

# CATALYST

A PUBLICATION FOR UNITE RBS MEMBERS

Spring 2011



## CATALYST COMMUNICATING CHANGE

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Catalyst (kat'a list) n.  
A condition, agent,  
event, or person that  
is the cause of an  
important change or  
provokes significant  
change or action.

# CATALYST



**Stuart Davies &  
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**Joint Lead Officers, RBS Section**

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Welcome to the latest edition of Catalyst.

The last 17 months have been every bit as dramatic and traumatic as the period from Summer 2008 to our previous edition of Catalyst in Autumn 2009. As we stated in our last edition, we aim to publish editions of Catalyst at least twice a year; however the sheer pace of change and developments within the Group have meant that resources have been dedicated to supporting members and dealing with the myriad of announcements and restructures across the Group.

Newsletters are produced to support all major announcements, many of these are posted on the Group's intranet site in-site, some are posted to workplaces and selected newsletters are sent to all members at home addresses. All newsletters that UNITE produce in relation to RBS also appear on the RBS pages of the UNITE website [www.unitetheunion.org](http://www.unitetheunion.org). We have also been busy collating e-mail addresses of our members in RBS and from the beginning of 2011, all newsletters will be e-mailed to those members on our e-mail distribution list, so if you wish to receive electronic updates and have not already done so, please e-mail your details to [rbsinfo@unitetheunion.org](mailto:rbsinfo@unitetheunion.org).

The last 15 months have seen the continuation of the Group's strategic review and the on-going fall out of the 4,500 job losses announced early 2009 in what was then Manufacturing, now Business Services. In November 2009 the outcomes of the European Commission were announced and RBS were ordered to divest or sell off key assets, as a result of the massive state aid received as part of the RBS bail out. RBS were ordered to divest within a four year timeframe, Global Merchant Services/WorldPay, the RBS Retail Branch Network in England & Wales and the Natwest Retail Branch Network in

Scotland, plus the entire Insurance Division.

December 2009 saw the announcement of 3,700 job reductions in the Retail Branch Network amongst the Clerical grades under the banner of the Retail Transformation Programme; however these reductions have been managed to date via volunteers and attrition. January 2010 saw an agreement reached on Pay 2010, which whilst far from perfect for the first time in many, many years delivered pay rises, albeit in some cases very modest, to all level 3 performers and above, regardless of their position in range. This is a position that Unite built on during the Pay 2011 talks.

As we entered the Spring, detailed discussions were undertaken with RBS in respect of the allocation of members to the respective transfers of Global Merchant Services (GMS) and the Retail Branch Network, with members being advised as to whether they were in-scope of the transfer or not. In May 2010 RBS announced a further restructure of the Retail Head Office function that would impact up to 600 jobs. On the same day, an announcement of 2,000 job losses within the Insurance Division across the following 12 months was made with confirmation that up to 500 of these job losses could be attributed to offshoring. These announcements were then followed in June by a proposed restructure in the Wealth Division over 3 years with up to 500 job losses across Adam & Co, Coutts and RBS Coutts.

Private Banking & Advice have also been undertaking a transformation programme, which has resulted in headcount reductions, re-segmentation of customer portfolios and therefore job roles, as well as the closure of Private Banking Direct Centres. In the Corporate Banking Division within Business & Commercial the four year

# Welcome to

# CATALYST SPRING EDITION 2011

programme entitled Genesis continues to develop and the full impact, if any of this programme upon headcount is not yet known.

In August the bank announced a return to profitability; however this was short lived with the Group posting a significant loss at the 3rd Quarter stage of the year and the Group has recently posted an overall loss for the 2010 performance year. August was also marked by the confirmation of the buyers for GMS and the Retail Branch Network, Private Equity Partnership Advent & Bain and Santander respectively. GMS transferred across to the new entity called WorldPay on 1 December 2010 and the Santander transfer is not expected to go ahead until late Quarter 4 in 2011.

September 2010 was marked by phase two of the strategic review in Business Services and the announcement of a further 3,500 job losses in the Division, taking the overall figure for U.K Group job losses announced since the beginning of the financial crisis to a staggering 21,500. The Group have also confirmed that upwards of 700 Technology Services jobs will be offshored to international locations in Singapore, India and the U.S. Also included within the 3,500 job losses are around 1,200 to 1,300 job losses directly attributable to Santander's assertion that there is no requirement for the Business Services staff to transfer to support the 1.8 million personal customers that are transferring across. At the time of writing UNITE have not received a suitable explanation from RBS or Santander as to why this number of staff are not required and should be made redundant instead. As a result of the announcement of the 3,500 job losses which are directly related to a number of site closures, UNITE have agreed a range of Enhanced Redundancy Mitigation Measures

which are designed to make it possible for members to transfer workplace and be redeployed, rather than be made redundant. Further details of the Enhanced Redundancy Mitigation Measures and included in this edition.

UNITE has also been involved in a number of consultations regarding the transfer of RBS members to other employers, often referred to as "Transfer of Undertakings Protection of Employment" (TUPE) transfers, mainly as a result of the bank's desire to reduce costs in line with their wider Strategic Review. Whilst UNITE in principle do not support the transfer of our members to other employers, clearly such transfers provide continuity and protection of employment and are preferable to job losses. It is always UNITE's primary objective during consultations to ensure that the terms and conditions of our members are protected when transferring to a new employer and during the consultations that we have been involved in to date we have more often than not achieved improvements on the initial proposed transfer terms.

This whistle stop review of the last 15 months in RBS demonstrates the amount of upheaval, uncertainty and anxiety that members within the RBS Group continue to grapple with and within this edition of Catalyst articles appear on some of these issues, plus newsletters were produced at the time of all of these announcements and as previously stated these can be obtained from the UNITE website.

As ever as well as dealing with and coping with the fall out of the financial crisis in RBS, members are still faced with on-going challenges in the workplace with day to day issues, such as unpaid overtime, performance management etc. This edition of Catalyst will cover a number of employment issues, as well as containing updates that you will

hopefully find useful. RBS remains an extremely tough place to work and will continue to be so as the Group treads the long road to recovery, but UNITE will continue to robustly support members both collectively and individually who are being treated unfairly or unreasonably in their day to day work.

On a more positive note, in September 2010 UNITE and RBS signed a new Recognition and Procedural Agreement, as well as a new and improved UNITE Representatives Agreement and the union is looking for members who would be keen to undertake one of the four representative roles. Read the article in these pages to find out more about the roles. UNITE are also delighted to support the RBS Rainbow Network and an article from one of the members of the network also appears in this edition of Catalyst.

It would be remiss of the RBS Section of UNITE to not continually recognise in these pages the tireless work of our Workplace, Safety, Union Learning and Equality Representatives, thanking them and our team of Senior Workplace Reps for the work that they undertake supporting members with advice, support and representation, there would be no union in the Royal Bank of Scotland without them and without you the members.

We would also like to bring to the attention of RBS Members the back page cover of this edition of Catalyst. The March for the Alternative is a mass demonstration on 26 March in London against the coalition government's savage cuts in public spending. The March is being organised by the TUC and affiliated Trade Unions, including UNITE and forms part of the multiple union campaign against the government's deep, rapid and broadly unnecessary cuts in



## A message from Marie Kiernan, Vice Chair of the RBS National Company Committee

Hello, and welcome to this edition of Catalyst. I was elected as Vice Chair of the RBS National Company Committee in June 2009 and it's certainly been a busy 18 months!

We have seen restructures and site closures resulting in thousands of job losses across all the RBS Divisions. We have also been consulting with RBS on the Divestment of GMS and the RBS branches in England and Natwest in Scotland, and are aware of the uncertainty this means for our members.

I became a Workplace Rep 20 years ago because I wanted to make sure people were treated fairly and we got the best deals for our members. As Vice Chair my principles are the same, and I have been part of the Unite team who have consulted with the Bank, trying to keep Compulsory Redundancies to a minimum, getting the Bank to look at alternative sites and roles for staff at risk - please be assured that we will always do our very best for our members, especially those in this difficult situation.

At the same time, we are mindful that for the people who remain with the RBSG, the job gets harder and harder - I know as I work in RBS Retail so have experienced first hand how difficult the last two years have been, and how difficult the working day continues to be.

Unite have a fantastic network of Workplace Reps across the country who help members in their own area with advice and representation, often whilst facing uncertainty for their own job, and I would like to thank them for their hard work and dedication, especially over the last two years.

Undoubtedly, the RBSG haven't turned the corner yet, and Unite will continue to fight on behalf of all our members. I would also ask that when we are campaigning or looking for feedback that you speak up both to ourselves and to the Bank. Consider becoming a Rep yourself and encourage your colleagues to join Unite to make your Union even stronger.

public spending, there are alternatives and the March will promote and argue these alternatives. More details of these alternatives can be found at [www.unitetheunion.org/dontbreakbritain](http://www.unitetheunion.org/dontbreakbritain).

UNITE is the largest UK Trade Union and affiliated to the TUC and is committed to mobilising a very significant proportion of our membership, across all sectors of the union, whether employed within the public sector or as users of public services, to make clear our opposition to the cuts. It is also important to have a strong representation from the Finance & Legal Sector of UNITE at the March and particularly from RBS members who have suffered more than most during the last 36 months of the financial crisis. The March will assist in highlighting and raising awareness of the challenges faced by our member in the Finance & Legal Section and make the distinction between our members and the architects of the financial crisis.

The March is a family event and UNITE are keen for as many of our members as possible to attend and to bring their family and friends with them. If you are interested in attending the March, log onto **[www.unitetheunion.org/marchforalternative](http://www.unitetheunion.org/marchforalternative)**, see the further information contained in this edition of Catalyst, or if you require transport to attend please get in touch with your local Unite regional office.

A final couple of words, in the last edition of Catalyst we offered a word to the wise, that when plans or proposals, usually unpopular ones are presented as being agreed by UNITE, if in doubt check with the union, it is quite possible that they have not been agreed. There have been numerous examples where the union have been misrepresented as agreeing a particular position, when this has not been the case. Also when members raise issues with the union which in turn are raised with the bank, on occasions responses take a prolonged period of time to obtain. Please bear with us, it is not that we have not raised the issue or have forgotten it; we are more often than not pressing the bank for responses.

We hope that you find this edition of Catalyst informative and helpful to you and your colleagues working within RBS. When you have finished with it, why not pass it to a non-member and encourage them to join UNITE. If you have any feedback on any of the articles included within this edition or indeed if any members have any subjects they would like to see covered in the next edition of Catalyst, please e-mail us at [rbsinfo@unitetheunion.org](mailto:rbsinfo@unitetheunion.org) or write to UNITE at the Glasgow Office at the address on page 2.

If any member has not received a copy of Catalyst direct to their home address then please e-mail us with your name, membership number and home address, we will send you a copy and update your address details. There is also an update your details form in this edition of Catalyst which we would ask members to complete and return or you can log on at the website [www.unitetheunion.org](http://www.unitetheunion.org) and check/update your membership details at any time.



**Stuart Davies & Alison Maclean**  
Joint Lead Officers, RBS Section

# Corporate Banking – Robust Performance Procedure RBS The Serial Underperformer?

**In May 2009 UNITE reported via a member newsletter details of a sharper and more aggressive approach being taken by the Royal Bank of Scotland to Performance Management. This was then followed up by a further article in the Autumn Edition of Catalyst, alerting members to this practice, whilst raising questions regarding its reasonableness and fairness.**

In October 2010 the Corporate Banking Division “launched its focus on the management of serial underperformers (SUPs)”, stating that the focus “will initially be applied to those employees who have received a 1 or 2 performance rating for the last three or more consecutive years”. The proposed process for managing the SUPs is the Robust Performance Process (RPP) which can aim to exit an employee with no previous disciplinary action against them, by way of procedural dismissal from the service of the Group in a 3 month end to end process. The document signs off by stating “please note that the effective management of SUPs is a priority at Corporate Banking Division Board, therefore progress updates will be provided to the Board on a monthly basis”.

## **Robust Performance Procedure – Three Strikes and You Are Out or Three Months and You Are Out?**

The UNITE newsletter in May 2009 was titled as above and detailed the new approach to performance management, which UNITE were not formally consulted upon, and questioned the Group’s intentions for such a procedure.

Performance Management should be used as a positive tool to

identify at an early stage, cases of underperformance, whilst offering support and training to bring performance back to a satisfactory standard within a reasonable timescale. Addressing underperformance at an early stage will usually prove successful in rectifying any performance issues. Improvements in performance should be staged, i.e. a member of staff cannot be expected to go from performing at 50% of target one week, to 100% of target the next week, therefore a phased increase in performance over a reasonable timescale would be appropriate. Development plans or Action Contracts should be reasonable and achievable; plans should not simply set people up to fail. The advice provided to members throughout 2009 has been replicated here to support and advise members in the Corporate Banking Division that are deemed SUPs by the bank and are being subjected to this punitive process.

## **The Robust Performance Procedure**

The bank have released to managers across the bank a Robust Performance Procedure which in essence enables the bank to exit a member of staff from the employment of the Group by way of capability and through the disciplinary procedures in as little as 12/13 weeks. The procedure is contained within four steps:



- Step 1/Week 1 Informal Stage – underperformance identified, Action Contract implemented for a period as little as four weeks
- Step 2/Week 5 Formal Stage 1 – if performance has not improved, disciplinary action will be invoked and a first written warning will be issued, along with a further action contract for four weeks
- Step 3/Week 9 Formal Stage 2 – if performance has not improved, disciplinary action will be invoked and a final written warning will be issued, along with a further action contract for four weeks
- Step 4/Week 13 Formal Stage 3 – if performance has not improved, disciplinary action will be invoked and the member of staff can be dismissed, with notice.

Typically Action Contracts would normally be between 8 and 12 weeks long, which means that the timescales from beginning to end of a performance dismissal under the new procedure would be slashed from between 24 to 36 weeks to 12 weeks. Within the process the bank have inserted comments such as “this process can be implemented provided that good quality discussions and documentation can be evidenced” to ensure that members of staff who have not had their performance effectively managed in the past do not fall foul of this process. However as we have seen with procedures such as the sickness procedure there is a tendency to follow laid down procedures such as these slavishly, without taking into account personal circumstances or applying discretion.

## What Should You Do?

The advice to members in the event that they are subjected to this process is to first of all lodge a grievance against the issuance of the Action Contract at Step 1 of the process; this must be done straight away without delay. RBS have agreed centrally that the grievance and appeal would have to be concluded before any disciplinary action is taken.

In the event that the grievance is unsuccessful and the Action Contract has failed, if disciplinary action is taken, this must be appealed and a fresh grievance should be taken out against the new Action Contract, again no further disciplinary action can be taken until the fresh grievance and appeal has been concluded. Equally the bank cannot merge the disciplinary appeal and fresh grievance, as these are unrelated issues. This process should be repeated through each stage, which will have the effect of obstructing the bank from expediting the process; however the reality is that the bank would struggle to meet the 12/13 weeks timescale anyway, due to the difficulties in arranging hearings and appeals in a timely manner.

If you are a member of UNITE, you are of course entitled to representation at disciplinary and grievance hearings, in the event that you are being subjected to this process, you should contact your local Workplace Rep or the helpline for advice, support and representation.

## UNITE comment



The title of this article asks the rhetorical question of whether RBS are the serial underperformers in the case of SUPs. The position is quite simple, if the bank had in fact undertaken and dispensed with their responsibilities in respect of performance management fully and correctly, then there would be no SUPs. The reality is that due to the vagaries of the ‘bell curve’ and Peer Group Relativity members that have performed perfectly well have been unreasonably rated level 2 performers, and the reason that they have not been performance managed in the past, is because they have been performing perfectly adequately.

Where someone has genuinely underperformed the bank has a responsibility within their own procedures to support a return to at least a level 3 performance level; however it is clear that the bank have neglected the so-called SUPs within the Corporate Banking Division by not supporting effective performance improvement back to a level 3 performance level. The failure to support the SUPs has resulted in consecutive years of actual or perceived underperformance; however given that the bank have failed to support these members of staff adequately and allowed their underperformance to fester, the argument should run that due to the bank’s failure to support the SUPs, they should be given longer to turn around their underperformance, not less time.

