strategic issues that their particular business was facing. The IPA's option-based consultation model was illustrated and discussed in some detail at the workshops and was seen as an ideal starting point for discussions at all levels. Not only would it address issues of early involvement, dealing with confidential information and building trust through transparent exchange of information, option-based consultation provides the flexibility for both parties to negotiate from a foundation of openness which, in turn, encourages the behaviours set out in the code of practice.

HBOS

The company was not just aiming for quantity of union members, but quality of representatives too. The competency of representatives was seen as directly relating to the extent to which their role was valued, and this in turn made partnership at the local level possible. The company set out its expectation that the union would provide suitably skilled and qualified representatives for meetings and in return, the company would support time off with pay for training and qualifications for representatives. The agreement restated that becoming a representative should be seen as a career development opportunity.

Training, cannot, however, be a one off activity if partnership is to be sustained. There will always be new people coming into the organisation and new people being elected as representatives. For organisations that believe that driving partnership practices and behaviours throughout their structures will sustain their way of working, on-going training is a necessity. Partnership needs to become a core element of management and representative training. Partnership awareness should be tackled during induction training for new employees in partnership organisations. In these organisations, it is also reasonable for representatives to have access to new employees at this time.



Chapter 8 – Delivering change through partnership

Over the last thirty years, the pace and breadth of change in the workplace has been breathtaking. New technology, changes in the organisation of work, the increasing diversity of the workforce and the growth of multinational companies have changed UK workplaces beyond recognition.

This has posed a considerable challenge to trade unions who have often struggled to keep up with, and influence the nature of that change. From this weakened position, trade unions have responded to employees' fears by entering into a stalling debate with management. In this fast paced environment, managers too have been unprepared to involve and listen to employees, instead leaving unhappy employees to simply look for another job.

Chemical Industry Association

Steve Elliott, Chief Executive of the Chemical Industries Association, told us: "Effective employee engagement is crucial to chemical and pharmaceutical businesses located in the UK. The health and safety nature of the industry and our successful performance in this field, combined with the unprecedented levels of restructuring over the past decade achieved with significant employee support, means that the sector has a strong employer/employee relationship. The joint work of employers, workforces and their representatives is a key feature of what we do." **Quoted in MacLeod & Clarke, Engaging for Success (London: BIS, 2009)**

There is no doubt that better management of organisational change is one of the main drivers for partnership working. It is quite clear, therefore, that a partnership that fails to deliver this objective will run the high risk of disintegrating and that would be a serious issue for trade unions that have a relatively low membership because they may not be in a position to find alternative ways to influence change to the benefit of their members. Unions or employee forums that are not able influence change may also find their members looking to other unions who offer an approach based on resistance to change.

Tesco/USDAW

The long standing partnership agreement between Tesco and USDAW for example has explicitly contributed not just to the commercial success of the company and the creation of 11,000 new jobs across the UK, but also to the growing strength of the union, with 150,000 USDAW members in Tesco across the UK, the largest membership in a single company in the private sector of any union. In Tesco distribution, for example, the average trade union membership density is 90 per cent.

The trade unions and employee forums that work effectively in partnership will understand the organisation's key drivers but will expect to receive detailed information about any need for change early on, particularly the business case and the implications of doing nothing. As explored in Chapter 5, managements' thinking can be influenced over a period of time to take implications for employees into account when they are formulating ideas, but the representative will still have an important role in the process on behalf of their members or constituents in ensuring this happens. The task of coming up with alternatives if the current ones are not palatable to the union members or constituents is a tough challenge for a representative but, given the inevitability of change, it is an essential part of their input. Training, as already shown, can help to achieve this but it is joint problem-solving that will ultimately provide the basis for maximum input from all parties and ensure the change process does not get delayed.

It may be true that we still lack much independent, empirical evidence that shows how partnership agreements have brought about increased productivity and competitiveness. But the experience of USDAW with Tesco and Amicus at Perkins Engines, for example, suggests that corporate performance can improve through the working of strong partnership agreements.

Robert Taylor, Partnerships at Work - The Way to Corporate Renewal? (Swindon: ESRC, 2004)

It is important to stress that joint problem-solving is not joint decision-making. The latter is not sustainable in partnership but joint problem-solving is important because it establishes joint ownership of issues. Representatives who describe issues as management's problem, and employees who withdraw from any discussions relating to change will lose their ability to influence proceedings. However, these things do occur in partnership environments sometimes due to the representatives being bound by union policy formed at conference or because a group of representatives do not want to be implicated in something that will be unpopular. Both result in the members being unrepresented and a strain on the partnership.

