

Repairing relationships between the trade unions and the executive and non-executive teams in a public sector organisation

This case study describes how Acas-facilitated sessions helped to improve an adversarial industrial relations climate in a public sector organisation. The sessions resulted in increased trust between the parties, better communication and indirectly, managers believe, in the unlocking of a dispute.¹

The public sector organisation has some operational independence although many working and employment practices are still determined by national agreement. It has around 600 staff, down by around 15% from two years ago, and is located in the Midlands. There is a small senior management executive team, and a non-executive board which oversees the services and acts as the employer. The organisation recognises two unions; one a large union which operates across the public and private sectors, the other a smaller and more specialised body which is both a TUC-affiliated trade union and a professional association. Trade union density across the whole workforce is around 60%.

Acas held two joint sessions for senior managers, non-executives and trade union representatives, one lasting half a day and the other a day. The meeting was preceded by face-to-face discussions with the Chair of the Board and the Finance and Resources Director and lengthy telephone conversations with the local union representatives.

The challenge

Industrial relations had been challenging in this organisation for many years. Difficulties had been exacerbated by disputes and strike ballots and a lack of trust between unions and managers. Unions believed that managers had gone back on negotiated settlements and did not acknowledge national agreements while managers claimed that the unions were unwilling to compromise or negotiate the changes to the status quo necessitated by a move towards local negotiations. Harsh words were exchanged from time to time. The Board felt that it was out of the industrial relations loop and did not have the information it required to discharge its responsibilities as the employer as well as it would have liked.

In addition, between 2005 and 2008 there had been a transformation programme which had taken the organisation from being one of the worst performers in its sector to one of the best in two years. It had also achieved Trust status, while reducing the workforce by 15%.



The Chair, who had experience of working in other parts of the public sector, felt that in order to use the freedoms conferred by its operations status and prepare for the challenges ahead it was vital to get ready for local negotiations, notwithstanding the fact that both employer and unions were constrained by national agreements. An ongoing workload dispute, which the Chair described as “a festering sore”, was constraining negotiations on other issues. More collaborative industrial relations were a prerequisite for successful local negotiations, she believed, but it appeared to her that an external facilitator would be required to kick start the process.

How Acas helped

Acas was seen by the organisation as “an external honest broker with no baggage”. It was approached to provide facilitation, and an adviser met the Finance and Resources Director and the Chair to establish the work that was required. She also consulted the trade union representatives by telephone. After these discussions the following agreed objective was drawn up for Acas - “to discuss and agree a strategy for developing a cooperative and trusting relationship between management and staff side.”

Two sessions were held. The first session, lasting half a day, was attended by senior managers, members of the board, local trade union representatives and national trade union officers. The local reps had requested the presence of the national officers, which the managers saw as an indication of the lack of trust between the local reps and the employer.

The first session started with participants identifying why they were at the meeting, what they hoped to get from it and what fears they had about it. Appropriate behaviours, such as listening to each other, speaking one at a time, not interrupting and observing confidentiality were agreed. Those taking part were then asked to identify the features of a constructive working relationship and the barriers in their workplace to such a relationship.

Outputs from the half-day session included a list of barriers to trust, such as perceptions of autocratic management, feeling sidelined, a view that unions were there to hinder rather than to help, and a “them and us” mentality. More positively, there was an agreed joint commitment to a joint consultative relationship and the desire to adopt more sensible process and procedural mechanics for the relationship.

The second session took place over a whole day and was held three months later. The national reps did not attend since they were confident that the local reps would not need their support. This second session drilled down further to establish agreed solutions to problems, such as avoiding last minute changes to the times of meetings and thinking about how comments could be perceived by others, and enablers, including regular meetings, celebrating success, accepting compromises, expecting to be helpful and sharing information. The meeting participants agreed to undertake further joint work to come up with a code of practice for the relationship between them, although this has been “parked” until the workload issue has been resolved.



The outcome and benefits

Prior expectations of the Acas sessions were relatively low, since the relationship between management and unions was so poor, but the Finance and Resources Director, the Chair and the representatives of the two unions agree that the sessions achieved more than they had expected. Getting the two sides to sign up to a different way of doing things was, the Chair says, “a very significant achievement”. This success, the Chair believes, stemmed from both managers and union reps admitting to saying and doing unhelpful things in the past, apologising, and saying that they would try to do things differently in future. The Finance and Resources Director was impressed by the Acas adviser’s ability to “freewheel” – that is – to explore issues, many of which were highly emotional, as they came up while keeping the overall agenda on track, while the Chair said that the skills, abilities and professional standing needed to run, in particular, the first session, cannot be over-emphasised.

One of the trade union reps commented favourably on the Acas model of transparency in industrial relations and said that he hopes for partnership working in the future while the other said that although there is greater trust and communication has improved, there is still room for improvement. The Chair is hoping to develop joint communications to the workforce in the near future.

Some of the new behaviours are being seen in practice and there is no longer a dispute over workload. This has been taken out of the formal dispute procedure, and is now being tackled by a cross-grade group consisting of managers, union reps and non-union reps. In addition the Chair and the Chief Executive are now holding informal “coffee mornings” with trade union reps, intended to build understanding and trust, which both sides are finding useful. Further work in developing the relationship will take place once final agreement is reached on workload.

ⁱ Based on interviews with senior managers and trade union representatives in the organisation, and with the Acas Adviser. Research undertaken in March 2011