So we return to the question of “RBS The Serial Underperformer?” and the argument that the bank have serially underperformed by their failure to effectively support underperformers in the Corporate Banking Division, failed to follow their own procedures, but the price for these failures by the Group is being paid by the staff that the Group have let down with an aggressive, draconian performance management process. So when the Corporate Banking Division talks of its “focus on the management of serial underperformers” and “that the effective management of SUPs is a priority at Corporate Banking Division Board” it is a reasonable question to ask what action are the division taking in respect of their own serial underperformance?

# Long Term Disability/PHI

## Return to Work, Redeployment and Annual Leave

The Long Term Disability (LTD) and Private Health Insurance (PHI) policies that operate within RBS for members covered by the Defined Benefit and Defined Contribution pension arrangements respectively, provide invaluable financial support to members suffering from prolonged ill health. In addition to this financial support, members remain employed by the Group, continue to accrue service benefits and crucially the schemes provide the opportunity to return to work in the event of an improvement in health.

Whilst inevitably issues do occur with the respective schemes, UNITE have remained supportive of the schemes which compare favourably with other financial institutions; however the union have remained critical at what appears to be a lack of support when members attempt to return to work from a period on LTD/PHI.

UNITE have been raising and discussing the issues surrounding LTD/PHI extensively with RBS at the Joint Quarterly Policy Meetings, with a view to resolving the challenges faced by members returning to the workplace following an absence of up to 5 years. Returning to the workplace following that period of time and a serious illness will be daunting and it is crucial that members are given every support by their employer to succeed in restarting their career.

### Redeployment Support

Members may be aware that when someone goes onto LTD/PHI, they relinquish their job role and as such when they return to work do not have an automatic job role to return to. UNITE have long argued that LTD/PHI returners should be offered greater support in terms of securing a new role when fit to return, as they are at a significant disadvantage to their colleagues having been off work for a prolonged period. Following conversations with the Bank, UNITE understand that the bank will support LTD/PHI returners and the most important element of this support is that an individual is not required to undertake a competitive interview for a role, providing that they have the relevant skills and experience for that given role. Therefore if there is a vacant job role that a LTD returner has the relevant skills for (usually established through an interview or desktop skills assessment), they would be simply placed into the role and would not be expected to compete with other applicants.

Whilst this is a welcome position, UNITE raised concerns that such an approach was dependent upon the line manager being advised of and aware of the process. The bank committed to ensuring that before any LTD/PHI returner who had failed to secure a new role is called to a potential termination meeting, that a review of the roles (if any) that they have applied for would be undertaken to ensure that the bank had met their commitments. In the event that they hadn't, then notice/redeployment periods would be extended and the bank would ensure that the relevant level of support was provided.

### Return to Work – Financial Support

When a member is either assessed as no longer being eligible for LTD/PHI and therefore fit to return to work or indicates to the bank outside of a review period that they are ready to consider a return to work, the bank provides 1 month's notice of withdrawal of LTD/PHI payments. Members will after this notice period only receive an income once they have found a job role with RBS and then will only be paid for the hours that they work, as in all likelihood someone would be on a phased return to work. UNITE argued long and hard that there is little benefit in a member on LTD/PHI volunteering to come off LTD/PHI early, as this would result in their 55% income being stopped, therefore offering no incentive for members on LTD/PHI to seek an earlier return, but instead to simply encourage

members to sit it out on LTD/PHI.

Following much discussion, the following positions have been agreed:

i) Where a member voluntarily opts off of LTD/PHI early ahead of a review to seek redeployment (subject to when their 'normal' LTD/PHI review is scheduled), their LTD/PHI payments will run concurrently alongside the 3 month redeployment period, ensuring no financial detriment. In the event that they obtain a new role and undertake a reduced hours rehab, they will continue to receive 55% of income (during the 3 month period) until the hours that they work exceed the payment of 55%. If the pay for the hours that they work following 3 months does not exceed the 55%, then they will receive payment for the hours worked.

ii) Where a member is reviewed and deemed no longer to meet the criteria for LTD/PHI, they will be given 4 weeks notice of withdrawal of the payments and placed onto 3 months redeployment. In the event that they secure a role within the 4 week period, again on rehab, the 55% would continue for the duration of the 4 week period, following that the individual would receive payment for the hours worked.

### LTD/PHI – Annual Leave

In conjunction with the article in this edition of Catalyst on the Stringer Case, the issue of annual leave accrued by an individual on sick leave before going onto LTD/PHI has also been raised with the bank. The bank have confirmed that in the event that someone is accepted onto LTD/PHI, providing the individual consents to move onto LTD/PHI, they should be annotating the letter they receive or provide an additional letter stating that they wish to take their outstanding and accrued holiday before switching onto LTD/PHI. This will ensure that they have a further period of full pay immediately before joining the LTD/PHI scheme.

As previously stated UNITE supports and welcomes the existence of the LTD/PHI schemes, providing financial support for members suffering from long term illnesses and the opportunity to return to work where health improves. Many other employers would have sought to have dismissed their employees on the grounds of capability following the initial period of sickness absence and when paid sick leave expired. UNITE have however encountered many frustrations at the level of support for members when returning from LTD/PHI; although the measures described here should assist a smoother transition from LTD/PHI back to the workplace. Any members on LTD/PHI who are experiencing any difficulties should contact their local Workplace Rep, the helpline or e-mail [rbsinfo@unitetheunion.org](mailto:rbsinfo@unitetheunion.org).

# New UNITE Repr

**UNITE are delighted to announce that the Trade Union and RBS signed a new Recognition & Procedural Agreement and also a new UNITE Representatives Agreement in September 2010.**

The new agreements are the product of months of constructive dialogue between UNITE and RBS. The new UNITE Representatives (U.R) Agreement represents a real step forwards from the previous agreement and "reaffirms the Group's commitment to supporting a constructive and collaborative relationship with the union" as well as recognising that "UNITE Representatives play a key role in developing effective employee relations within the local workplace and can make a real difference by working with local management to help resolve local issues and supporting, advising and representing their colleagues".

The agreements provide reasonable paid time off for both training and union duties, as well as an individual target reduction equivalent to the amount of time spent on union duties to ensure that a U.R. is not disadvantaged as a result of undertaking union work in terms of their performance, pay and bonus.

The significant development within the new agreements is that U.R. not only have their individual target reduced to reflect the amount of time spent on union duties, but the target of the branch, unit or department is also reduced to reflect the absence of the U.R. from the workplace. This position ensures that the colleagues who work alongside the U.R are equally not disadvantaged as a result of their absence from the branch, unit or department.

The new agreement also recognises the 4 UNITE Representative disciplines i.e. Workplace Rep, Union Learning Rep, Safety Rep and Equality Rep. Each discipline has equal status in the agreement in terms of time off for training and activities etc. The content and scope of each of the roles are detailed below, along with a supporting comment from RBS in respect of the role and its importance.

**Workplace Representative (WR)** – individuals undertaking this role provide advice, support and representation to members in disciplinary and grievance hearings.

They also look to raise and resolve matters locally with management, effectively nipping issues in the bud, as well as meeting with local management on a regular basis to discuss concerns. WRs also provide a link between members locally and the RBS Section of UNITE nationally, feeding back views and opinions of members on a whole host of topics, gaining this feedback by visiting workplaces within their patch. WRs will also support consultations and negotiations with the bank where appropriate, as well as assisting on the UNITE RBS Helpline and in the recruitment and organisation of new and existing members.

*"One of key roles of the Workplace Representatives (WR) is to provide advice to its members and look after their interests, by helping to resolve difficulties and work problems as they arise, through representation to the Bank. The WR also plays a key role in acting as a communication link between Union members and the Bank and keep members informed of the progress of negotiations and changes in employee relations. This role is vital in maintaining good employee relations between the Bank and Unite and we are fully committed to continuing to further develop this valuable relationship with Unite".* **Anne Hammond, Group Head of Employee Relations**  
**January 2011**

**Safety Representative (SR)** – individuals undertaking this role play a critical part in promoting the Health, Safety & Wellbeing agenda across RBS. SRs undertake Health & Safety Workplace Inspections, highlighting any contraventions to Health & Safety policy and ensuring that issues are resolved in the workplace. SRs will also provide advice to members and UNITE WRs on Health & Safety matters, as well as supporting Officers in meetings with the bank on issues of Health, Safety & Wellbeing.

*"Representatives play an important role in ensuring we provide a safe working environment for our employees and customers. H&S Representatives promote safe working practices and help to both*

# Representatives Agreement



## UP FOR A CHALLENGE?

*identify hazards and ensure the right controls are in place to stop people coming to harm. Working together, we can demonstrate our commitment to achieving a high standard of health and safety”.*

**Amanda Owen, Group Head of Safety, Health & Wellbeing January 2011**

### **Union Learning Representative**

**(ULR)** – individuals undertaking this role promote the lifelong learning agenda in RBS. ULRs analyse the learning needs of members in their workplace, promote and provide learning and training opportunities, as well as organising learning events. ULRs will also work with RBS on the Learning and Development agenda, as well as providing support to Officers, WRs and Senior Workplace Reps regarding the Lifelong Learning agenda.

*“Union Learning Representatives have a valuable role to play in promoting and supporting learning. We know that development opportunities within RBS are one of the top reasons people join us, one of the key reasons they want to stay with us and that learning is a source of pride and motivation for our colleagues. People are our*

*business, and a well developed, motivated workforce is good business. The RBS learning community are committed to partnering with the Unite Learning Representatives and are currently working together to explore ideas and opportunities to extend our relationship and support life long learning.”*

**Donna Hamilton, Head of Group Learning January 2011**

### **Equality Representatives (ER)** –

individuals undertaking this role represent UNITE members on issues of Equality and Diversity, as well as providing advice, guidance and support on Equality and Diversity matters. ERs also organise and promote equality, work-life balance and dignity at work, as well as promoting the RBS internal diversity networks. ERs also support Officers, WRs and SWRs with issues and matters of an equality nature.

*“RBS and Unite share the common aim of ensuring our staff are valued for their individual contribution and work in an environment that is free from discrimination of any kind. The Equality Reps play a key role in helping us both achieve this aim.”*

**Amanda Owen, Group Head of Diversity.**

**January 2011.**

Undertaking any of these roles is an incredibly rewarding experience and far from damaging your future career prospects, the Group have re-affirmed their commitment to the role of the URs.

The knowledge, skills and experience gained in carrying out one of these roles can help broaden your skills and enhance your career. As previously stated URs receive paid time off for training and undertaking union duties, along with the appropriate individual and unit target reduction. Full training is provided by the union.

If you are interested in undertaking one of these roles and would like to find out more, please contact the helpline or e-mail [rbsinfo@unitetheunion.org](mailto:rbsinfo@unitetheunion.org) with your contact details and you will be contacted to discuss the role.

If you have already made up your mind that you want to undertake one of the roles, please complete the UNITE Representative Election form on page 10 with the appropriate two signatures from fellow members and return to the address on the form.

# UNITE RBS REPRESENTATIVE ELECTIONS 2011/12

Name.....Membership Number.....

Home Address.....

.....

Home Tel No.....Mobile Tel No.....

Work Address.....

.....

Work Tel No..... Work Mobile Tel No.....

(if different from above)

Line Manager's Name.....

Line Manager's Work Address.....

(if different from above)

.....

Line Manager's Tel No.....Line Manager's Email.....

I am seeking election for the following role(s) – *please tick*

Workplace  Union Learning  Safety  Equality  Signature.....

Please obtain the signatures of two UNITE members within your workplace:-

Name.....Membership Number.....Signature.....

Name.....Membership Number.....Signature.....

# Retail Branch Network – Update

## A Better Place to Work?

**In February 2010, UNITE issued a newsletter “Retail Branch Network – A Better Place to Work?” which stated that the Retail Branch Network (RBN) could and should be a better place to work. It was argued that whilst reward in a high performing branch can be good with many members enjoying the working environment, the customers, their colleagues and the challenge, the RBN is undoubtedly a pressurised environment, very much at the sharp end of the RBS recovery with an overbearing focus on sales performance.**

In that newsletter UNITE identified six headline issues in the RBN and stated a belief that their successful resolution would be central to making the RBN a better place to work. Almost a year on, these headline issues will be revisited to measure progress, review what has been achieved and what still needs to be done. The six headline issues identified were i) Overtime & Unpaid Overtime ii) Targets, Target Monitoring & Performance Audits iii) Staffing Levels iv) Zero Tolerance to Cash Balancing v) Flexible Working Principles vi) Respect.

### 1. Overtime & Unpaid Overtime

**UNITE called for an end to the practice of unpaid overtime, stating that the non-payment of legitimate, operational overtime represented a breach of contract and contravenes bank policy. Where overtime is worked, payment should always be the first option, with Time off in Lieu (TOIL) practiced only where there is mutual agreement.**

Discussions are on-going with RBS centrally regarding the issues of Overtime/Unpaid Overtime and how best to manage and eradicate the problems experienced, with the bank acknowledging that where genuine, operational overtime is worked and authorised, it must be paid. RBS have also stated however that it is their desire to avoid the need to pay overtime, by ensuring that staff work only their contracted hours and are able to arrive and leave the branch at their contracted start and finish times. This is a position that UNITE wholly supports; however UNITE members working in the RBN will know the reality on the “shop floor” and where members work beyond their contractual hours as a result of being required to arrive early or leave late for operational reasons, then there are no excuses, overtime must be paid. The same applies where members are required to work through lunch hours, or are not able to leave the branch, where appropriate overtime and/or lunch allowances must be paid. Overtime to be paid should be authorised in advance; however this can be challenging at times and if overtime is worked for genuine operational reasons, but authorisation could not be obtained for legitimate reasons, this should not prevent its payment.

Members consistently report across the country that their requests for payment of overtime or lunch allowance are met with responses such as “there is no budget”. Comments such as these are simply unacceptable, members have already paid and continue to pay the price of the financial turmoil that RBS created for itself through job losses and the erosion of benefits, members should not have to work for free to plug holes in staffing or to provide the appropriate level of customer service.

The bank would not advise customers that there is not the budget to pay them interest on the monies deposited with the bank or no budget to pay out their insurance claim, so why are members



offered up this excuse to not pay them for legitimate overtime? RBS enter into a contract with customers and members of staff, the Group honours its commitments under these contracts to customers, it is high time that the bank honour the commitments to members of staff, without exception.

There is a full article in this edition of Catalyst on the issue of unpaid overtime, as there was in the last edition and probably will be in the next edition, demonstrating the extent and prevalence of the issue. There is also a UNITE RBS Guide to Overtime Working that can be obtained from the UNITE website or by e-mailing [rbsinfo@unitetheunion.org](mailto:rbsinfo@unitetheunion.org). Members should however consider a couple of issues before working unpaid overtime in the future i) across all employers, over five million people at work in the U.K regularly do unpaid overtime, giving their employers £27.4 billion of free work every year and ii) would you find it acceptable if the bank stated that they only had the budget this month to pay you 80% of your pay? Of course this would be unacceptable, but no more or less unacceptable than not paying members who work genuine, operational overtime.

If your branch or department is working unpaid overtime and these issues cannot be resolved locally, contact your local Workplace Rep, the helpline or [rbsinfo@unitetheunion.org](mailto:rbsinfo@unitetheunion.org).

## ii) Targets/Target Monitoring/ Performance Audios

**UNITE called for an end to excessive target monitoring, including performance audios to be replaced by structured, regular 1to1s and that targets should be achievable and realistic.**

UNITE have continually argued that the overwhelming majority of staff in the RBN want to sell, but to sell the correct products to the correct customers, members do not need to be excessively monitored as to their sales performance.

### CSO & CA Targets

Members will be aware that the bank announced new CSO Standards for 2011 in February, therefore the position detailed below relates to 2010. These National Standards also apply from the beginning of 2011 until such time that a CSO either agrees new objectives or these are imposed. A newsletter regarding the new CSO Standards can be found at [www.unitetheunion.org](http://www.unitetheunion.org), navigating to the RBS pages via Sectors and then the Finance & Legal Section. A copy of the newsletter can also be obtained by e-mailing [rbsinfo@unitetheunion.org](mailto:rbsinfo@unitetheunion.org). The position detailed here regarding CAs remains unchanged.

One of the key concerns regarding targets in the RBN was the wildly differing objectives set for CSOs, with targets ranging from 2 to 7 appointments a day, some had specific product targets, some had CVP targets, some did not and where CVP targets existed, these again varied considerably. UNITE argued that CAs were best placed in the branch to cross-sell most effectively and by setting CSOs CVP targets, CSOs were then attempting to sell at the counter, often conducting these conversations in front of other customers. It was agreed that CSOs were better-placed undertaking the hand-over or booking a future appointment to enable the CA to conduct a full customer review. It was also agreed that in some branches the number of hand-overs or appointments CSOs were required to make or book, were unreasonably high.