Joint problem-solving

"Joint problem-solving is a technique to establish effective and appropriate solutions to problems by involving all the parties who are concerned or affected by the problem. It involves discussion and interaction between managers and workers that results in binding action."

Good Practice Guide; Joint Problem Solving, International Labour Organization

Steps for joint-problem solving:

1. Using established committees, employee forums or ad hoc working groups, employees and managers come together to discuss the issue with a view to finding a solution,
2. Everyone listens openly and objectively to each others’ point of view and seeks to understand where they are coming from
3. Identify options for mutual gain that may be workable
4. Agree objective criteria with which to evaluate the options

London Ambulance Service

The London Ambulance Service has transformed its service delivery through engagement and partnership working in the past few years. A service that was criticised by London’s media as the ‘worst’ ambulance service in Britain in 1997 was hailed ten years later as the best in the country. The LAS is the largest ambulance service in the country, serving the metropolitan area within the boundary of the M25 and employing around 4,400 staff.

Unions and management recognised in 1999 that the future of the service was being placed in jeopardy by the perceived failures in the service, in particular response times, and a lack of public confidence as a result of sustained negative media coverage. Staff morale was at its lowest ebb. It was clear that drastic steps including breaking up an integrated London service were being considered. Major investment of £50 million was needed to start to bring the service up to scratch, but the funds would not be forthcoming unless confidence could be built within government that the service could be reformed.

Both sides came together to begin discussions on a critical path to recovery. Senior managers admitted publicly that the service was struggling – an honest admission that was vital in gaining the trust of employees who were only too aware of the situation. Both sides accepted that the relationship between the unions and management was dysfunctional and was itself contributing to difficulties at service and station level, with constant threats of industrial action, petty disputes erupting regularly and large numbers of grievances. Above all, they recognised that the poor relationship made it difficult to get issues of importance to employees discussed and resolved. Engagement was at a low ebb.

A new approach was developed, based on a partnership framework, setting out new ways of working based on the principles of building trust and

mutual respect, honesty and transparency, a positive approach and willingness to learn together and from each other, and early discussion of emerging issues. Employee engagement and involvement was at the heart of the new approach; for the first time employees were involved from the beginning in major decisions such as the procurement of new ambulances.

The involvement of employees, often through their union representatives has been institutionalised across the Service. Regular consultation involves union reps in decision-making. Senior managers and union reps make annual visits across the service to engage directly with employees at station level. The LAS partnership forum meets every six weeks. Service wide partnership conferences involving reps and managers are also held annually, with presentations on strategic issues. At the same time regular informal meetings are also held to ensure partnership operates on a day to day level.

The results of the efforts to engage employees in the improvement of the Service are clear. LAS is the only ambulance service to receive a Good/Good rating from the Health Care Commission for its services and its use of resources two years in a row, and has the highest clinical performance indicator compliance results in England. The service won the NHS Innovator of the year award for London in 2008 and achieved the best emergency preparedness independent audit results in England.

Impressive service achievements also include the doubling of cardiac arrest survival to discharge, and the LAS is the only ambulance service to undertake region-wide direct admission for percutaneous coronary intervention 24/7. 56,000 fewer patients have been admitted to A&E over the last two years. There has also been a 30 per cent reduction in complaints.

Communicating and delivering change

During any change process, both managers and representatives have to accept responsibility for communicating difficult messages to the workforce. This, of course, takes courage, but change with assistance is dependent upon accurate communication of why something is happening.

If the representatives have closely examined the business case and believe the change is simply for the sake of it, they have to say so while still representing their members and constituents. If managers constantly present feeble business cases to representatives but push through the change regardless, the partnership will not last for long and there will be occasions when genuine disagreements occur. In the main, however, the business case will be understood, the need for change accepted and both parties will embark on a process to make the change as painless as possible.

Representatives must be equally aware of the need to show the value of their contribution and communicate what they have done to their members. It is important that their constituents and members know precisely what part they have played in the change process and to outline what issues and concerns they brought to the consultation table. If they do not, their contribution on their behalf will be invisible. It is equally important that the organisation recognises and reveals the representatives' contribution.

