

Making a difference – together

---



## **Unite** in the HSBC branch network



Sign up now to a **better** future at work

In the second half of 2007, Unite the union will be focusing resources on visiting the branch network. These visits will be geared to talking to our members and potential members about the union. We also want to get feedback from you on your priorities for the union in the future. What matters to you most? What do you think works well in the branches and what does not? What would you like to change and how?

To get the debate going, this is our summary of the main issues you have raised with us over the last year or so and what we have done through our own actions and dialogue with the bank to try to make things better.

## More Unite reps in the branches

---

We know from own research in the finance sector that members report better experiences on a whole host of key issues, such as job security, job satisfaction, use of their skills and work-life balance where management is positive about the union in their workplace. This can only come from having a good union rep who is respected by management and able to resolve local issues locally. Unite reps are trained by the union and given on-going coaching and support by our full-time Seconded Representatives. Our agreement with the bank provides for paid time for union duties and to carry out individual case-work.

We have recently discussed resourcing with the bank and in particular within the smaller branches, where it can be difficult to provide reps with time to do their duties. The bank does advocate a flexible approach to resourcing and has agreed to ensure that reps are able to fulfil their duties. The bank further agrees that reps should not feel that they are letting their colleagues down by being away from their non-rep duties. The bank is fully supportive of our reps network and is keen to ensure that we have more reps in the branches meeting the needs of union members. At our recent workshop for all the Unite reps in the bank, Sue Jex, Chief Operating Officer for HR, spoke about the essential contribution that our reps made to the working environment in the bank by enabling issues, both personal and collective, to be properly heard and properly resolved.

John Hackett, Head of Service and Sales, a long-standing union member and former attendee at union meetings and courses, echoed this view at a recent banking services meeting. He added, "I want to do all I can to help increase the number of union representatives in the branch network. I recognise that the role benefits the bank, the union and the individual facilitating the ability for staff to raise issues and concerns quickly and efficiently. It's a rewarding role, building trust, communication skills and rapport with colleagues and senior management alike".

If you are interested in becoming a Joint Accredited Office Rep please talk to the Unite rep when they visit or call the helpline on 020 7253 9642.

# An end to unpaid overtime

---

Tight staffing levels and pressure to achieve targets mean that there is a tendency for staff to assume, or be asked, to come in early for a sales meeting or stay late to complete a task. Lunchtimes can often be sacrificed in favour of seeing a customer or making that essential call.

In HSBC, as in the other banks, this problem comes and goes as overtime budgets are “used up” or absence cover becomes a bigger issue. Recently we have seen the pre-nine o’clock meeting resurfacing. Despite a commitment by the bank centrally that these should not last for more than three minutes, we have seen staff being told these meetings will start at 8.45.

Uniquely, in HSBC we have been able to secure a commitment that “authorised overtime or additional hours working should always be paid in accordance with the procedure in the HR manual, and repeated on the back page of our newsletter from August 2006 (and on our website). Any refusal to pay for authorised overtime which is or was required of you, whatever the reason given, constitutes a breach of the bank’s side of your contract of employment”. The bank has also again confirmed that overtime, or additional hours where appropriate, should be paid if you are required to work more than your contracted hours, at whatever time of day, and that there are no budget constraints that apply to this.

Our advice to members is, if you are asked to come in early, stay late, work your lunch hour or cover other hours you must ask if the overtime is authorised and will be paid. If the answer is no to either question then you do not have to do it. Similarly, you should not work overtime at your own initiative without authorisation because it will not be paid.

If you feel you have been denied payment for authorised overtime, or any other overtime you have been asked or told to work, then you should put your claim in writing to your manager (in the first instance) stating why you had to work the overtime, the hours you have worked and what you believe you are owed. Members can call our helpline for further advice on how to approach this.





## Secret filming by mystery shoppers

---

In March this year the bank used secret filming by mystery shoppers to illustrate its understanding of the treating customers fairly principles. Neither the staff to be affected nor the union had any prior warning that this was going to happen.