In quarter 2 of 2010, RBS confirmed that the National Standard for CSOs, is 2 hand-overs or booked appointments a day. The standard does not require kept appointments and it is irrelevant if the appointment does not produce any sales. CSOs are now not targeted on CVP, products sold etc, solely on the National Standard of 2 hand-overs or booked appointments a day, with this target pro-rated for part-time staff. This National Standard has been in place for over six months and has been communicated across the RBN; however there is a concern that the message has not landed fully, with UNITE receiving calls and coming across numerous examples of the old practices in operation.

The bank have confirmed that the National Standards are in operation across the whole RBN, Regions or Areas cannot deviate from this; however CSOs can be set "aspirational" objectives, such as CVP or particular products targets; although failure to achieve these additional objectives cannot and will not result in underperformance ratings, Action Contracts or disciplinary action. The only sales target driving such actions would be the consistent and continual failure to achieve the 2 hand-overs or booked appointments a day. UNITE remain uncomfortable with the concept of the "aspirational" targets as these could be construed as targets by the back door; however the union recognises that achievement of these targets will result in greater bonus opportunity for members and the union has categorical assurances that the only targets used for underperformance etc are the National Standards.

Any members that believe that they have been disciplined, placed on an Action Contract or given an underperformance rating in 2010 due to their failure to achieve targets over and above the National Standard should contact UNITE without delay to facilitate the removal of any such actions.

Related to the issue of CSOs and National Standards is that of the CA CVP target which for 2010 was 2,000 per week for a full time equivalent when adjusted for training etc. For the avoidance of doubt, whilst any CA would be encouraged to achieve this target through selling a healthy product mix and not relying upon a couple of key products, providing that the CVP target is achieved, a CA cannot be disciplined, placed on an Action Contract or given an underperformance rating for failure to sell a particular product or product mix. The implication of not achieving minimum product sales in particular categories is non-participation in Performance Plus, but not underperformance.

### Performance Audios and Whiteboards

UNITE regularly received details of the over-use of performance audios, with some Branch Managers having to dial into audios up to 4 times a day to report what had been sold, what had not been sold and what the branch were going to sell. It was again argued that branches were not selling because of a lack of effort and no number of audios would reverse this, plus that the time of Branch Managers was better spent supporting their staff in all aspects of their performance, rather than reporting branch sales performance repeatedly on audios. It was also argued that these audios were effectively a name and shaming exercise for those branches not performing, where issues such as staff shortages etc were not taken into account, you were either on target or not.

Communications were issued by the bank in quarter 2 of 2010 regarding the cessation of such performance audios and these practices should not be continuing and anecdotally this appears to be the case, a position that is welcomed by UNITE. Any examples of the continuation of such activities should be escalated to UNITE and these will be raised with the bank.

As a result of Lean and the Retail Transformation Programme, Whiteboards containing the individual sales performance of staff have appeared across branches. UNITE do not support the use of Whiteboards, believe that they only serve to name and shame underperformers, as well as embarrass higher performers. UNITE do not consider Whiteboards to be motivational, but only serve to place additional pressure on already pressurised staff that are struggling to perform. Members have also reported being intimidated and humiliated by the use of Whiteboards. The bank have made their position clear to UNITE that the Whiteboards are here to stay; however UNITE wants to hear from members as to their views of Whiteboards, both positive and negative, e-mail [rbsinfo@unitetheunion.org](mailto:rbsinfo@unitetheunion.org).

### Performance Ratings

UNITE raised a number of concerns with RBS during 2010 regarding the greater probability of being rated as underperforming in Retail compared to the other business divisions. It was the opinion that the greater prevalence of underperformance ratings within Retail was in part due to the sharp focus on sales performance, but given that salaries, reward and benefits are comparable to similar jobs in other divisions, there was no justification for a greater propensity of underperformance ratings. UNITE has received undertakings from RBS that the distribution of performance ratings in Retail for 2010 will more closely mirror those in other business divisions, thus reducing the number of underperformance ratings. This is a position

that was clearly welcomed by UNITE and was closely scrutinised during Pay 2011 when performance rating distributions were shared with UNITE. Whilst the overall number of level 2 ratings had reduced, it was still significantly higher at all grades within the Retail Branch Network, than all other divisions, including other parts of the Retail Division. These issues will be raised and pursued with Senior Management within Retail, as there is no reasonable explanation for such a differential, one that UNITE believes could increase with the introduction of the 2011 CSO National Standards.

### iii) Staffing Levels

**UNITE called upon RBS to ensure that Retail Branches are resourced consistently at the correct benchmark numbers and where Branches or Regions operate under headcount; this should be taken into account at year-end when assessing performance and eligibility for bonus. UNITE also stated that the bank should deploy the use of paid overtime and additional resources to manage such periods of understaffing.**

Staffing levels are a perennial problem and many members would argue that even when their branch is operating at benchmark that this is not sufficient in terms of staffing. RBS have pointed to an unprecedented level of usage of overtime, on-call and agency staff in 2010 to manage staff shortages and to ensure that branches are operating at or near benchmark. RBS have also stated that they are looking to rebuild the pools of on-call staff, which can be utilised at short notice to cover staff shortages, which again is a development welcomed by UNITE; although branches must be able to legitimately utilise these resources when required free of any budgetary restrictions.

Members who are experiencing continual and difficult staff shortages that do not appear to be getting resolved locally, should contact UNITE and these will be raised with RBS centrally.

### iv) Zero Tolerance to Cash Balancing

**UNITE stated its opposition to the re-emergence of objectives around zero tolerance to cash differences, an approach that represents an unachievable target.**

RBS confirmed that within the objectives of CSOs are 'Cash Tolerance' targets, which provide a margin for error in cash balancing. Whilst CSOs should aspire to no cash errors, realistically this is not possible in most cases and the bank confirmed that there were not and should not be zero cash error objectives. Related to this issue was the position of CSOs having a cash error tolerance of for example £20, but under Lean differences under £10 were written off and not searched for. UNITE were alerted to examples where members were being placed on Action Contracts due to cumulatively breaching the cash error tolerance because of a handful of differences that were under £10 and therefore not searched for.

RBS confirmed that any cash differences that are written off and not searched for under a Lean initiative would be discounted and not used towards calculating overall cash differences of a CSO against their cash error tolerance. Again any issues relating to cash differences that cannot be resolved locally, should be raised with UNITE.

### v) Flexible Resourcing Principles

**UNITE called upon RBS to ensure the consistent and correct implementation of the Flexible Resourcing Principles, particularly in respect of the 5-day working week and branch transfers/flexible working requests.**

Since the original newsletter in February 2010, RBS without consultation with UNITE amended the Flexible Resourcing Principles stating that "occasionally employees might have to work for six days in any one week according to business need" before clarifying that "this should not be done on a regular, on-going basis (regardless of the number of hours that the individual works each day), unless they request to do so". UNITE have raised strong concerns regarding this change and the union firmly believes that members working in the RBN deserve and require two full days off in any given working week, from a health and wellbeing perspective, work-life balance and financial basis (i.e. not having to travel to work 6 times instead of 5). UNITE will continue to support any members who wish to maintain a working pattern of 5 days a week, as it would appear that the bank feel that they can no longer provide such a commitment.

The bank have advised that they are undertaking up-skilling training for managers and providing on-line resources to better equip managers when dealing with flexible working requests, staff moves etc.

### vi) Respect

**UNITE called upon RBS to eradicate instances of inappropriate behaviour demonstrated within the RBN, such as threats being made when targets are not achieved, including level 2 ratings, disciplinary hearings, evening or weekend work to fill diaries with no payment.**

Being treated with Dignity and Respect in the workplace is a position that is not a nice to have, but must be had. It is recognised that the workplace can become pressurised and stressful, members of staff can have disagreements or question what they are being asked to do or achieve. Managers can also instruct staff to undertake appropriate duties or tasks. This should all however be undertaken in a particular manner, one that is professional and respectful, there is no excuse for bullying or aggressive behaviour, whether physical, verbal or in the written word via memos and e-mails.

UNITE will continue to work with RBS to eradicate such behaviours across the RBN and RBS do treat issues raised by UNITE on behalf of members seriously. UNITE urges RBS to instil a fundamental culture across the RBN where such behaviours are completely condemned and an environment of support, teamwork and success is fostered. Members can raise issues confidentially with UNITE and these will be escalated where appropriate with the bank centrally.

### Next steps

The newsletter in February 2010 stated UNITE's commitment to making the RBN a better place to work and indeed UNITE and RBS have a shared aim to improve the working environment in the RBN. In terms of the progress made towards achieving this aim, a mid-term report card for both the bank and the union would read "made progress, but could do more".

Progress has been made on some key issues, but on others the progress has been limited, with the big issue of overtime being the one that needs cracking.

UNITE have and continue to have a constructive, if not always agreeable dialogue with RBS and Senior Management within the RBN and the aims of improving the RBN as a place to work will remain high on that agenda. UNITE as always are interested to hear the views of members, what it is like to work in the RBN and what should be on the union's agenda as we engage with the bank on making the RBN a better place to work. Please make your thoughts, views and feedback known at [rbsinfo@unitetheunion.org](mailto:rbsinfo@unitetheunion.org).



# Stringer Case Update

## Unpaid Sick Pay and Annual Leave

**In the last edition of Catalyst, UNITE reported details of a legal ruling in the European Court of Justice, that decided the Working Time Regulations (WTR) provides that workers who are absent from work due to sickness continue to accrue holiday and when absent from work due to sickness must be permitted to take their holiday when off sick.**

This ruling enables members to take paid annual leave when their paid sick leave had exhausted or to extend the period that they would be on full pay, i.e. taking a period of annual leave during a period of long term sickness absence. In the article it was indicated that talks with RBS as to the implications of this case were continuing with a view to reaching an agreement to its application.

Through the Joint Quarterly Policy Meetings, agreement has been reached on the following:

- Where someone is off sick and has exhausted paid sick leave or is approaching the end of their eligibility for paid sick leave, when outstanding annual leave is formally applied for, it will be granted. Where sufficient notice is provided to the bank as the end of paid sick leave approaches, pay should remain continuous with no break.
- Where someone applies for annual leave whilst on paid sick leave, their sick pay will suspend and the period will be recorded as annual leave. For example someone is on sick leave and has 26 weeks entitlement; they may choose to take a period of 4 weeks annual leave after 20 weeks sick to extend their sick pay. Sick pay would suspend for the 4 weeks and then sick pay would recommence following the period of annual leave, thus providing 30 weeks in all of paid leave, 20 weeks sick pay, 4 weeks annual leave and then 6 week sick pay.

UNITE have previously stated that annual leave should be enjoyed by members and where appropriate not used to supplement sick pay; however it is recognised that the above arrangements will provide financial assistance to members when on an extended period of sickness absence.

The situation described in the second bullet point should normally be utilised where members are on paid sick leave approaching the year end, where there will be limited or no opportunity to return to work and take any outstanding annual leave.

Members can carry over up to 5 days annual leave to the following holiday year subject to line manager agreement which must be taken by the end of February.

Should a member return from an extended period of sickness absence towards the end of the holiday year, with a sizeable amount of outstanding annual leave, members should seek to take this annual leave before the year end and the bank cannot unreasonably refuse these requests to take annual leave.

This article should be read in conjunction with the advice provided in the last edition of Catalyst; however if members are experiencing any difficulties in respect of sick pay and annual leave that cannot be resolved with your line manager, you should contact your local Workplace Rep, the helpline or e-mail [rbsinfo@unitetheunion.org](mailto:rbsinfo@unitetheunion.org)

# Travel Difficulties

## Severe and Unforeseen Disruption to Travel Services

**In the last edition of Catalyst we reported that an agreement had been reached with RBS in respect of a new policy covering issues of travel difficulties to and from work. During the period of unusually cold temperatures and heavy snow, unsurprisingly UNITE received calls from members where the bank were not following the policy. It therefore seemed opportune to remind members what their rights are in respect of severe and unforeseen disruption.**

The policy, that appears on *Insite* and members are encouraged to familiarise themselves with it, states that “in exceptional circumstances the Group will provide special leave if an employee is unable to attend work due to unforeseen and significant travel difficulties” and that “this leave will be paid if the employee has made reasonable efforts to attend work or where public authorities have communicated that people should not travel”.

Among the employer responsibilities within the policy are the following:

i) Give consideration to all requests for special leave due to severe and unforeseen disruption of travel services

ii) Try to anticipate any problems and make any necessary arrangements with employees to minimise potential impact on the business.

iii) Assist the employee when considering the options available to avoid the necessity to take time off work e.g. working from home, alternative modes of transport or working from an alternative location. In the case of adverse weather, the final decision regarding making the journey to work must be made by the employee, except in circumstances where the Group has confirmed that the employee must stay at home.

iv) Authorise an appropriate period of paid special leave if no alternative can be agreed and the employee has made reasonable efforts to attend work. Paid special leave must be paid in all cases where the Group has advised the employee to stay at home.

v) Inform the employee if a period of leave will be unpaid and explain why this decision has been made e.g. an employee who lives a short distance from work decides not to walk or take alternative transport in the event of the bus or train service being cancelled.

vi) Manage ad-hoc requests from employees who would like to leave work early or who arrive later than normal, due to the impact of weather conditions on transport services. Employees would not be required to make this time up at a later date.

The policy also places responsibilities upon the employee and among the responsibilities of members are the following:

i) All employees are expected to make reasonable efforts to attend work during severe and unforeseen disruption to travel services even if this means a significant increase in travel time to and from work, although journey time, cost and distance should not be unreasonable.

ii) Contact your line manager as soon as possible if you are concerned that disruptions to travel services may impact on your ability to attend work.

iii) Consider all possible modes of transport and alternative working arrangements before deciding you are unable to attend work.

iv) Keep in regular contact with your line manager in order to provide updates on when you anticipate being able to attend work.

v) Speak to your line manager as soon as possible if you would like to leave early due to the impact of disruption on transport services or are concerned that you may be stranded and unable to travel home.

The fundamental principle of the policy is the health and safety of members in terms of their journey to and from work. Where it is safe and possible to journey to work or an alternative work location, where this is appropriate, then clearly members should make reasonable efforts to attend work; however providing a member has made these efforts and is unable to attend work, then the employer will support their absence through special leave.

The other common issue relates to members that arrive to work late or wish to leave early due to worsening weather conditions or issues with public transport etc. In these circumstances members should not have to make up time for being late, where this is directly attributable to the weather or travel disruption. In terms of leaving early, where these requests are being made due to genuine concerns around health and safety or indeed the ability to get home, then these requests should be granted, with no requirement to make up time and regardless of the impact on customer service or average call handling times etc, the health and safety of members is paramount and supersedes the concern for customers.

The other common issue relates to the fact that members can attend work, but the schools of their children have been closed due to bad weather and they are required to remain home as the primary carer, with no other caring options available locally. The bank has confirmed that such cases should be managed under the Time Off for Dependent's policy, which again where appropriate provides paid leave to cover such emergency circumstances.

If members have experienced difficulties with time off and whether this is being classed as special leave or annual leave, which cannot be resolved locally, please contact your local UNITE Representative, the helpline or [rbsinfo@unitetheunion.org](mailto:rbsinfo@unitetheunion.org).



**In the last edition of Catalyst an extensive article on the issues of unpaid overtime and lunch allowances was published which stated “unpaid overtime remains an issue within RBS and given the regularity that an article on this subject appears in Catalyst, it is a fair bet that Catalyst will still be reporting on this issue in years to come”.**



# Unpaid Overtime

Unsurprisingly judging by the sheer number of calls UNITE continues to receive or concerns raised when UNITE undertakes workplace visits, unpaid overtime remains an issue, predominately but not exclusively within Retail and as a result the article appears here again and will probably be a standing item within Catalyst until we eradicate the unacceptable practice of unpaid overtime. For those members working in the Retail Branch Network, this should be read in conjunction with the article in this edition of Catalyst “Retail Branch Network – Update”.

The section on Lunch Allowances is also re-produced and updated here, as the last article prompted a large amount of interest from members and whilst most members are receiving what they are entitled to in respect of this allowance, some members are still experiencing difficulties or resistance, unacceptably so.