Failure to engage with employees in this way could have a detrimental effect on the union or employee forum. People leave the union if they do not believe they make a difference. This will, naturally, affect the credibility and sustainability of the partnership. Representatives, therefore, have to be brave enough to

engage with their members or the employees. It may not always be a comfortable experience but it is an essential element of their role and responsibilities within a partnership organisation.

In partnership organisations it is not unusual for union membership to be between 25 per cent and 35 per cent of employees. The membership, therefore, have to understand that partnership is a much more honest and effective way of influencing change than antagonistic rhetoric that cannot be backed up by significant industrial action due to low membership. There are, of course, a large number of organisations where the attitude among union representatives is about being in there fighting for our rights and that is perfectly understandable, particularly where minimum legislative requirements are not being met or where employees are treated unfairly.

UNISON officials identified, over a period of time, that there had been an increase in claims for compensation as a result of work-related stress amongst its members. They believed that a number of factors led to that increase – the re-structure was under-resourced and marginalised health and safety issues; budgets were under significant pressure; the climate was one of more for less; there had been a freeze on recruitment and managers had been put under pressure to meet a range of performance measures. Proper dialogue through early consultation would have addressed issues like these before they happened but the changes were made at a considerable cost. As proven by many organisations, change does not have to result in this if it is embarked upon in partnership.

Debora Sanders “Brighton & Hove Commits To A New Occupational Health Strategy”, IRS Employment Review, 750, pages 42-44, 29 April 2002.





Chapter 9 – Managing expectations and delivering benefits through partnership

Partnership must deliver regular gains to each party in order to maintain support. Partnership is not a panacea to all employment relations problems an organisation might face, but it will provide solutions to many. To have any chance of doing so, however, the expectations of all partners need to be established and understood. Some managers believe that partnership means that, whatever they do, the representatives will agree to it. They believe that disagreement has no place in a partnership organisation. It is equally apparent that some representatives believe they will hold a power of veto over the final decision and can threaten their withdrawal from the partnership if they do not get their own way. Both of these views are equally incorrect.

Accenture

Due to demand/supply imbalances, Accenture had to take steps to reduce the number of employees in the Consulting and Solutions workforces in the UK. As the numbers affected meant the programme would amount to a 'collective redundancy' under employment legislation, Accenture established an Employee Consultative Forum (ECF) specifically for this purpose. It was a new initiative for the company and they had no way of knowing how effective it would be. A series of meetings were held to consult over the business case and how redundancies should be made. This part of the business was not familiar with voluntary redundancy, but after much discussion the employee representatives persuaded management that not only was it achievable, but it would have a very positive impact compared with making compulsory redundancies. The company was impressed by their arguments, and therefore prepared to give it a try. Thanks to the advice of the employee representatives, and the willingness of senior management in Accenture to listen to new ideas, redundancy was seen as less of a threat. There were many advantages for the company too. As job losses were achieved with far fewer compulsory redundancies, the process was more efficient and cost effective. From observation, the company are confident that employee engagement has been better than it would otherwise have been amongst those who remained with the company.

Exploring what partnership principles will mean in practice is important, but all parties must be able to see the benefits of their investment of time, energy and resources if support for the partnership is to be maintained. The more that people at all levels see visible benefits which can be attributed to partnership, the more they will buy-in to the practice. Some frustrations will, quite naturally, occur as these benefits take their time to show themselves. It is important, therefore, that if quick wins are available, that the opportunity is taken. Sheffield Hallam University, for example, produced a monthly partnership bulletin called, Working Together to publicise their early achievements.

Standard Life/Vivo

This (the issue of pay talks) was met by an agreement between management and VIVO on a process of 'joint review of salary and benefits'. Nicolle Hamilton, HR business partner, stresses that 'in the past, HR would come to representatives and say "that's the salary increase, I am going to announce it tomorrow". So they had no time to challenge it or debate it'. The process now includes involvement at the earliest stage of the salary and benefits review, with access to benchmarking information provided externally to the company. All representatives receive full Income and Data Services training and certification to enable them to represent effectively employees in this process. Stuart Inness, principal officer, Vivo central operations, describes the process: 'We share all the elements that will go into making a decision as to what a pay award will be, this is discussed openly with that team, and that team then makes a recommendation to the Executive as to what the award should be'.

Bearing this in mind, partners must be prepared to support each other to achieve their partnership aims. For example, one of the benefits of partnership is lower levels of absenteeism. The representatives have to play a significant role in ensuring this happens by supporting fair attempts by the organisation to manage sickness, by supporting those whose absence is genuine and by exploring the reasons for persistent absenteeism.