After the filming, members in the affected branches and elsewhere contacted the union to voice their concern at this practice. Staff did not like the idea of being secretly filmed and complained that it felt like “big-brother” was watching. They felt that, had they seen the cameras, they would have thought that the mystery shopper was a potential criminal using covert filming to case the joint. Members did not understand why they had had no prior warning. They did not like the fact that those filmed had been asked to sign to give consent to the filming being broadcast although the bank did rightly confirm that the film would not have been broadcast without the individual's written consent. They asked what would happen if the behaviour shown was unacceptable. They felt that there was a real danger that the bank was moving towards a prescribed way of talking to customers.

Branch staff accept and are used to CCTV cameras in the banking hall and to cover any blind spots because they see this as for their protection as much as the customers'. Covert filming, other than in extreme cases of potentially criminal activity, is another matter.

Unite spoke to the bank about these concerns and outlined the legal aspects as well as practice elsewhere. They have assured us that they do not take the use of covert filming lightly. Their view is that there is no other way in which to obtain the outcomes that the exercise provided. However, our research across the finance sector has revealed that covert monitoring is not used and any time it has been attempted it has been rejected as inappropriate.

Our legal advice is that the action by the bank in the recent exercise is likely to be a breach of the DPA in that prior notice was not given. Our lawyers suggest best practice that should be followed is set out clearly on the website of the Information Commissioner at [www.ico.gov.uk](http://www.ico.gov.uk)

The "Quick guide to the employment practices code..." at section 5 refers to monitoring at work both secret and overt. It clearly says that if monitoring has an adverse effect - and our feedback suggests it does - "this must be justified by its benefit to the employer or others". It talks of openness and workers being aware of the "nature, extent and reasons for monitoring unless, exceptionally, covert monitoring is justified". It talks about considering alternative approaches - we have seen no evidence of this. It talks about workers knowing why it is being done, about using it only for a specific purpose and keeping the information gathered safe.

Page 14 refers to secret monitoring saying it can rarely be justified. "You should be satisfied that there are grounds for suspecting criminal activity or equivalent malpractice, and that telling people about the monitoring would make it difficult to prevent or detect such wrongdoing.". It goes on to say - "Use covert monitoring only as part of a specific investigation and stop when the investigation has been completed."

Unite is confident that if we were to do some kind of consultation exercise with members, the outcome would be similar to that carried out in another bank where staff were so unhappy that plans to do such filming were subsequently abandoned. The bank has shared the feedback obtained following this exercise and although there were some positive outcomes in terms of learning, there is no doubt in our minds that these are outweighed by the negative side of covert filming and by the fact that alternative and comparable means of attaining appropriate learning outcomes are at the bank's disposal. These include asking for anonymous examples of good and bad practice and using actors or role-play to take the learning from them.

Despite the dialogue we have had about this matter, the bank has not changed its view that it may well repeat this exercise in future. However, at the time of writing, the bank has confirmed that there are no current plans to repeat this exercise. Furthermore, the bank has confirmed that the union will be consulted further, prior to its use, and that staff likely to be affected will be advised of the date range for filming, details of the location(s) and the subject matter.

The union continues to doubt the fundamental reason for this filming and whether it is a "proportionate means to a justifiable end" as the law requires. We will issue further advice to members as appropriate and would welcome any further feedback from you.

# Network and commercial re-organisation

---

Staff and managers directly affected by the network reorganisation were given an overview in late July of the changes this reorganisation will cause and their impact on their working lives.

The net job loss figures are ten full time equivalent clerical roles and one managerial (M93 to M95). Given the scale and significance of the reorganisation, these figures look relatively low but behind them lies a transformation of the managerial structure for the retail and commercial bank above branch and centre level. For those affected, the restructure is likely to mean a change of role and possibly location which could have a significant impact on their life both inside and outside work.