## Unpaid Overtime

The payment of overtime depends upon your role and reference to your contract of employment under ‘Hours of Work’ will confirm your eligibility to be paid overtime and/or excess hours. Most contracts within RBS that attract the payment of overtime state:

*“You will also be expected to work such additional hours as are required to fulfil the duties and responsibilities of your role. You will be expected to work a reasonable amount of overtime when requested by management in order to complete essential duties.*

*Overtime will be paid at time and a half for hours worked over 35 hours in any one working week. On day 6 and 7 of your working week, you will receive double time. For staff contracted to work less than 35 hours, any additional hours worked up to 35*

*hours will be paid at your normal hourly rate. Hours worked in excess of 35 hours will be paid at time and a half.”*

Despite the clause within the contract of employment, all overtime is wholly voluntary and members of staff cannot be compelled to work overtime, although clearly members of staff are encouraged to volunteer for overtime where appropriate and where members are able to assist.

Overtime is payable after working 30 minutes past normal contracted hours and then is paid in tranches of 15 minutes. Where overtime is regularly worked, but short of the 30 minute mark, members should raise this in the first instance with their line manager and if this proves unsuccessful, contact the union.

Members are entitled in the first instance to be paid for overtime & excess hours; Time off in Lieu (TOIL) can only be used with the agreement of the member of staff. Where overtime and/or excess hours are worked, these must be authorised in advance and the bank maintains that overtime can only be paid where authorisation is received in advance. Processes should be in place to ensure that authorisation can be obtained for the working of such hours, however where authorisation cannot be obtained this should be raised with the appropriate manager. In the event that members are unable to gain authorisation for working overtime, Unite can only advise that such overtime should not be worked. If members are working justified, operational overtime that has not been authorised in advance and thus not paid, then this would need to be raised, if informal routes prove unsuccessful, via the grievance procedure and you should contact the Unite RBS Helpline.

There is no justification for the non-payment of overtime/excess hours worked due to operational requirements, the contract of employment is quite clear on the bank's

# Time & Lunch Allowances

contractual obligation to pay overtime and/or excess hours.

The following answers to frequently asked questions should help members in the workplace; although these are mainly Retail orientated reflecting the prevalence of the issue in that division and particularly within the Retail Branch Network.

**\* Can staff be compelled to work beyond their contracted hours when relevant sales diaries are not full with appointments for the following day/week/month?**

No, the bank cannot contractually compel staff to work beyond their contracted hours. If staff mutually agree to stay behind to undertake telesales with the appropriate recompense then this is wholly acceptable, however any attempt to compel staff to work beyond their contracted hours would be viewed by Unite as a breach of process and should be raised as an issue via the grievance procedure if informal discussions fail to resolve matters.

**\* Can the bank pay TOIL or not pay at all for additional hours if there is no overtime budget?**

No, whilst everyone within the Group has a responsibility for containing costs, the payment of authorised overtime is not subject to an available overtime budget. TOIL is paid upon mutual agreement.

**\* Is the morning opening procedure part of my normal working day & therefore not eligible for the payment of overtime?**

Depends, if you are required to be present at the branch at either 8.30 or 8.45 to undertake the morning opening procedure and this forms part of your normal working day i.e. your working day finishes at 4.30 or 4.45 then the payment of overtime is not required. If morning opening procedures are

in excess of your normal working day, then you are entitled to be paid overtime.

**\* I am responsible for a cash difference or I am assisting in finding a difference which results in staff leaving the branch 30 minutes after the end of the contracted day, are we entitled to overtime?**

Yes, the member of staff responsible & those assisting are entitled to overtime, as per your contract providing the overtime is authorised, as the finding of the cash difference is an operational requirement.

Clearly overtime would not be paid if a member of staff came into work early or left late as a choice i.e. to avoid rush hour traffic or to drop a child off at school/nursery, but where genuine overtime is required and worked, this should be paid. If the bank advised staff that they would only be receiving payment for 80% of their contracted hours worked, staff would quite rightly find this unacceptable and the non-payment of genuine, operational overtime should be viewed likewise.

## Lunch Allowances

Unite have also received a number of calls from members regarding lunch allowances, when these should be paid and indeed how much lunch allowance equates to. Lunch Allowances are paid, predominately within Retail when for an operational or staffing reason members are unable to either take a lunch hour or are unable to physically leave the workplace.

Circumstances in which Lunch Allowance should be paid normally fall into three categories:

- A member of staff works 7 hours straight i.e. 9am to 4pm with no lunch hour, therefore should receive 7 hours pay, plus

the lunch allowance. This scenario usually occurs in sub branches and will normally be a regular occurrence.

- A member of staff works straight through with no lunch hour i.e. 9am to 5pm, therefore should receive 1 hours overtime/additional hours, plus the lunch allowance. This scenario usually occurs where there is a particular staffing issue in a branch or area and this should not be a regular occurrence.
- A member works a normal 7 hour day, 9am to 5pm receives a lunch hour, but is unable to leave the branch for operational reasons, therefore would receive 7 hours pay, plus lunch allowance. This scenario would normally occur due to the same staffing issues described above and should be a relatively rare occurrence.

There is no excuse for the non-payment of Lunch Allowance, whether due to budgets, cost containment etc, as the cost of covering lunch hours at sub-branches for instance from the main branch is much greater than the £5.56 per hour lunch allowance in Natwest and £4.62 in RBS, when you factor in travel costs, time etc.

The current Lunch Allowance compensates members for relinquishing their contractual entitlement to a lunch hour and as such must be paid where the criteria for payment are met.

If you have not been in receipt of Lunch Allowance and based upon the categories above you believe you qualify for payment, or Lunch Allowances have been previously paid, but payment has recently ceased, raise these issues with your line manager in the first instance.

However if this is unsuccessful members should contact the Unite RBS Helpline, e-mail at [www.rbsinfo@unitetheunion.org](mailto:www.rbsinfo@unitetheunion.org) or contact their local Workplace Representative.

# OFFSHORING IN RBS

# BECOMES A REALITY

**A previous article in Catalyst entitled “Offshoring in RBS – Myth or Reality”, has unfortunately come home to roost. During 2010 we saw RBS confirm their first substantial offshoring activity impacting both their Technology Services (TS) and Insurance Divisions, with in excess of 700 and 500 roles from each respective division being confirmed as moving from the UK to cheaper wage economies.**

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Whilst RBS has been keen to stress that no customer facing roles have been directly offshored, Unite are nonetheless seriously concerned that this direct offshoring activity is simply the thin end of the wedge and the start of what could be a programme of activity that could eventually cut across other divisions of the bank.

Indeed, other banks such as HSBC and Lloyds started their offshoring activity in exactly this way and years later literally thousands of roles have been lost in the UK.

At a time when the Group are undergoing a vast and prolonged period of strategic change activity following their near collapse in 2008 and when many thousands of members and staff have lost their jobs for the mistakes of senior executives and managers, it is quite simply disgraceful that an organisation that was been bailed out by the UK taxpayer are now moving jobs offshore.

Ultimately remaining staff across the Group will be left to pick up the pieces and many UK roles and skills will be lost forever.

## **What is offshoring?**

Offshoring is where jobs in the UK are made redundant and transferred abroad. Tens of thousands of UK based jobs have been offshored in the last decade from the financial services sector. Whilst many organisations have brought roles back to the UK as they realise the error of their ways, overall the trend looks set to continue and it appears is gathering momentum in RBS.

## **What does Unite think?**

Unite welcomes the social economic and social benefits that expanding into developing nations brings to many economies and recognises that many employers including RBS now operate globally.

However we are increasingly concerned that these expansion plans often result in the loss of established UK jobs. Unite are fundamentally opposed to the transfer of UK roles overseas and to any job losses that result and we will continue to vigorously campaign to oppose any such moves.

We also believe that employers have a responsibility to the people who work for them, both in the UK and abroad, and to their customers. Here in the UK many thousands of workers are being made redundant due to offshoring.

As well as losing the opportunity to develop and retain key UK based skills, these job losses can often have a devastating impact on families and local communities. Employers should stop putting profit before people.

Some UK companies operating overseas are denying their employees the right to join a trade union and adopt working practices which breach an individual's dignity at work such as forcing Indian employees to use a British name when dealing with customers.

## What about RBSG?

Historically RBS' stated position was not to offshore any customer facing roles. The Group have stood by this position, as they recognise that employment costs are only one of the many factors that employers need to consider when offshoring.

Staff morale and employment implications for the whole community were previously key issues in determining the Group's policy of "no offshoring".

When the bank confirmed the loss of 9000 global jobs (4500 in the UK) in April 2009 for Business Services, Unite sought assurances that no permanent UK roles would be offshored.

At the time Ron Teerlink, the Group's Chief Administrative Officer gave Unite a firm commitment that there would be no offshoring activity as a result of the 4500 UK job losses, commonly known as "Project Sunrise" within Business Services.

Whilst members in Technology Services consistently raised concerns with Unite over what they viewed as "offshoring via the back door" as the bank continued to develop and expand their headcount in India, the commitment of no direct offshoring activity was in effect upheld.

However the landscape has significantly changed and following the Group's disastrous losses in 2009 they remain very much focused on cost saving in their struggle

to get back to "stand alone strength".

Unite recognise that RBS are a global employer and that they have a duty of care to their employees in their offshore jurisdictions, however the trade union are firmly opposed to their latest plans to offshore in excess of 700 Technology Services roles in a bid to save costs at the expense of the UK workforce.

## How can Unite make a difference?

Unite has worked with finance based companies to develop a Best Practice Offshoring Charter.

The Charter will commit employers to:

- Consult with Unite at an early stage.
- Provide clear business arguments on the rationale for offshoring.
- Give a commitment to no compulsory redundancies.
- A pledge to no site closures.
- Explore redeployment opportunities for all affected employees.
- Provide funding to ensure training and support for displaced staff.
- Provide outplacement support and training for all affected employees.
- Ensure the highest employment standards for all overseas employees.

Through consultation with RBS, the Group has broadly agreed to the above principles with the exception of what Unite would argue is the most important element – "A commitment to no compulsory redundancies".

Unite unfortunately are not recognised within the Insurance Division however have vigorously challenged the bank on their plans to achieve their new "global operating model" within TS by offshoring in excess of 700 roles.

Many members in TS have contacted Unite to express their fears over the bank's new model, the impact it will have on those members and staff who remain in the UK, with many believing that it is simply not a workable model.

Unite has also called on the UK Government

and UKFI as the majority shareholder within RBS to question the rationale and oppose offshoring activity.

Unite are somewhat dismayed by the response we have received to date with UKFI stating that it is for RBS to run their own affairs and that they will not get involved in the day to day running and decision making within the bank.

Unite do not support this position when it comes to offshoring and believes it is tinged with hypocrisy in comparison to UKFI's stance on bonuses, which many of our members ultimately lost.

Ultimately though it is RBS who created the situation that has now resulted in thousands of job losses, offshoring and divestment activity but sadly our members who bear no responsibility are left to face the consequences.

## What next?

Clearly as part of ongoing dialogue with the bank we will be ensuring they do everything possible to avoid CRs and the bank has committed to engaging with all staff in TS and with Unite on the new operating model.

The Redundancy Mitigation Measures and Voluntary Job Matching principles outlined in other articles in this edition of Catalyst will go some way towards minimising CRs, however it is very likely that there will be CRs.

The views of our members in the impacted areas where roles are being offshored will very much inform next steps and Unite's campaigning activity, as will the eventual number of CRs that arise from offshoring activity.

The trade union will stay in touch with members in impacted areas and will respond to their opinions and feedback.

**It has therefore never been more important that you have your say on this issue.**

**Please speak to your Workplace Representative, call our Helpline or email us at [rbsinfo@unitetheunion.org](mailto:rbsinfo@unitetheunion.org)**



Following the outcome of negotiations Unite can confirm that an agreement has been concluded for Clerical, Appointed and Management graded staff for Pay 2011. Whilst discussions proved incredibly challenging, the key factors in reaching a negotiated agreement were an increase in the base salary bill and one which resulted in Unite securing a number of improvements to the bank's initial pay offer.

# PAY 2011 – AG

## Pay Claim

In December 2010, following extensive feedback from members, the Unite National Company Committee (NCC) agreed to submit a pay claim with the following key tenets:

- An increase in base pay for all staff, achieving the union's aim of reducing the number of individuals who do not receive a pay increase.
- An increase on the current cap on pensionable increases.
- Abolition of peer group relativity and an end to the bell curve to form an integral part of the pay settlement.
- All bonus systems to be transparent with clear and consistent objective measures.
- A commitment from the Group to tackle the Gender Pay Gap should this be revealed at the outcome of the Pay Audit.

## Background to Negotiations

Negotiations took place during December and January against a background of continuing difficulty for the bank. The bank stated at an early stage in negotiations that they had a very restricted pay pot largely due to their financial position and the Government's 84% stake in the Group.

Throughout the ongoing Strategic Review, in which the Group has announced a staggering 21,500 job losses, Unite has continued to make it absolutely clear that our ordinary hard working members bear no responsibility for the position in which the bank find themselves. All members and staff across the Group continue to drive the bank's recovery and have remained loyal and hard working during this prolonged period of uncertainty. At the same time thousands of jobs have been lost, for many the continued threat and anxiety of job losses remains very real and all staff across the Group have seen both changes to terms and conditions and

an increasingly challenging working environment.

Though it was recognised that the money in the pay pot would be limited, it was vital that any pay agreement was an improvement on last year's pay settlement and one that acknowledged the ongoing difficulties that all staff have faced since the near collapse of the Group as well as the increasingly difficult economic climate which has seen the cost of living soar.

In responding to Unite's pay claim the bank reiterated their performance and market pay philosophy, however acknowledged that they entered pay talks in a very difficult financial position, that this had a significant impact on the pay proposition on offer and their ability to wholly reflect changes in market pay in their salary offering.

## Summary of Negotiations – Increase in Base Salary – Clerical, Appointed & Management Grades

The settlement represents an increase in the bank's annual base salary bill, with headline figures being:

68% of staff receiving 1% or more.

39% of staff receiving 2% or more.

24% of staff receiving 3% or more.

12% of staff receiving 4% or more.

During negotiations Unite once again sought to significantly reduce the number of members receiving zero pay awards through a claim for improvements in the percentage award available in the fixed and variable matrices where the initial pay proposal tabled provided zero awards both to Level 3 and 4 performers sitting between 115-119.99% and 120%+ in range.

At the start of this year's pay negotiations the improvements that had been made in these boxes during last year's pay round had reverted back to zero which put Unite in a challenging starting position and set the

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tone for what was a very difficult set of negotiations. Members will recall that these previous improvements were vital to agreeing the outcome of pay last year and Unite certainly wanted not only to retain this position, but to improve upon it.

Unite challenged the bank strongly on the number of zero awards for those whose performance was not in doubt and stated that this did not fit with the bank's own pay methodology of awarding their good performers and was an unnecessary step backwards since the outcome of the Pay 2010 negotiations.

Of further concern to Unite was the fact that as part of the ongoing outcomes of the Strategic Review we have seen the bank decline many volunteers for redundancy. It is fair to say that this is largely due to oversubscription, however a number of members have been declined due to the bank's stated desire to retain good performers. These are the very people who will drive the bank's recovery, are proportionately more likely to sit high in range and thus receive a zero award unless they are Level 5 performers.

The negotiated improvements came in a number of stages. Initially the bank agreed to revise their initial pay offer replacing zero increases in matrices for all Level 3 performers sitting between 115-119.99% and Level 3 and 4's sitting 120% plus in range with a modest award of 0.25%, this had a positive impact on around 4300 staff. Taking into account the consistent feedback from members, the economic turmoil that continues to prevail, and the difficulties that all staff face on a day to day basis, whilst welcoming these improvements Unite still felt that they did not go far enough, did not meet the tenets of Unite's pay claim and there was simply not enough money in the pay pot. Additionally Unite stressed that the overall integrity of the pay matrices had to be maintained by also applying knock on increases for those who had performed better.

Unite tabled a proposal to the bank to consider both an uplift in the available awards in the matrices and to consider an additional monetary underpin amount to address the trade union's concerns, as it was pointed out that a 0.25% increase was worth comparatively less the lower the salary and grade. The Negotiating Team robustly challenged the bank on how their current pay offer compared to salary increases and projected bonus payments to Executives and those in the bank's investment banking division, as the bank are able to find the money to reward certain groups of staff very handsomely, as well as to pay for various fines such as those for price fixing and complaint handling imposed by the FSA. Again the bank re-iterated that their performance and market pay philosophy was no different for these staff and was fundamental to ensuring that they attracted and retained the right people.