Similarly, a union or employee forum cannot maintain or increase its influence if the management do not consult with them and constantly present them with a fait accompli. However, management will bypass the representatives and not consult if they constantly try to stop change from happening. Such a strategy from the representatives could reduce the organisation's competitive edge by increasing conflict and damaging employee engagement leading to lower morale and higher turnover.

BPIF/Unite

Of course, employees also want to improve the quality of their working lives, and companies realise the importance of this. New proposals provide for fair treatment in the workplace, reduce excessive overtime, ensure protection of the health, safety and welfare of employees and assist companies to implement workplace legislation and good employment practice. Similarly, employees and employers alike suffer as a consequence of skills gaps: both stand to gain from on-going investment in training and for the first time the new partnership commits companies to this.

It will, however, take time for these benefits to turn from aspiration to reality. The organisation will not suddenly experience higher levels of employee retention any more than the representatives will suddenly experience

managers taking careful consideration of employees in their decision-making. Everybody has to be patient while people make mistakes and employees remain slightly cynical about the organisation's motivation. This requires a degree of faith and therefore it is helpful to have support for the partnership from the employee and employer sides, and a number of people who are prepared to champion this way of working within the organisation.

HBOS/Accord

The vocal support for union membership from the chief executive and the offer to reimburse membership subscriptions for the first six months of employment ensured that 80 per cent of new starters were joining one of the unions in 2008. This helped contribute to the record rate of recruitment in that year, with 3,500 new members joining Accord between January and July 2008. As a result of the agreement between the two unions, new staff were allocated to one of the unions according to the site at which they were based.

Not every benefit can be measured in monetary terms, but it is important to measure as many of the benefits of the partnership to business to help maintain support. In a survey undertaken in 2003 by IRS, three quarters of the 24 partnership companies had agreed to avoid compulsory redundancies and to discuss and negotiate alternatives with the workforce. Others mentioned they had experienced a better employee relations climate, reduced costs, better quality, improved productivity, reduced absence and improved delivery or turn-round times.

HBOS

At the end of 2007 HBOS began a process of reducing costs in response to the changing financial climate. The unions engaged with the company and ensured that the Job Security Agreement guided the process. Those that were displaced were placed on a central list and prioritised for new vacancies within the company and job search support was given by the company for all those leaving. The result of this process was out of 4,800 job displacements, only 63 employees were made redundant compulsorily, some of which were employees for whom voluntary redundancy was less financially advantageous than compulsory redundancy.

The benefits of partnership working are, on the surface, quite obvious. However, some would argue that, while these benefits are important, partnership must also be able to address the key issues of pay, conditions and job security.

Pay and rewards

In any organisation, employees must feel that pay is fair and adequately rewards effort if performance and good employment relations are to be maintained. Support for partnership does not necessarily rely on guarantees of better pay, but whether unionised or not, a partnership can play an

important role in ensuring pay is fair, and reassuring employees that this is the case. An organisation will be careful not to pay less than the market median or else it knows it will risk losing the employees it probably needs most.

Partnership has, however, led to a more intellectual debate around pay. The greater openness in sharing information means that representatives are better informed about both the market and what the organisation is able to afford. If what is offered is considerably below either, it is difficult to see how partnership working could survive. In this respect, those who believe that partnership does produce better or fairer pay have a powerful argument.

It can also be argued that if the partnership works to deliver other benefits to the organisation around efficiency, organisational change, reduced waste and saving on absenteeism then representatives are in a better position to discuss the rewards for the workforce. If the partnership is not doing that, the representatives are not asking the right questions or building sufficiently powerful business cases.

Working conditions

There is no doubt that many employees believe partnership working will produce a better working environment. Employees often have a clear idea of what is unacceptable in the workplace such as; unequal pay based on gender, unfair or petty disciplinary action, poor health and safety, their voice being ignored and management adopting a command and control posture.

It is critical for individuals to experience a culture in which they can be less cynical, less frustrated and more engaged. Partnerships should be able to address both the 'harder' issues such as health and safety, as well as the 'softer' issues such as management cultures. Both are important to the quality of employees' working lives and therefore the partnership must be able to address these issues if it is to sustain support.

Job security

Employees today rarely expect a job for life, and will understand that at various points employers may need to reduce the size of the workforce, or move jobs to different locations. However, partnership agreements will often be accompanied by a job security agreement which commits the employer to making sure that job losses are an absolute last resort.