For Unite in its role within the National Council of Managers and the union's consultation on behalf of clerical staff, our priorities are to minimise job losses and disruption to the working lives of our members. In our meetings with the bank, we have been able to significantly reduce the number of net job losses initially proposed. We have also been able to reduce the potential requirement for additional travel to the new locations by emphasising the opportunity for flexible working the new structure provides. These changes to the original plans are significant and indicate a willingness on the bank's behalf to engage in meaningful consultation with the union on this reorganisation.

Having said that, we did argue for more regions and more locations than the 16 the bank has settled upon (albeit 16 PFS and 16 commercial regions in co-located offices). We are concerned at the impact on our members of the reduction from 44 area offices and at the potential for remoteness of the new regional management structure. We believe this could be particularly significant to critical issues like staffing and coaching in the branches.

Ultimately, it is for the bank to prove that the new model will create more joined-up thinking and that staff and local managers will feel they see more not less of their senior managers (a key litmus test for success in the eyes of senior management).

# Branch closures

---

Our recent piece in @work (June 2007 "In praise of the local bank branch") mailed to members' home addresses gives an outline of the Unite campaign to save small local branches and seeks your feedback. On a positive front, we are pleased at the bank's decision to reverse its plans to close four branches in the second quarter. Sadly, the second half of the year will bring some further closures including of a branch (Stanhope in the North East) where the nearest alternative is fourteen miles away.

The union is particularly focused on the prospects for smaller branches, especially those operating on reduced opening hours. They are service branches and have little or no opportunity to prove their worth in terms of new sales or accounts.

The bank does not accept that reducing opening hours or staffing levels in branches becomes a self-fulfilling prophecy. Having said that, they have not responded to our request for detail on what efforts are made to promote use of the branch either before or after such reductions take place. In practice, we know from members working in these branches that there is little or no time or space for counselling customers.

For the branch network as a whole, the union welcomes the fact that the bank has made such a significant investment in refurbishment for its larger branches and committed to extending this, albeit on a lesser scale, to its whole network. We also welcome the fact that the bank is opening new branches under its branch investment programme.

Our priority for the network, however, remains to ensure that branches have sufficient staffing – the key resource - and our recent round of visits has renewed our concern on this issue. We would welcome your feedback on this.

## Lunch duty allowance – should you be getting it?

---

Are you working through your lunch-time? Working more than six hours a day without a break? If so you are entitled to Lunch duty allowance, this is equal to £3.86 per day. Feedback from recent branch visits by our Seconded Representatives suggests that this allowance is not always being paid when it should.

### Here's what the HR procedures say -

'The Lunch Duty Allowance is paid to full-time staff grade employees who, for operational reasons, are unable to leave their place of work during their lunch period. To qualify for the allowance, it must be pre-authorised by a manager.

When lunch time working is carried out this is included in the hours worked as part of the working day for overtime payments' eligibility and calculations.

Key-time staff are also eligible for Lunch duty allowance if they are required to work in excess of six hours during the day without a break.'

If you are not receiving your lunchtime allowance and believe you are entitled to it, you should, in the first instance, approach your manager and ask for what is rightfully yours.

## Join now

Your commitment to your job comes with a commitment to your right to a meaningful and happy career in the bank. Unite the union exists to protect that right for you and your colleagues. So now is the time to join us by filling in the form handed to you on our visit or on line at [www.unitetheunion.com](http://www.unitetheunion.com)

## Feedback

To give us your views, speak to your local Unite rep, fill in a feedback postcard or email us at [hsbc@unitetheunion.com](mailto:hsbc@unitetheunion.com)

For help and advice, contact your local rep or call our helpline on 020 7253 9642.

### For more information contact Unite

Hayes Court,  
West Common Road,  
Hayes, Bromley BR2 7AU

**Tel** 0800 587 1222

**Fax** 020 8315 8234

[www.unitetheunion.com](http://www.unitetheunion.com)