After further lengthy discussions the bank agreed to increase the award for all Level 4 and 5 performers sitting at 120% in range from 0.25% and 0.5% to 0.5% and 0.75% respectively which had a positive impact on around 800 staff. This, coupled with the improvements outlined above, where over 4000 Level 3 plus performers would receive a 0.25% minimum underpin, essentially secured similar improvements to those achieved by the trade union during the 2010 salary negotiations.

In addition and arguably the real turning point in negotiations was the bank's response to Unite's claim for a minimum monetary underpin. The bank, following a lengthy adjournment and much consideration, tabled an offer for a minimum increase for all Level 3 plus performers of 0.25% or £100 (whichever is the greater); this amount will be pro-rated for part time staff. This had a positive impact on over 9000 staff, giving an overall position since the start of the salary negotiations of in excess of 14,000 staff receiving an improved pay offer from the initial offer tabled by the bank. The bank

made it clear that this revised offer had stretched the boundaries of the pay pot, there was no further money available and if the Negotiating Team could not recommend acceptance of the revised pay offer then all the improvements outlined above would be withdrawn.

All zero awards were also removed from the variable pay matrices for Level 3 plus performers and replaced with a minimum underpin of 0.25% or £100 increasing in line with performance as detailed above in order to ensure the integrity of the matrices and the bank's own performance driven methodology. The full impact in terms of additional numbers who will benefit is difficult to quantify, as it is not known how many individuals could have received a zero or lower than £100 award due to the discretionary nature of the variable matrices.

Unite acknowledge that in some instances these awards are modest and our preference would have been to achieve higher awards, however for the first time not only have all Level 3 plus performers across the Group, including those on old RBS and Natwest Terms received an increase in base pay for 2011, the bank has also applied a minimum monetary underpin. Unite saw this as a significant and symbolic step in laying the path for reaching agreement on Pay 2011.

## **Performance Ratings, Zero Awards & Performance Management Framework**

A key element of our pay claim was an end to Peer Group Relativity (PGR) and the forced distribution of the performance bell curve with members telling us for many years now and endorsed by more recent feedback to Stephen Hester, that the current performance management framework was intrinsically unfair.

Whilst Unite welcome the abolition of PGR as recently confirmed by Elaine Arden, HR Director, and the ongoing review of the

# PAY 2011 – AGREEMENT REACHED *continued....*

performance management framework on which the bank have fully engaged with Unite, what is less clear at this stage is in what guise the infamous bell curve may continue to exist. Certainly the Group has given a commitment that there will not be a centrally driven distribution curve for future performance years, but divisions have greater autonomy to develop a divisional approach and Unite will be seeking dialogue with each of the divisions to engage in this development to ensure fairness and transparency.

Despite Unite continuing to have serious concerns over the high number of zero awards as well as the bonus, performance and market driven pay methodology that drives the bank's overall approach to pay and reward, when the trade union vigorously challenged the validity of some of the perceived underperformance during pay negotiations, the bank made it abundantly clear that they had no intention of re-assessing the number of underperformers. Whilst the number of Level 2 performers has marginally dropped since last year, the performance data shared with the trade union continues to show that you are significantly more likely to be an underperformer if you are a Clerical or Appointed member of staff and this is consistently the case across all business divisions.

This trend is markedly prevalent within the Retail Division and particularly the Retail Branch Network, despite the Division performing well there are proportionately more Level 2 performers than in any other area of the bank and this only compounds further Unite's grave concerns about the Retail Division being arguably the most difficult and challenging Division to work in. Unite believes that many of the level 2 ratings at Clerical level within the Retail Branch Network will be as a result of failing to achieve a sales or referral target in excess of the 2010 National Standards for CSOs. If any CSOs were awarded a level 2 for a failure to achieve a target in excess of the National Standard of 2 booked appointments

a day, you should contact the union without delay, with details of your case, to enable Unite to seek to overturn your underperformance rating without recourse to the grievance procedure.

As an anticipated outcome of the ongoing performance management review and as a result of the confirmed abolition of PGR, Unite would absolutely expect the level of underperformance within the Group to decrease and we will be closely monitoring this position. We will continue to challenge the bank on their performance management framework and pay structure which the trade union maintains is simply not sustainable and will update members in due course on the outcome of the review of the performance management framework.

Information has been shared with the trade union on the number of performance grievances raised for the performance year 2010 and Unite were surprised by the lower than expected number of grievances raised. Whilst we understand that many members may feel reluctant to raise a grievance and we would always encourage members to seek to resolve any issues informally in the first instance, what is clear is that a significant number of those who did challenge their performance rating for the 2010 performance year were successful, particularly where they had been supported and represented by Unite. There is no time limit in which to raise a grievance however clearly it is preferable to do so as early as possible if the problem remains unresolved via informal discussions.

Of those receiving no pay increase all have been rated as Level 1 or 2 performers, a position which despite Unite's best efforts has prevailed for many years. In addition employees who have recently joined the Group or received an interim salary increase will not receive an annual increase as part of the pay 2011 salary review. Therefore if any member feels they have been unfairly rated, particularly those receiving zero pay awards, then you are encouraged in the first instance to have an open discussion with your Line

Manager regarding your rating. No more so than now should members be raising challenges if they feel they have been unfairly marked down, as this also has an impact on bonus, promotion opportunities and redundancy selection.

There is also increasing evidence that persistent underperformance is under close scrutiny with the bank adopting a Robust Performance Procedure (RPP) which could see members dismissed for underperformance in as little as 13 weeks, further details of the RPP can be found in this edition of Catalyst. If members wish to formally challenge their rating, they should contact their local Workplace Representative or the RBS Member Helpline on 0870 241 4425.

## **Bonus & Pay Methodology**

Whilst the rules around the payment of bonus have improved, many of our members have seen their previous bonuses deferred and in some cases subject to clawback provisions. These are typically bonuses that have been used to supplement modest incomes, as well as limited, and in some cases zero increases in basic pay over a number of years. These payments are not the "fat cat" bonuses or golden handshakes that we so often read about in the media and which unfortunately the public often perceive ordinary working members to be benefiting from.

For the 2010 performance year, all members receiving a bonus will be paid the first £2,000 of their bonus in cash in March 2011. There is no salary cap for this £2,000 cash bonus payment. Any part of a member's bonus between £2,000 and £25,000 will be paid as a bond which will vest in June 2011. This means that anyone receiving a bonus of up to £25,000 will have received the full amount of this award by June 2011. Any part of a member's bonus above £25,000 is subject to deferral in different ways depending on the total value of the bonus. Up to 80% will be paid in bonds in June 2011, and the remainder will be deferred, subject to clawback and paid as

bonds or shares equally over a 3 year period. The end result is that employees with larger bonuses have a higher proportion of their bonus deferred than those with smaller bonuses.

The union has also pressed the bank to ensure that the awarding of bonuses, particularly discretionary bonus, is more transparent with clear and consistent objective measures and the bank has committed to discussing this further with Unite during 2011. It was also confirmed that the maximum bonus award opportunity for Managers would increase to 25% of salary from 2011 onwards. This will be communicated to Manager grade employees via their Line Manager when pay outcomes are discussed. This development reinstates in full the agreement reached with RBS at Pay 2009 regarding Managerial pay and bonus.

During negotiations the bank as ever pointed to the outcome of the data from the Employee Opinion Survey on Recognition & Reward where outcomes continue to indicate that the vast majority of staff prefer to work for an organisation that delivers competitive market facing pay and rewards performance as opposed to basing pay increases purely on an annual cost of living increase. Indeed the feedback Unite received from members in advance of submitting our Pay Claim supports the fact that members do want to be awarded for good performance, though the majority of those who responded said this should be over and above any increase in base pay.

Unite would therefore welcome further feedback from our members on whether the outcome of the EOS truly reflects the views of staff across the Group.

### **Management Graded Staff**

Last year the bank advised that they had fallen behind market on a number of management graded roles and would seek to address this by increasing reference salaries accordingly. As a result we have again seen an increase in a number of

reference salaries for management roles where broadly speaking any market movement across the Clerical and Appointed grades has been minimal.

Whilst Unite of course welcome the bank's plans to address any differentials, we are concerned that this has restricted the money available in the pay pot for Clerical and Appointed grades in Pay 2010 and 2011. It is still unclear how long this issue may take to address and the extent of the problem, however Unite has stressed to the bank that they cannot continue to skew the pay pot to address this differential to the detriment of Clerical and Appointed staff, rather they need to make additional funds available. Questions were also raised about the accuracy of the market and comparator data the bank use, and we will continue to

discuss this issue during our ongoing discussions with the bank during 2011.

### **Equal Pay & Cap on Pensionable Increases**

As detailed in previous Pay newsletters, the bank has been engaging with Unite on an Equal Pay Audit which will highlight any disparities in pay between men and women doing similar roles. As part of the outcome of the 2011 salary negotiations the bank agreed to share the initial analysis of their Equal Pay Audit with Unite during the first quarter of 2011. Unite has been pushing RBS and many other employers across the financial services sector to undertake such audits for many years now. The next step will be to ensure that the bank tackle any





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gender pay gap and bias in their pay processes quickly, which should be revealed through the Equal Pay Audit. We will advise members of progress in due course.

There was no movement during negotiations in terms of the union's claim for an increase in the current cap on pensionable pay increases imposed by the bank as part of the wider pension changes announced in 2009. The Group has advised that they believe the cap is essential to sustain the defined benefit pension scheme and to allow members to continue to earn benefits under this plan they feel they had no alternative other than to control the associated risks and costs.

The pensions cap for 2011 will be 2%, therefore any member accepting a salary increase of 2% or above will be agreeing to a cap on the increase in pensionable pay of 2%. The Group's standard approach within their pay communications is to ask all staff accepting a pay increase to agree the pensions cap. However, as a matter of principle, in circumstances where the salary increase is less than 2%, members are not obliged to accept that the pensionable element will be capped at 2% and this will not prevent the requisite salary award being made. The bank will be writing separately to any members of staff who decline a salary award of less than 2% to clarify this point and to give them the option to have their salary increase paid.

Clearly Unite are disappointed that there was no movement on this element of the Pay Claim, however we will continue to raise this with the bank and there is no doubt that it will remain a key element of future pay claims.

## Unite Comment

In eventually reaching the settlement on Pay 2011 the Unite NCC has taken into account a number of factors:

- Feedback received from members both throughout 2010 and in response to our pay claim in advance of the salary

negotiations.

- The improvements made on the bank's initial base salary pay offer having a positive impact on the number of zero awards and an overall benefit to in excess of 14,000 staff, the majority of whom are on the lower paid Clerical grades.
- For 2011, the agreement reached on pay has been driven by the bank's attempts to largely respond to the key tenets of the Unite Pay Claim which primarily sought to both ensure that the number of zero awards were reduced and that Unite secured improvements to the initial offer in line with the outcome of the Pay 2010 negotiations.
- The bank agreed to eventually recognise the economic turmoil and increasing cost of living that our members are facing. In securing agreement on a minimum £100 underpin (pro-rated for part time staff), although clearly a very modest sum, this was the first time ever that the bank had made any acknowledgement that the increasing cost of living was a factor that could not be ignored.
- The continued financial difficulties that face the Group were also a factor as well as the outcome and progress of pay negotiations in other parts of the Finance Sector and the wider economy.
- The bank made it clear that failure to reach agreement on the revised pay offer would result in the withdrawal of the improvements made during negotiations.

The Unite NCC had a very difficult debate and decision to make around the bank's revised pay offer, as it was absolutely recognised and your NCC were acutely aware that notwithstanding the improvements made during negotiations, that some employees would be rightly disappointed with the outcome of salary negotiations.

The union once again maintains concerns over the number and distribution of Level 2 ratings. Whilst the overall level of underperformance has dropped, the trend of being more likely to be an underperformer the

lower your grade is consistent across the Group. Your trade union simply don't believe this is a true reflection of the manner in which our members perform and clearly we will continue to challenge the bank on this. The recent annual results have shown that RBS staff and Unite members have remained hardworking and committed in the face of adversity and are now well on their way to bringing the bank back to stand alone strength, therefore all staff should be rewarded for their efforts.

What appears clear is that the bank has not changed their core approach to pay of rewarding good performance and applying market rates of pay, whilst Unite favour a pay system which primarily awards all members in line with the true cost of living, with performance being awarded through additional increases to base pay.

This has been the subject of ongoing discussion with the bank over many years and remains a philosophical difference in approach to pay and reward. The trade union do however believe that for the first time in years the bank has recognised the very real cost of living and have perhaps therefore at least reflected on their current pay methodology.

The Negotiating Team are confident that these new arrangements represented the best deal possible through the negotiation process and will go some way towards motivating staff who have made RBSG so successful in the past and who are working tirelessly to drive the bank's recovery.

## Strategic Review & Job Speculation

There is no doubt that 2010 has been another incredibly difficult year for all staff across the Group. Whilst the bank continues to make progress on their path to recovery with an operating profit reported for 2010 of £1.9 Billion, the Group also reported an overall loss of £1.1 Billion so clearly there is still some way to go on the 5 year Strategic Review recovery plan. Anxiety amongst staff

regarding job losses and possible changes to terms and conditions is therefore never far away and we have already seen many of our members pay the ultimate price with their jobs.

Unite met many members during 2010 when we visited workplaces impacted by closure announcements, we also undertook 2 major campaigns across the branch network and large sites in the West Midlands and more recently the North West. Unite will continue our programme of workplace visits during 2011 as we seek to support members who are impacted by the outcomes of the plethora of restructure programmes across the Group.

In the event of any plans to reduce headcount within RBS, or to undertake any restructure that may impact our members terms and conditions, the bank is committed to engaging and consulting with UNITE at the earliest opportunity. During 2010 we

signed a new improved Recognition & Procedural Agreement with the bank, we are actively engaged with all divisions in the Group where we are recognised for the purposes of collective bargaining and therefore have the opportunity to represent the views of our members. The trade union will continue to do everything possible to avoid compulsory redundancies and protect jobs, as well as supporting members.

### What Next?

The bank will recently have communicated full details of how this year's pay settlement impacts upon you individually. Unite will continue to meet the bank during the course of this year at regular pay and policy forum meetings. These meetings provide an opportunity to keep our members' priorities on the agenda and we will provide regular updates on progress.

### Pay 2010 Enquiries/Feedback & Pay Champions

In the first instance we would encourage members to address pay queries via your Line Manager, alternatively you can contact our Member Helpline or email the trade union at [rbsinfo@unitetheunion.org](mailto:rbsinfo@unitetheunion.org).

We always welcome feedback from our members and would therefore encourage our members to let us know their views on the Pay 2011 settlement. We would also be keen to hear from any members who may be interested in becoming a Pay Champion for the union, this would broadly involve members in seeking the views of their colleagues in your workplace to further inform the Pay agenda.

If you are interested in this role then please email us at [rbsinfo@unitetheunion.org](mailto:rbsinfo@unitetheunion.org) providing your name, membership number, home address and workplace address.

## WorldPay TUPE transfer update

**Following the announcement in August of the disposal of a majority share of Global Merchant Services to Private Equity Partnership Advent & Bain, UNITE entered into a period of TUPE consultations and negotiations with RBS and the new company WorldPay.**

The TUPE discussions were broadly positive and were unusual, as the majority of TUPE transfers involve a transfer to an existing company, therefore often this will involve the adoption of the new employer's pension scheme, pay scales, bonus plans etc; however with WorldPay this represented a brand new company and as such a blank canvas in many respects.

The UNITE newsletters on the transfer (available at the website [www.unitetheunion.org](http://www.unitetheunion.org)) described the outcome of TUPE discussions as "broadly favourable" whilst stating that "overall agreement could not be reached as a result of failure of the parties to reach agreement on future pension provision".

Good progress was made around a number of areas including Value Account, Mortgage Subsidy, Sick Pay, Severance Terms, Annual Leave, RBSelect-style products and general policies, procedures and processes; however the key area where no agreement could be reached was around pensions and specifically the pension provision for members of the Defined Benefit Pension Scheme.

WorldPay have provided a Defined Contribution Pension Scheme that almost mirrors the RBS DC Scheme, the Retirement Savings Plan, whilst providing a 15% Employer Contribution, as is the case with RBS.