Not every job can be saved every time but it is vital that people are not given the impression that it was a first resort, or the result of an idea that has not been thought through properly. There are many excellent examples of partnerships where employers and employees have worked together, often accepting short-term reductions in hours or pay, to support the company through a difficult period and protect jobs. In order for this sort of cooperation to take place, employees must know that the employer is committed to avoiding job losses.

Chapter 10 – Resolving tension points

Tension points can exist in even the most established partnerships which, if unresolved, will have a detrimental effect on sustainability. The broader solution to these tension points lies in the previous chapters in the form of pre-emptive action, but it is worth examining how some of these issues arise and how they can be dealt with.

Time off for representative duties

The need for lay representatives to leave their normal duties at work to perform their duties for the union or employee forum can lead to misunderstandings and disagreements between the representative and their manager. Managers have difficult objectives to achieve and losing one of their key resources for a period of time can cause frustration if the manager is not aware of the bigger picture or does not understand the role the representative is carrying out. The representative has a responsibility to give as much notice as possible to his or her manager and to ensure that the manager is aware of where the representative is. It is important that the representative takes a balanced view of what is urgent and what is not and schedules their duties around their normal work, wherever that is possible.

The trade union representative felt that the managers who have representatives working on their teams were under specific pressures; “they don’t get any benefit from the work that rep does for the union – they just see that they are not in the office”. There is a problem with the target process – the individual target for the rep is reduced but the target for the business unit and the manager remains the same. This causes managers to resent the presence of a rep on their team. The objectives for managers and reps do not cover the trade union duties – there are no measures for the evaluation of the rep’s trade union duties. They are looking at a system of personal development plans where generic skills beneficial to the trade union role could be delivered by the organisation.

A senior representative pointed out that there is no active encouragement for PCS membership or support for reps. She explained that her own line manager “tolerates” her PCS work and believes that they “don’t need a union”. As her PCS workload has increased (now 68% facilities) this has led to some conflict. Her annual appraisal only takes account of her official work and there is no acknowledgement of the contribution to the business made by her in her trade union role.

Source: IPA primary research, Public Sector

Even if a representative does all of this, some managers will still resent time spent away from the workplace. This is where education is important. Managers have to be made aware that a representative has a wider duty the organisation they work for. The time a representative spends away from their day-to-day work must be taken into account in the managers’ individual targets as well as those of that

representative. If that is not understood further up the management line, the partnership champions have a responsibility to change the way those managers think.

The role of an employee relations manager can be critical in resolving this type of issue. They can help to build trust between the representative and their manager and ensure both parties have a sounding board on which they can air their concerns. However, simply talking will not resolve the issue. If a union representative is spending unreasonable amounts of time on union duties, the senior representative or regional officer must intervene to achieve a balance. Similarly, if a manager is unreasonably complaining about a representative spending time which they are entitled to, the senior managers must deal with it.

The danger in not dealing with such an issue is that it can lead to other members of staff becoming reluctant to stand for election to a representative role. If representatives believe they are being penalised for carrying out their duties, only the most robust will continue.

Issues where consultation does not take place

This can cause the most serious breakdown of relationships. It should not, of course, happen, but most partnerships have experienced examples where an organisation will make a decision not to consult. Some managers might not be aware that consultation should have taken place, others might simply forget. There may also be a lack of a shared understanding about when and at what stage consultation should happen.

As explored in Chapter 3, a robust consultation process is the foundation of partnership. How that process works will define how strong the partnership is, how effective it is and how likely it is to last. Without it, partnership will eventually break down. If that bedrock of partnership does not take place when it should, it is reasonable that the representatives should be acutely disappointed. In such circumstances, an apology from senior management is the least they should expect. If it keeps happening, the key decision makers in the organisation must ask themselves the question as to whether they really want to work in partnership or not.

In larger organisations, a situation can exist where one site or area is very good at making sure consultation takes place as opposed to another site or area where it does not. There can be a tendency for the partners on both sides to either turn a blind eye to it or simply regard it as too difficult to deal with. In fact, such a situation can be dealt with by ensuring that a manager’s responsibility to consult with elected representatives is reflected in their written objectives and accountabilities.

If consultation takes place at a point where the decision has already been made, it is essential that the 15 Strategic

Questions are used to ensure that the process does not break down and to provide employees with the high-quality communication they should expect.

Low trade union membership & employee forums

The trade unions currently represent approximately 24.7 per cent of all employees in the United Kingdom. Around 57 per cent of these are in the public sector. However, previous chapters in this guide have illustrated that unions with less than 30 per cent - 40 per cent membership in the workforce can work effectively in partnership because their role is based on influence not power. Low membership does not, therefore, directly affect the sustainability of partnership. It does, however, have a longer term effect on how people regard the employee voice in such an organisation, which can lead to questions being raised as to how representative the union is of the workforce.

HBOS

A notable feature of the agreement is the company's commitment to help raise union membership. Increased union membership is listed under the 'common objectives' section of the agreement, and a specific target of 70 per cent of the eligible workforce is set. The company agrees to 'raising trade union awareness amongst managers and colleagues, and will encourage colleagues to join unions, play an active part in them, and emphasise the importance of TU representatives as a resource'. Higher membership, from the company's perspective, was helpful in ensuring that the unions could legitimately articulate the views of the entire workforce, not just the disaffected, and deliver on their responsibility to help bring all employees through organisational change.

In a partnership environment, it is important that trade unions increase their membership levels in order that these questions do not arise. Those who argue that unionised organisations where non-members account for up to 70% of the employees should set up an employee forum have a powerful case. That argument becomes less and less powerful as union membership increases until the reasonable view that 10 per cent - 20 per cent have effectively "opted out" of having an employee voice becomes legitimate. If the partnership is to be perceived by employees and managers as equal, the union should aspire to achieve as high a membership as possible and the organisation needs to help them to do so.

Despite all of the potential benefits explored in a previous chapter, if an employee forum is established to represent non-union members in a partnership organisation, there is a good chance that it will cause tensions that will affect sustainability. There is a case that such dual arrangements strengthen a union in the longer term if they assert their independence and contribute a greater influence than the employee forum. However, this becomes irrelevant if the union can credibly claim that they represent the employee voice.

HBOS

The strong support for membership from the leadership of the company also helped legitimise the role of the unions for managers and employees who may have been less sure. Although many senior managers had had contact with the unions and the partnership development and had bought into the process, there were others, particularly in the first tier and middle management of the company, who had not. "The publicly positive attitude to membership killed any myths about unions and immediately impacted on local managers' attitudes", said Gwyn Bates, Unite officer.

Handling disagreements

Disagreements are inevitable in partnership. Although organisations and unions can agree or reach mutual understanding on the majority of issues, there will be occasions where common ground is impossible to establish. The motivation behind these disagreements is the most important thing to establish. For example, a representative needs to carefully consider why issues surrounding pensions, the move of jobs to Asia, redundancies and pay are brought to the partnership table. If the management of an organisation are simply cutting costs and have only looked at the most obvious ways of doing so, it is right for a representative to challenge and seek other ways of meeting a business objective.

Problems occur, as we have already explored, when representatives are presented with a fait accompli. Partnership cannot be sustained in such circumstances. If, for example, a large number of jobs in a call centre are transferred from the UK to India, a representative in partnership must be brought into discussions early and have a real opportunity to influence the fate of their members or constituents. Management cannot have it both ways in partnership. Such an action will strike at the core of partnership principles, particularly the one relating to job security.

Pensions have proved a particularly challenging issue for partnerships, particularly where changes have been made to final salary pensions. Legal & General and UNITE concluded discussions relating to the organisation's final salary scheme and their successful outcome was mainly due to two factors: the union were brought into discussions very early and the management listened to them. There was, however, another critical factor in that relationship. The union assessed what they gained from the partnership from a broad strategic viewpoint. This did not mean they would not disagree on particular issues, but it meant that no single issue would affect the partnership to the extent that it threatened its existence because, in the bigger picture, a breakdown in the relationship with the company would only have a negative effect on employees when the next serious issue was raised. This partnership has endured for over a decade. The union was able to adopt this strategic position because they knew the organisation would involve them early and provide them with all the necessary information. They also knew that, if they came up with a more palatable solution, the organisation would listen.

About the IPA

The IPA exists to promote the involvement and participation of employees in their workplaces. The IPA's role is to support the development of workforce engagement, employee involvement, representation and partnership by influencing opinion formers, key decision makers and practitioners, through a network of members and supporters, and by providing examples of good practice. Working in the public, private and third sectors, the IPA has extensive experience of developing and implementing solutions to raise performance through workforce engagement.

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