This same arrangement was proposed for members of the DB Scheme and it was argued long and hard that this arrangement did not take into account the 25% Employer Contribution made by RBS into the DB Scheme or the fact that benefits such as Death in Service, LTD and Dependent's Pensions are all provided free with membership of the DB Scheme.

These would be benefits that members would now have to pay for and members of the DB Scheme are understandably angry at such a position.

UNITE are currently exploring next steps with members in WorldPay.

RBS retain a 19.99% stake in WorldPay and the transfer went ahead overnight on the 30th November. UNITE will continue to be the recognised Trade Union for WorldPay staff in the UK and an extensive piece of work has been undertaken to identify those members in-scope of the transfer and moving these members to a new workplace code etc.

If you are a WorldPay member and reading this, you are probably still recorded as a RBS member, therefore please e-mail your details to [rbsinfo@unitetheunion.org](mailto:rbsinfo@unitetheunion.org) and we will arrange to amend your details on the membership system and ensure that you receive WorldPay specific newsletters and publications.

# BUSINESS SERVICES – ENHANCED REDUNDANCY MITIGATION MEASURES

**Following the announcement on 2nd September of a further 3500 job losses as part of the Group's next phase of its Strategic Review in Business Services, Unite concluded consultations with the bank on a series of Redundancy Mitigation Measures (RMMs) to minimise the impact of Compulsory Redundancies (CRs) within Business Services, Group Operations and Technology Services.**

## Background to RMMs

In circumstances where significant job losses are announced Unite's key focus is on ensuring that the bank undertakes every conceivable measure to minimise CRs and to ensure that any members who wish to remain employed with the Group are given every support and assistance to do so. Whilst Unite welcomes the bank's commitment and early engagement in developing the RMMs, the scale and impact of the continued job losses is potentially devastating and will also have impacts across local communities due to the number of operational sites being closed.

In this regard the main aim was to establish a set of RMMs that would make it more attractive and feasible for members to stay with the Group whilst at the same time allowing the bank to retain skilled staff who have remained loyal and committed during the bank's difficulties and who will prove vital in the bank's ongoing recovery plan.

## Summary of RMMs

Full detail of the RMMs and the criteria applying to each will be provided by the bank at the time when members are put at risk of redundancy, however the main measures agreed include:

- A lump sum payment of £5000 (subject to tax and NI deductions) will be paid to all members of staff who secure an alternative role at a location outwith a 40 mile radius/one hour travel time from the employee's home. This will be subject to 100% clawback if individuals resign or are dismissed from the Group in year 1, 50% clawback applies in year 2. If individuals undertake a trial period for an alternative role in the bank and this is unsuccessful the clawback will also apply.
- In addition to the £5000 lump sum, travel assistance may be paid. The full difference in additional travel costs between your home and old work location and

your home and your new work location will be paid in year 1, reducing to half in year 2. If the new role is located in the same town or city as your current role, then travel assistance will not be provided.

- For those members who as an alternative to redundancy move home, and their new work location is 60 or more miles from their current home, then a home move allowance equivalent of up to 50% of any redundancy payment may be paid over and above the £5000 lump sum. Relocation allowance applies where the new work location is in excess of 60 miles. The home move will also be subject to the terms of the bank's relocation policy.
- A preference register will be opened at all sites where members are at risk. The bank will also give consideration to undertaking a targeted voluntary severance exercise across sites dependant on the outcome of preferences in an effort to minimise the number of CRs.
- Consideration will be given to Voluntary Job Matching once the outcomes of preferences, Voluntary Redundancy/ Voluntary Early Retirement applications and any limited pooling selection are known. Included in this edition is an article giving further information on Voluntary Job Matching.
- Trial periods in alternative roles may be extended to a maximum of 6 months with full training and support being provided with any redundancy payment being paid in the event of an unsuccessful trial period. The bank will be flexible over shifts and working patterns.
- Individuals benchmarking for alternative roles in Business Services will be given preference for roles if they are at risk.
- For members in Technology Services (TS) only a vocational training allowance of up to £2500 will also be available. This additional option for TS members is due to the geographical spread and technical nature

of the roles in Technology Services in recognition that travel and relocation may not be as viable an option as it is for people in Operations and therefore redeployment opportunities may be limited.

In addition the previously agreed measures will remain available to all at risk employees across the Group, including:

**Small Business Funding** – These options are available to those who leave the Group to provide some assistance in starting up a business. To be eligible you must apply for the funding within 9 months of your exit date. The benefits include £500 free business start up funding, RBS matched government funding up to a maximum of £1000 can also be provided when an individual receives government funding. Individuals will also be able to benefit from the RBS small firms loan guarantee scheme.

**Extension of YourBank Facilities** – If you are leaving the bank's employment, benefits received will continue for 6 months, e.g. credit card rate. Loans and mortgage rates will continue at YourBank rates to the end of the current agreed term at which point they will revert to customer rates

## Regional Boards

The bank has also established a regional support model which is focusing on securing redeployment opportunities and ensuring that there is a joined up approach across the regions to maximising redeployment at retained sites. Unite has representation on these Regional Boards which all members at impacted locations should be aware of. Unite urge all members and impacted staff to actively engage at local level and to present their ideas on avoiding CRs and maximising redeployment opportunities to the bank and Unite.

## Unite Comment

Unite welcome the introduction of these measures which apply to all at risk staff across Business Services and which will hopefully provide some security and comfort to members who stay with the Group. However there remains an incredible disappointment and frustration that the bank's recovery is far from complete. Many ordinary working members are yet again paying the ultimate price for the bank's failures and Unite will continue to challenge the business rationale behind these announcements as part of the ongoing consultation process.

Unite are also urging RBS to agree to extending these RMMs to all staff across the Group as currently they apply within Group Operations and Technology Services in Business Services only. These RMMs allow the bank to retain key loyal and skilled staff, avoid paying a full redundancy payment and most importantly help to reduce CRs.

Whilst it is early days in determining the success and uptake of these RMMs, Unite would encourage any member who finds themselves at risk and who wishes to remain with the Group to seriously consider their options. We are aware that members in Enfield, which is the first site facing closure, have already managed to secure a redeployment opportunity and have directly benefited from the £5000 lump sum payment, some welcome news in the face of such difficult times.

If you require further detail on the RMMs please speak to your Line Manager or visit the bank's Strategic Review Employee Support pages on Business Services Insite in the first instance.

## Voluntary Job Matching

As part of the union's ongoing discussions with the bank around redundancy mitigation, the bank has also agreed a set of Voluntary Job Matching (VJM) or sometimes more commonly known as "job bumping" principles which apply across the Group.

Essentially VJM avoids CR by allowing job matching between those at risk of CR who wish to remain employed with the bank and those in non impacted roles. Through consultation Unite and the bank would seek in the first instance to identify suitable non at risk roles to facilitate job matching. The end result is that the non at risk individual volunteers for redundancy and the individual who was facing CR stays with the bank, thus avoiding a CR.

To get the bank to agree these principles

was a long drawn out affair, primarily because the criteria which apply are complicated and the process needs to be monitored and managed sensibly and pragmatically. The key factor is that there needs to be a member at risk of CR who wishes to stay with the Group before the VJM process can commence. It is not intended as a mechanism to allow those who have not been selected for redundancy, i.e. their role is safe, to facilitate their exit from the bank because they wish to leave.

The key principles that apply to the VJM process are:

- Job Matching is managed on a 'voluntary' basis.
- Any process needs to support the retention of key skills in the Group.
- The benefits of VJM will be considered against the risks associated with such an approach and its application to individual business cases e.g. potential disruption to a significantly wider population of non at risk employees.
- VJM is available where all the roles being compared are considered to be 'suitable alternative employment' (SAE). Factors which may be considered in determining whether a role is SAE include the salary for the new role sitting within the same salary banding as the displaced role, the new role having similar skills, is based at the same location or one within a 40 mile radius of the home location and the skills and competencies to undertake the new role are broadly similar and would require minimal retraining, thus overall the idea is that there is no detriment in taking the new role.
- During business restructure consultations the bank will advise Unite at an early stage of any potential VJM opportunities that they have identified which could then be considered in the event of CRs. Unite will also identify and propose potential areas for consideration of VJM. The VJM process also seeks to complement and enhance the redeployment process. If individuals are facing redundancy and wish to stay with the Group they would opt for redeployment on their preference form, in the event that they are then facing CR, VJM opportunities may then be considered if it has been agreed that will apply to that particular restructure. At risk members can also be proactive in their approach to VJM by identifying non at risk colleagues who they believe would be a suitable job match.

By way of example around how job matching can work in practice:

There are two employee populations, A and B. There is a need to reduce the headcount in population A, but not in population B. After closing the VR register for population A and discovering that there are fewer requests for VR than are required, i.e. potential for CRs, population B are advised that their roles are not 'at risk' but they have the option to apply for VR. Letters inviting applications for VR are then issued to population B.

Where the same numbers of employees in population B apply for VR as there are employees at risk of CR in population A, employees from population B leave the Group, so population B are effectively replaced with the employees from population A.

However, where the number of VR applications in population B is less than those at risk of CR in population A, normal matrix selection is undertaken in population A for the roles available in population B. Where the number of VR applications in population B exceeds those at risk of CR in population A, the bank elect those from population B they wish to retain using the matrix selection approach.

VJM can equally apply between at risk populations, for example if one selection pool is oversubscribed by volunteers but the other is undersubscribed, matching may take place between at risk employees provided that the roles fall within the parameters of SAE as described above.

The success or otherwise of VJM will be tested to the full as part of the ongoing Strategic Review across the Group. Due to the large scale losses and the specialist nature of many roles within Technology Services (TS), the bank has also extended the principles by opening up VR across most parts of TS and facilitating VJM between roles that are not necessarily deemed to be SAE in an effort to reduce CRs. Extended trial periods and training, coaching and development in alternative roles also form part of the enhanced redundancy mitigation measures referred to in the separate article on this subject included in this edition of Catalyst.

There is therefore no guarantee that ultimately a CR will be avoided or that individuals who are not at risk but express an interest to leave under the VJM principles will have this request approved, however VJM presents an opportunity to minimise CRs that did not previously exist in RBS and is therefore to be welcomed.

If members have any queries about VJM then please don't hesitate to get in touch.

# THE RAINBOW NETWORK

## What is the Rainbow Network?

The network is the Group's worldwide support and networking forum for Lesbian, Gay, Bisexual and Transgender (LGBT) employees, and is open to anyone interested in LGBT diversity within the Group.

## More About the Network

The Rainbow Network, has over 980 members globally and offers support, networking opportunities and social activities to our lesbian, gay, bisexual and transgender ("LGBT") colleagues and friends. They work closely with Human Resources and the Diversity initiatives through the business, to understand and communicate any developments relating to the diversity framework within the Group. The Network last year celebrated its 5th anniversary with a well attended conference and Executive level sponsorship.

The RBS Group has received a number of awards related to diversity, including being placed in the Stonewall Top 100 Employers Workplace Equality Index for Lesbian, Gay and Bisexual people.

## Being Gay and Working at RBS

Diversity and inclusion is an integral part of the day to day operation of the RBS Group. The Group recruits, develops and promote their people on the principles of inclusion, meritocracy and fair treatment. It is recognised that diversity is about understanding individual talents and ensuring that people can reach their full potential whilst being able to bring their whole self, in an open manner, to work.

## A view from one of the Network's members:

"The RBS Rainbow Network is the Group's employee network for LGBT staff and their straight allies. I joined 5 years ago. Back then it was in its infancy and still relied on word of mouth; with fewer than 50 members, it was fighting to get recognised. In those early years a few of us even walked 54 miles in the Scottish Mountains in 24 hours (the Caledonian Challenge) in order to get more internal coverage! Today with the benefit of a great Intranet page and support from our Group Communications the Network is approaching 1,000 members globally and more and more people are getting



to hear about what we do and wanting to get involved.

Being different in the workplace makes you valuable to your company, as you know and understand things that others don't, but it can create challenges for you as you try to do your job. Through improving awareness and offering personal development and mentoring, the Network has made it easier for LGBT people, including me, to overcome these. Being out and accepted at RBS has made me happier and a better worker. The group understands that people perform better when they can be themselves. In a recent comms Brian Hartzler, our new Executive sponsor, communicated the following message:

"The greatest asset of the Group is our people - we've got thousands of people working together across the world and as a global business it's important we recognise and celebrate diversity within our workforce. We also need to make sure our people have the right support in place to make them feel engaged at work. For the Lesbian, Gay, Bisexual and Transgender population of the Group, the RBS Rainbow Network provides this support as well as development and networking opportunities. So I'm delighted to be involved with RBS Rainbow Network and look forward to playing my part in shaping the network's future."

As the issue of diversity doesn't stop at the doors of RBS, the Network considers itself to be outward looking. We jointly sponsor awareness and networking events and share best practise with other banks in the LGBT Interbank Forum. Internally the Network celebrated its 5th Anniversary last year with a conference that many Executives took part in alongside their gay, lesbian, bisexual and transgender colleagues. As well as being thought provoking and constructive it was often funny and members had a very enjoyable evening"

The Network also supported a screening of the film FIT, which was shown in both Edinburgh, London and later on in Manchester. FIT is the feature film adaptation of Stonewall's highly successful play for schools that is helping to combat homophobic bullying and was glowingly described by The Times as. "A kind of gritty take on the shiny E4 drama Glee." The Network is conscious that many people in RBS have children and relatives who suffer from such bullying and they are proud to support this campaign.

If you are interested in finding out more about the Rainbow Network or joining them then you can find their pages on Insite. You can also find out more about UNITE's Equality Networks by contacting [rbsinfo@unitetheunion.org](mailto:rbsinfo@unitetheunion.org)

# SANTANDER TRANSFER – UPDATE

In August 2010 it was announced that Santander had successfully bid for the RBS Retail Branch Network in England & Wales and Natwest Retail Branch Network in Scotland, along with the associated businesses that make up the totality of the divested business. UNITE communicated with all members at home addresses within RBS on the subject of the divestment in August and advised that the actual transfer date would be some 12-18 months away.

The actual transfer date has yet to be confirmed, but it is anticipated that Change of Control will occur towards the end of 2011. UNITE have impressed upon both RBS and Santander the opportunity to use the long lead in time for the transfer to commence and conclude discussions on

the transfer terms in a timely manner, thus giving staff transferring comfort and certainty regarding the TUPE terms.

There have been initial meet and greet meetings between Santander and UNITE, where broad issues relating to the transfer have been discussed, but no formal consultations regarding the transfer terms. Santander have communicated with in-scope staff through a series of workshops and *Insite* messages, with the latest before Christmas confirming that the commencement of the TUPE discussions were on-track for quarter 1 of 2011, these are likely to kick off in March.

UNITE will be communicating with members in-scope of the transfer as the TUPE discussions progress via newsletter

and also via e-mail using the growing list of in-scope members that have made themselves known to UNITE.

If you are a UNITE member and in-scope of the transfer to Santander and have not already advised UNITE that you are in-scope, please e-mail your details (including membership number if known) to [rbsinfo@unitetheunion.org](mailto:rbsinfo@unitetheunion.org) and we will add you to the list of in-scope members, as well as add you to the e-mail distribution list for updates and newsletters.

These electronic updates will not replace the normal sources of communication and UNITE will continue to produce newsletters that are circulated to workplaces and posted on the Group intranet site.

## Workers call for a Charter on responsible sales practice

On 10 June 2010, finance unions from around the world met in Copenhagen to launch a charter on the responsible sale of financial products.

Under the umbrella of UNI Finance, finance unions around the world will take the charter to banks and insurance companies with the request to enter into negotiations on company specific charters on responsible sale of financial products.

The charter sets out principles for creating a corporate environment that enables finance workers to provide good advice to customers buying financial products.

The charter calls on companies to:

- Apply internal operating procedures conducive to responsible sale of products
- Empower the employees of the company
- Ensure incentive systems for employees at all levels are realistic, fair, transparent and based on long-terms and sustainable business goals
- Apply incentive structures rewarding good customer services and qualified advice
- Establish internal structures allowing employees to report inappropriate practices to an independent ombudsman

The model charter is a step towards overhauling the business model of the finance industry to promote fair sales practices, transparency and encourage a risk-conscious business model that focuses on the customer.

The charter is an important means of rectifying one of the main failings of the finance industry that led to the financial crisis, sales and performance pressure on workers coupled with focus on short term profits.

## Membership Record Update Form

Membership number (if known) or DD Reference(if known):.....

Name:

(inc any name changes).....

Title (Mr/Mrs/Ms/Miss/Other) ..... First name:.....

Surname:..... Changed Name? (Yes/No)

Details of old name:.....

Home Address,

must include post code:.....

Moved house? (if yes please provide old postcode) .....

Date of birth:..... Mobile Number.....

Email Address:.....

Work Address:.....

Notes:.....

Please complete and return the form to:

Nicky Hooper, Unite the Union, 63 Macrae Road, Ham Green, Bristol, BS20 0DD



# Job Security Agreement (JSA)

## A useful guide when facing redundancy

**The JSA is an agreement that exists between the trade union and the bank and covers the arrangements in place and the bank's obligations in the event of a redundancy situation. Its primary objective is to ensure that any reduction in headcount is handled lawfully, fairly and in line with bank policy as well as ensuring that every effort is made to minimise the number of Compulsory Redundancies.**

The bank is legally obliged to consult with UNITE in advance of announcing any job losses. Whilst Unite engage in often extensive dialogue with the bank this in no way means that we are in agreement with their proposals. Unite's key objectives during such consultations are to challenge, question, input and influence the bank's plans and to ensure they are fulfilling their obligations under the terms of the JSA.

It is the bank's responsibility to outline to members how they will be impacted by any job loss announcement which usually takes place initially as part of a general announcement which is then followed by a one to one meeting to give more specific detail of how members are personally impacted. The union's role is to assist, advise and support members through these changes and to ensure that they are treated in line with the JSA.

In the event of being put at risk of redundancy, the specific impact on an individual will be dependant on the circumstances of the restructure. Members will normally be given the option to select Voluntary Redundancy, or Voluntary Early Retirement if eligible, or Redeployment.

**Voluntary Redundancy/Voluntary Early Retirement (VR/VER)** – As mentioned all at risk members will be given the option to apply for VR/VER, however the bank do reserve the right to refuse VR/VER, for example if a suitable alternative role exists or they are oversubscribed with volunteers for redundancy.

**Redeployment** – This is the term used if you wish to apply for other roles within the Group and do not want to opt for VR/VER. The bank must actively support individuals in this process and the union will also provide support and assistance. Individuals will be considered for both Suitable Alternative Employment (SAE) and Alternative Employment (AE). Members may also decide to apply for roles outwith the Group in which case they are entitled to reasonable time off for interviews and outplacement support.

**Selection Pools** – Individuals will be placed into a selection pool where the role is continuing, there is no substantive change to the role, but there are fewer roles in the new structure. For example a team of Clerical B employees or CSO's where the current number of roles is 10 and only 5 roles are required in the new structure. In these circumstances selection for the new role would be undertaken by matrix selection which takes into account the skills and competencies for the roles as well as the previous 3 year's performance ratings. A scoring system is used to determine the outcome of the selection process for the remaining roles; an interview may be required in the event of a tie in the scoring. Selections may be avoided where sufficient volunteers have been identified and the volunteers would be confirmed before any selection process commences.

**Role is Displaced** - Other members may find that their role does not exist at all in the new structure in which case the role is displaced outright.

### **What is Suitable Alternative Employment? (SAE)**

This is where a member secures another role within RBS, maintaining their present salary and benefits, or equivalent. The new role will also be similar to the role that is being made redundant in terms of the skills, competencies and location of the role.

### **What is Alternative Employment? (AE)**

This is where a member takes on a role at a different grade, in the case of a role at a lower grade their current skills or knowledge may not be used to full potential or in the case of a promotion they may require a period of training to undertake the new role. A role at another work location outwith reasonable travelling distance is also considered as AE as is a role that is not continuing on a permanent basis. A role at the same grade, salary, benefits and location can also be considered AE where the job content and competencies to undertake the role are significantly different. Individuals are under no obligation to accept AE, they will be given a trial period in the alternative role and if it doesn't work out they are still entitled to redundancy.

Employees accepting AE and taking a downgrade will also be compensated for any loss of earnings, this will be done either as a lump sum payment or part lump sum and/or part paid in equal instalments depending on the difference between the old salary and the new salary.

Where an individual takes a one step downgrade and the difference in the salary element of the current and new roles sits below £5,000, a compensatory payment equivalent to the full difference will be paid. Where the difference is more than £5,000, a compensatory payment equivalent to 50% of the difference will be paid; however

the minimum payment will be £5,000 and the maximum payment £10,000.

These payments can be paid either in full as a lump sum, subject to deductions or an individual can opt to take 50% as a lump sum and the remaining 50% in 12 equal monthly instalment over the following year.

Where an individual takes a two step downgrade, the monetary thresholds increase to £10,000 and £20,000, therefore any difference less than £10,000 will be paid in full, any differences above £10,000 will be paid at 50% with a minimum payment of £10,000. The same payment plans exist in these circumstances. Where the trial period is unsuccessful and the individual receives a redundancy payment, this will be reduced by the amount of compensation paid.

### Redundancy Mitigation Measures

The full detail of these measures was included in the last edition of Catalyst and includes travel assistance, relocation assistance, voluntary role reduction, part-time/short time working and small business funding. Unite has also agreed Voluntary Job Matching principles with the bank, the detail of which are included in a separate article in this edition. For Business Services affected by the Strategic Review job loss announcements in September 2010, a series of Enhanced Redundancy Mitigation Measures have been agreed, again the full detail of these are included in this edition of Catalyst.

### Appeals against Redundancy

Members can appeal if they believe they have been unfairly selected for redundancy on the basis of failure to follow the terms of the JSA or if they believe they have been unfairly scored or any part of the

selection process has been unfair. Appeals will also be considered where a member has been served notice of CR and VR applications from the same area have been declined.

CR should therefore happen only as a last resort and the bank has given an ongoing commitment to Unite to ensure that wherever possible all efforts are made to avoid CRs.

### Severance Terms

The severance terms (redundancy terms) for all RBSG employees are 3.5 weeks per year of service capped at 104 weeks.

Employees who are members of one of the Group Defined Benefits Pension Schemes and are over the age of 55 can either opt for a discounted pension or leave their pension deferred and receive 3.5 weeks pay per year of service again capped at 104 weeks.

Alternatively you can take an immediate undiscounted pension and a severance payment based on one weeks pay per year of service capped at 80 weeks or statutory redundancy which ever is the greater. Employees under the age of 55, but 50 or over can also opt for an immediate undiscounted pension and the severance payment detailed above, providing that they leave the employment of RBS on Voluntary Redundancy.

If you are facing redundancy then the above information will hopefully provide a summary of the key vital information that members will need to know. It is however important that you ask questions or make any concerns known to local management in the first instance and if the matter remains unresolved then please contact our Helpline on 0870 241 4425 or email us at [rbstinfounitetheunion.org](mailto:rbstinfounitetheunion.org).

# Is the customer always right?

The Health and Safety Executive (HSE) defines work-related violence as:

Any incident in which a person is abused, threatened or assaulted in circumstances relating to their work.

This can include verbal abuse or threats as well as physical attacks. ([www.HSE.gov.uk](http://www.HSE.gov.uk))

The customer is always right! That's what used to be said about customer service, but what happens when the customer is being abusive towards to you? Are they right then?

More and more calls are being made to the Unite Helpline from across the group, where members are recounting incidents where they are being verbally abused by customers. This abuse can happen face to face or via the telephone but either way it can be distressing to the recipient. What is particularly disturbing is that there is a perception that being shouted and sworn at is just part of the job. Nothing could be

further from the truth; none of us come to work to face abuse.

As can be seen, the HSE view verbal abuse in the same light as physical violence. So should it take an assault on a colleague before an incident is reported? The simple answer is NO.

Being shouted or sworn at is never pleasant. Being shouted and sworn at when you are at work is unacceptable. Not only is it humiliating for the individual on the receiving end it also affects the individuals self esteem, self confidence, can affect health and reduce performance. Every employer has a duty of care to their employees to provide a safe and healthy working environment. An environment where colleagues are abused does not meet this standard. Royal Bank of Scotland group has produced a suite of guidance cards for Health & Safety issues. The 'Stay Cool' card ([http://www.group.rbs-grp.net/HR5/Health\\_and\\_Safety/Guidance\\_Cards/](http://www.group.rbs-grp.net/HR5/Health_and_Safety/Guidance_Cards/)) gives sound advice on how to

avoid and diffuse abusive situations. Unfortunately despite these guidance notes colleagues are still suffering verbal abuse from members of the public.

What do you have to do? – Don't suffer in silence, use the 3 R's:

Report it,  
Report it,  
Report it!

Every incidence of abuse from customers must be reported to line managers as soon as possible to demonstrate the severity of this problem.

In addition to this let your trade union know what's happening. Your union meets regularly with the bank to discuss Health & Safety issues and these meetings would be an excellent forum to raise concerns over abusive customers.

Let's work together for an abuse free workplace. Is the customer always right? If they are abusive then NO! NO they are not.

# NCC MEMBER DETAILS

Your NCC are ordinary working members elected to make decisions and represent the views of the wider membership across the Group.

If you would like to get in touch with the NCC member from your region to give your views or assist in any of Unite's campaigning activity then you can find their contact details here:

NAME	REGION/SEAT
Andrew Hall	East Midlands
Dominic Stone	East Midlands
Somie Takhar	West Midlands
Angela Foord	London & Eastern
Stephen Fallowell	London & Eastern
Roger Watson	London & Eastern
John Hurley	London & Eastern
Anne Burton	Black African Minority Ethnic
Mikyla Greenfield	North East, Yorkshire & Humberside
Eric Hensby	Pensions Liaison Delegate, Retired Member
Simon Peach	South East
Cathy McEwing	South East
Donna Williams	South West
John Locke	South West
Rhys Ryland	Wales
Stephen Smith	CHAIR North West
Louise Moore	North West
Brian Puddicombe	North West
Simon Godfrey	Scotland
Agnes Tolmie	Scotland
Marie Kiernan	VICE CHAIR Scotland

WORK ADDRESS	WORKS NO	E-MAIL ADDRESS
Royal Bank of Scotland Group, Trade Programme Design Lead, Global Trade Technology, GTS – Technology Services, Zone 1, 5th Floor, 10 Whitechapel High Street, London E1 8DX	0203 246 4371	Andrew.b.hall@rbs.co.uk
Nat West, Norfolk Square, Glossop, Derbyshire SK13 8BR	07768 931 288	Dominic.stone@rbs.co.uk
Nat West, Wolverhampton Customer Relationship Team, 3rd Floor, Mander House, Dudley Street, Wolverhampton WV1 3NB	01902 379 446	Somie.takhar@natwest.com
Royal Bank of Scotland, Credit Card Centre Group Manufacturing, Thanet Grange, Southend on Sea, Essex SS99 1WL (Depot Code 028)	017764 655 764	Angela.Foord@rbs.co.uk
Nat West, National Westminster House, 5 Sydenham Road, Croydon CR0 2EX	0208 253 5687	Stephen.fallowell@rbs.co.uk
Nat West, 35 Town Centre, Hatfield AL10 0JU	07500 992 121	roger.watson@natwest.com
Nat West Bank Plc, 1 Hatton Garden, London, EC1P 1DU	F:0207 390 5968 T: 0845 711 477 M: 07747 473 280	John.j.hurley@natwest.com
Coutts Banking Operations, 1st Floor, Aldgate Union, 10 Whitechapel High Street, London E1 8DX	0207 063 2793	Anne.burton@Coutts.com
Business Services, 1st Floor, Central House, Otley Road, Harrogate, North Yorkshire, HG3	01423 532 547	Mikyla.greenfield@natwest.com
		Eric.hensby@talktalk.net
RBS Invoice Finance Limited, Block H, Sunbury Business Centre, Brookland Close, Sunbury on Thames, Middlesex. TW16 7DX	F: 0208 587 9805 T: 01932 766 805	Simon.peach@rbsif.co.uk
Nat West CTC, Brunswick Gate, Brunswick Place, Southampton, S015 2AQ	02380 836 358	Cathy.mcewing@rbs.co.uk
Nat West, 1st Floor, 48 High Street, Uxbridge, Middlesex	07967 243 723	Donna.williams@natwest.com
Nat West, Newton Abbot, 48 Courtney Street, Newton Abbot, TQ12 2EE	07901 567 367	John.locke@natwest.com
Royal Bank of Scotland, 4th Floor, Tinity Quay, 2 Avon Street, Bristol, BS99 3SS Depot Code 192	0117 900 3632	Rhys.ryland@natwest.com
Nat West, 40c Liverpool Road, Penwortham PR1 0DQ, Dept Code 197	07760 172 139	Stephen.smith@rbs.co.uk
Nat West Retail, 29 Market Place, Egremont. Cumbria, CA22 2WY	01946 824 782	louise.moore@natwest.com
NatWest Bank, PO Box 65, 2 Chestergate, Macclesfield, Cheshire, SK11 6BS	01625 665 210	Brian.puddicombe@natwest.com
69 High Street, Irvine, Ayrshire, KA12 0AL	07734 070 620	Simon.1.godfrey@rbs.co.uk
Royal Bank of Scotland, Room 4.3, 4th Floor, 250 St Vincent Street, Glasgow G2 5SH	T: 0141 308 4102 M: 07739 078344	Agnes.tolmie@rbs.co.uk
Royal Bank of Scotland, 3 High Street, Dundee, DD1 9LY	T: 01382 228 111 M: 07825 725 410	marie.1.kiernan@rbs.co.uk

# The Equality Act 2010 – A Guide to Disability Discrimination

The Equality Act 2010 (the Equality Act) became law in England, Scotland and Wales in October 2010 and, brought discrimination law under one single piece of legislation for the first time. Extensive guidance is available on the new Act from the Equality and Human Rights Commission Website, <http://www.equalityhumanrights.com/advice-and-guidance/new-equality-act-guidance/>.

One area that UNITE are contacted by members on regularly in the RBS Section is that of Disability Discrimination and this article aims to provide an overview and guide to Disability Discrimination under the Equality Act.

Under the Equality Act it is unlawful for an employer to discriminate against you if you are disabled. This applies to all stages of the employment relationship and includes:

- selection for jobs;
- your terms and conditions of employment;
- promotion or transfer;
- training;
- employment benefits;
- dismissal or any other detrimental treatment; and
- employment references

## Who is covered by the Act?

- All disabled workers from day one of employment, including part-time workers, agency workers and contractors;
- Applicants for employment
- The Act also protects workers from being discriminated or harassed because they are mistakenly perceived to have a disability;
- It covers workers who are linked or associated with a disabled person, e.g. a carer of a disabled child or adult.

## What is a disability?

The Equality Act states that you will be classed as disabled if you have a physical or mental impairment which has a substantial and long-term adverse effect on your ability to carry out normal day-to-day activities – this can include, using public transport, a telephone or reading.

There is no list of what constitutes a disability under the Act, but “substantial” means that it must be more than trivial or minor.

“Impairment” covers long term health conditions such as asthma or diabetes, but also fluctuating or progressive illnesses, such as rheumatoid arthritis.

A mental impairment includes the following; however whether these are covered under the act depend upon their severity:

- mental health conditions, e.g. bipolar disorder or long-term depression;
- learning difficulties, e.g. dyslexia;
- learning disabilities, e.g. autism and Down’s Syndrome

Some workers are covered automatically by the Act. Those with:

- cancer
- multiple sclerosis
- HIV/AIDs
- severe disfigurement

## The Act defines different forms of discrimination

Direct Discrimination is when an employer treats a worker less favourably than a worker who is not disabled because they have a disability, are associated with someone who has a disability, or are perceived to have a disability. Direct discrimination cannot be justified by the employer.

**Example** – Michael is unsuccessful in his application for a role of team leader within his organisation. He subsequently finds out that he was not offered the position because of stereo-typical assumptions about his mental health condition. This would be classed as direct discrimination by the employer as it is directly due to Michael’s disability,

**Example** – Louise has been offered promotion in her company and tells her boss that her mother, who lives with her, has become seriously disabled as a result of a stroke. Louise subsequently receives a letter advising her that the promotion has been withdrawn and another person, with less experience and qualifications for the role, is appointed to the job. This is direct

discrimination against Louise because of her association with her mother who is disabled.

Discrimination arising from a disability (new under the Equality Act) is when an employee is treated less favourably because of something connected with their disability.

**Example** – Janet has had several periods of sickness absence over a period of two years due to her disability and the organisation has dismissed her. Janet may have a case against her employer as the sickness absence occurred as a result of the disability. However, unlike direct discrimination which if proven cannot be justified, an employer may be able to justify their decision to dismiss Janet.

Indirect Discrimination (new under the Equality Act) is when an employer has a rule, policy, or practice that applies to workers which disadvantages people with a certain disability, compared with people who do not have a disability.

**Example** – A Call Centre is introducing a new e-mail system for workers. Under the provisions of indirect disability discrimination the organisation would need to ensure that the system is fully accessible to workers with visual impairments.

Harassment is unwanted conduct relating to a person’s disability, which has the purpose or effect of violating an individual’s dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that worker. A worker can also bring a case of harassment even if the behaviour is not directed at them and they are not disabled themselves.

**Example** – Brian, who has a learning disability, has just started a new job. His manager makes constant reference to his disability, calling him “slow” and “stupid” often in front of Brian’s colleagues. Brian asks the manager to stop and when he does not, raises the issue with a senior manager who does nothing to resolve the issue. Brian feels humiliated by this treatment and brings a case of harassment against his employer and manager. Wendy shares an office with Brian and she too is claiming harassment as the manager’s behaviour has also created an offensive environment for her.

Third Party Harassment occurs where disabled workers are harassed by third

parties who are not employed by the company, e.g. customers and clients. However, harassment will have to have occurred on two previous occasions, the employer has to be aware that the harassment has taken place, and have not taken reasonable steps to prevent it from happening again.

**Example** – Georgina works as a cashier in a bank and has returned to work after a stroke. She has recovered from the stroke well, but has a slight speech impediment. A customer has refused on four occasions to deal with her and has been insulting about her speech impediment. Georgina has asked the customer not to insult her, but his behaviour has continued. Georgina raises the issue with her manager, who tells her to ignore the customer, and refuses to speak to the customer about his behaviour. Georgina would be able to claim third party harassment as the behaviour has occurred on more than two occasions and her employer has taken no action to stop it happening again. The harassment does not necessarily have to be perpetrated by the same individuals.

Victimisation occurs where an employee is discriminated against because they have exercised a statutory right e.g. have raised, or supported a grievance, in respect of disability discrimination.

**Example** – Ian has provided evidence of disability discrimination by a supervisor against a colleague in a grievance investigation by an employer. The grievance is upheld and the supervisor then constantly makes remarks to Ian about his lack of loyalty and puts pressure on him to take on extra work which he does not require of other members of staff. Ian could bring a case of victimisation against his employer and manager.

### Duty to carry out a Reasonable Adjustment

An employer has a duty to make a reasonable adjustment where a provision, policy or practice and/or any physical features of premises causes a substantial disadvantage for a disabled person in comparison with a worker who is not disabled. What is reasonable will depend on the circumstances of the employer, including costs, resources and how practical the changes are. Reasonable adjustments can include:

- altering working hours;
- physical adjustments to premises;
- reallocating some duties to another worker;

- transferring a disabled person to another vacancy or another place of work;
- giving or arranging training to the disabled person or others; and
- acquiring and modifying equipment

### What should you do if you think you have a case for disability discrimination at work?

Disability Discrimination is a complex area of Equality legislation and one that the union and its members rely upon regularly when challenging disciplinary warnings for sickness absence under the Group's sickness absence procedure where the sickness is

disability related. If you believe that you have been subjected to Disability Discrimination, then you should contact your local Workplace Rep, the helpline or [rbsinfo@unitetheunion.org](mailto:rbsinfo@unitetheunion.org).

Please remember that all disability discrimination employment tribunal claims at work must be brought within three months minus one day of the occurrence of the discrimination. In some cases discrimination may extend over a period of time to make up a continuing act and in this case a claim must be brought within three months minus one day of the last discriminatory act, but the ability to claim a continuing act should not be relied upon where possible.



# Lean Transform Services – a bet

Many members within Business Services will by now be very familiar with the concept of Lean as the bank has continued to implement Lean practices across Business Services.

Lean is a concept which seeks to eliminate unnecessary processes and procedures or to streamline existing ones or develop more time efficient processes. Teams of Lean experts have been working in departments to understand the current working methods with a view to either removing processes that are viewed as wasteful or that do not add benefit to the business and its customers, or to making improvements to existing practices and procedures.

Lean is not a new concept but one that stems from the car industry going back a number of decades. RBS' decision to adopt Lean working practices forms part of the wider Strategic Review with a key focus on improving customer service and creating additional staffing capacity.

There are a number of drivers to the Lean programme. Whilst in the Retail Network the focus has been on automation, the centralisation of calls into Business Services and the use by customers of alternative banking channels, in Business Services working practices have been streamlined to make them as efficient as possible, thus creating additional headcount capacity. In this regard the bank has identified a number of key Lean strategies including:

## Voice of the Customer

Lean starts with understanding the customer's needs and expectations. Some of the changes you may have seen as a result of this are the more structured and consistent dialogues taking place with customers, calls are kept to a minimum once all necessary information is known. This has resulted in a significant improvement on average call handling times (AHTs). In many cases, this has also helped Business Services to increase their focus on Treating Customers Fairly.

## Process Efficiency

Many operating procedures have also been standardised for all common customer queries, thus making the process more efficient and consistent by taking out elements of a process that did not add value or that were perhaps previously being duplicated. The layout of the workplace has also been changed to make the working environment more user friendly.

## Performance Management

Standard daily performance meetings "huddles" take place to provide coaching and feedback as well as to address problems. Performance boards, sometimes known as white boards, are used to identify areas of concern and to monitor efficiency and effectiveness of working practices.

## Mindset and Behaviour

Has a number of strands, it aims to involve employees in the changes they want to see and to understand how people are feeling about the changes and the working environment. Some of the changes you may have seen are the Day In the Life Of's (DILOs).

## Organisation and Skills

Focuses on leaving the skills of Lean in the business to ensure it is sustainable and becomes part of how the business works.



# Information in Business Better way of working?

## Unite Comment

As mentioned, Lean is not a new concept but one many other employers have adopted in their efforts to reduce costs, make the working environment more efficient and improve customer service. The bank has engaged with Unite extensively throughout both the pilot stages and the roll out of Lean across Business Services. Whilst during the pilot phases and early roll out of Lean the feedback from many members, particularly in Business Services has been positive or at best neutral, Unite has always expressed concerns to the bank over the potential longer term impacts and outcomes of Lean which have been experienced in many other organisations who have adopted Lean practices.

More recently members who have had their workplace "Leaned" are now beginning to contact Unite with such concerns as they experience first hand the impact of the changes.

Many calls have been received from members who have experienced problems with the allocation of comfort breaks, indeed this has been the issue that consistently appears to be causing most concern. Often members report that they are on a strict allocation of comfort breaks with no additional opportunity to take ad hoc natural breaks. There are also concerns about the close monitoring and intensified scrutiny over the time taken for comfort breaks with members reporting embarrassment as all team members are aware when a colleague is on a comfort break with pressure to adhere to allocated break times. Unite have had many discussions with the bank about this issue which is both a breach of the bank's own Dignity at Work and Health, Safety & Wellbeing policies.

Recent discussions with William Higgins, Director, Business Services, Group

Operations, following a completely unacceptable attempt to standardise comfort breaks on one operational site, resulted in an apology to the business area and him agreeing with us that this was not what the Business Services' Lean programme was about. He gave Unite a commitment to continue to listen to feedback where practices like this are happening and to take action to rectify.

Other concerns are in relation to the potential mis-application of Performance Boards. Whilst the feedback from Business Services has been that for the most part the use of boards to show for example at a glance AHTs is welcome and is being used in the intended positive way to support and coach staff, those who experience higher AHTs have reported that they do feel embarrassed when other colleagues can see that they are at the bottom of the Performance Board.

One of Unite's main concerns is around headcount reductions. Indeed the additional headcount capacity creation in Business Services, has already directly resulted in job losses as the bank has moved work to other key locations that will remain after the Strategic Review. As well as job losses, the additional concern is whether members in remaining sites are able to simply absorb this additional work.

The bank's view is that because of Lean efficiencies the additional headcount capacity is often already in place when work is transferred, however Unite remain sceptical over the long term sustainability of such an operating model.

It has been proven in research studies into Lean that eventually Lean results in work intensification with tasks often becoming mundane and time taken to complete tasks being strictly monitored which can have an adverse impact on performance and sickness

absence levels. Whilst there is currently no tangible evidence of this in RBS with the bank continually engaging, responding to and listening to Unite's concerns, nonetheless your trade union are seriously concerned that it may only be a matter of time before our members are feeling these effects.

The bank has given welcome reassurances that they are confident that Lean and the transition and allocation of work is being managed properly. In this regard Unite asked the bank to consider undertaking a Lean Survey, however the bank has declined at this time as they feel they are able to adequately gauge the views of all staff via the annual Employee Opinion Survey and via the surveys that take place during and after each Lean transformation.

Unite recognises that many of our members have positive messages and experiences of Lean none more so than when they see their own ideas on improving how something is done come to life. However for the reasons outlined above Unite encourage our members to make their views known on Lean both positive and negative to both the bank and Unite.

Unite will continue to meet with the bank to discuss Lean where we will have an opportunity to learn about the development of Lean across Business Services and to raise any questions, challenges and concerns from our members.

**If you have concerns about the impacts of Lean in your workplace then please speak to your Workplace Representative, contact our Helpline on 0870 241 4425 or email us at [rbsinfo@unitetheunion.org](mailto:rbsinfo@unitetheunion.org)**

# PERFORMANCE – ART OR SCIENCE?

In the spoof Science Fiction film 'Galaxy Quest' there is a scene when an Alien is explaining to a Human Technician the workings of a 'Transporter Beam'.

To avoid the detailed jargon the Alien explains that the operating system 'is more like Art than a Science'.

Too often that same scene is played out when line management discuss an employee's appraisal.

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Each person's appraisal is, and should be attuned to the individual, but should also be based on fundamental principals that underpin the process.

- **Half year/annual reviews should be supported by monthly informal progress reviews.**

A 'formal' review must be undertaken at least twice a year, at half year and at the end of the appraisal period. Whatever is discussed at the review should not come as a surprise to the employee there having been regular discussions on performance.

- **Underperformance should have been identified**

When underperformance is first identified by Line Management then an informal discussion should be initiated. It may be appropriate to incorporate the meeting into a performance review; however a meeting should not be delayed in order to do this. Underperformance issues should not suddenly be presented at the formal review stage.

- **Determining a level 2 performance rating**

Management are reluctant to provide indicative rates at formal or informal review meetings; however members should ensure that they are meeting the objectives, standards, behaviours and competencies set at the beginning of the year. Further they should seek assurance that they are on course for at least a level 3 end of year appraisal mark and are not underperforming.

- **Personal Development Plan (PDP)**

It is important that individual's have a PDP to support delivery of their objectives and support future career development. Personal Development planning is about an individual's success and future and is not a tool to indicate underperformance.

## **Underperformance and level 2 appraisals**

When determining a level 2 performance rating, managers must ensure that they have complied with their responsibilities in relation to the appropriate management of the underperformance. In order to allocate a level 2 rating for underperformance a manager must demonstrate the following:

- The requirements of the member of staff's role have been made clear.
- Objectives have been set for the year
- A performance shortfall has been clearly identified.
- The employee has been made aware of the performance shortfall with appropriate recorded evidence.
- The employee is fully aware of any Peer Group Comparison and that they are falling below their Peers with appropriate recorded evidence.

Any member who is advised that they are underperforming or that they are likely to receive a level 2 appraisal should consider challenging this position should they believe they are performing to the requirements of the role and in line with Peer Group (where applicable) or that management have failed to undertake their responsibilities. Whilst a member of staff should take an active interest in their performance, the bank owns the process and managers have the responsibility to highlight issues of underperformance and to arrange one to ones. It is not acceptable for a member to be advised that "they must have known that they were a level 2 performer" or "you never approached me about a date for your performance review" these responsibilities sit with the bank.

Allocation of a level 2 appraisal has potential serious repercussions including application of 'Reaching Performance Procedures including disciplinary action, loss of remuneration (salary increase and bonus), internal job applications and selection for redundancy.

All members should ensure that appraisals are not simply 'Art for Arts sake' and if have any concerns regarding your performance rating, you should raise these in the first instance with your line manager and if this proves unsuccessful, contact you local Workplace Rep or the helpline.

# Trade union membership & UNITE

UNITE, your union in the Royal Bank of Scotland Group, tirelessly works for the benefit of its members, whether on collective issues of pay and reward, re-organisations, pensions etc or fighting individual cases.

Our priority is to devote our resources to winning for our members and representing our members through these difficult times.

Membership is £10.96 a month for full time staff and £4.98 per month for part time staff working less than 21 hours a week.

## Maternity Leave

Any members on or going onto maternity leave should contact UNITE and your subscriptions will be reduced to £1.08 per month recognising that maternity leave is an expensive time for you and your family, however there will be no impact upon your union benefits. On return to work, advise the union and your subscriptions will be re-instated at the full amount, however remember to advise us if you are returning part time to ensure that the appropriate rate is applied.

## Leaving the Bank?

If you are due to leave the Bank then you can still retain your membership whilst unemployed and looking for other work and only pay the discounted subscription rate. Once you have secured alternative employment then you can increase this back to the full subscription. This is important to ensure continuity of membership and union benefits, including representation and legal services.

If you are joining an organisation where a trade union is not recognised then you can still maintain your membership of Unite and retain all the individual benefits regarding rights of representation, help and advice on work related problems and legal support for employment related issues.

## Retiring from the Bank?

Alternatively if you are retiring from the Bank then you can retain your membership for as little as £12.96 a year and still qualify for the legal services benefits available to all members.

These include:

**Legal Helpline** – where our team of solicitors are on hand to provide help and advice 24 x 7 on any legal (non work related) query.

**Personal injury claims** – legal support for you and your family with any injury claims for accidents outside of the home, either work or non-work related.

**Free will service** – a free will service for members which is provided by UNITE's panel of trade union solicitors

You can also still gain many other benefits and discounts from being a union member, for details see [www.unitewithus.org.uk](http://www.unitewithus.org.uk)

To make any changes to your membership details and subscription rate that you are paying you will need to contact your local regional office. Full details of these can be found by telephoning **0845 850 4242** or visiting [www.unitetheunion.org](http://www.unitetheunion.org).

Included in this edition of Catalyst is a membership update form, if you need to make any changes or if you are a member who may be reading a colleagues copy of Catalyst because you have not received yours then please let us have your up to date details by completing the membership update forms.

If you are a non member and have enjoyed reading Catalyst then please join on line at [www.unitetheunion.org](http://www.unitetheunion.org) or contact your regional office to request a membership application form on **0845 850 4242**.

## Personal injury claims

You should consider making a claim if you or your immediate family has been in an accident and you have suffered major or minor injuries, a third party was responsible for those injuries and they required medical treatment.

Unite work with a panel of specialist personal injury law firms to provide free legal assistance to any union member who wants to bring a personal injury claim against an employer or third party.

This assistance covers:

- accidents at work
- occupational diseases
- occupational deafness
- road traffic or street accidents

You and your immediate family are also covered for any accidents you may have on the road or pavement, either as a driver, passenger, cyclist or pedestrian.

The union's solicitors recover more than £45 million in compensation each year. Claims are conducted free of charge and at no financial risk to you, subject to the conditions of UNITE Legal Aid. If your claim succeeds, you will receive the full amount of damages without any deductions.

To make a personal injury claim you can submit a claim form online at [www.unitetheunion.org](http://www.unitetheunion.org) or request a claim form by phoning the RBS Helpline on 0870 241 4425.

# DID YOU KNOW?

# DID YOU KNOW?

# Unite

## March For The Alternative

Unite the Union says no to unfair and unnecessary spending cuts which are damaging services and communities across the country.

### Saturday 26th March • 11am

### Assemble - Victoria Embankment

London Regional transport is available for Unite members and their families

Join the march with thousands of others to send a message to the Coalition Government that there is an alternative to the spending cuts.



**DON'T BREAK  
BRITAIN**  
CUTS KILL COMMUNITIES



For more information on the march and transport from your region please visit:

[www.unitetheunion.org/marchforalternative](http://www.unitetheunion.org/marchforalternative)