



## Unite the Union

### Open letter to RSPCA Chief Executive Chris Sherwood – 25<sup>th</sup> November 2019

Dear Chris,

Unite the Union wishes to clarify its position to you and its members on the Pay Framework Review and related negotiations. Quite simply, there have been no “negotiations”. The way the Society decided to conduct and structure the meetings over the statutory 45-day period was deliberately restrictive, disingenuous and designed to fail.

The Union met with yourself and Patricia Williamson on the 3rd October prior to the first “negotiation” meeting. We were given guidance as to our current financial situation and a broad outline of the content of the Society’s planned proposals. There was no mention at that meeting of performance related pay, national operating models of work or of the Executive’s intention to reduce the Union’s negotiating power, effectively weakening their ability to represent the interest of its members and all staff. It therefore came as some surprise that these subjects were included in the “trojan horse” of a document the Society presented just weeks later.

When the Union’s negotiating team showed the Society’s proposals to Unite’s Legal Team in London, their response was “these rank amongst the most aggressive set of proposals ever seen by Unite” and they had never seen such a document within the charitable sector ever before. It was clear to all the proposals were not just financial but ideological, with a deliberate intent to remove the Union from all future negotiations and diminish the working conditions for all staff, despite the assurances from the Society.

In order for meaningful discussions to take place there needs to be an environment of transparency and respect and this has not been the situation in this case. It has to be stated that on more than one occasion, off the record veiled threats were made by certain senior managers towards the union representatives present. This is simply not acceptable and evidence of a wider cultural problem that exists within our charity.

There have been numerous references made by yourself and others within the Executive that the Union “walked away” from discussions and “refused to negotiate”. This is simply not true. Yes, the Union did take the decision to conclude discussions, but this was because inadequate information had been provided and that no meaningful negotiations had actually taken place. A number of counter proposals the Union presented were all rejected. No doubt the Society will highlight the small number of corrections it has made, but this is effectively playing in the margins as the core proposals and detrimental intentions remain. It is also important for all staff to know that Unite have been communicating with you outside of the meetings in a genuine attempt to re-start negotiations. Unfortunately, this has not yet been successful.

The Union’s position has been clear from the start – it is opposed to the imposition of enforced contractual change and has made rational and reasonable proposals to break the current impasse and avoid that situation. To that end, Unite have broken down the Pay & Reward proposals into three distinct sections and have made progressive suggestions to their timeframes.

- The first relates to the pay framework itself and contractual incremental rises. The Union strongly believes that an agreement can be made in this area and can be achieved in time for any possible implementation for April 2020.
- The second relates to the target operating model and related allowances. It is clear the Society does not have a full and comprehensive understanding of how its field operations actually operate. The Union does and believes it is able to deliver effective and long-term cost savings in this area. However, the Society will not realistically be in a position to decide and determine the operating model it needs until after April 2020 when it has completed its work on the future strategy. Therefore, it is suggested that negotiations could run tandem to the pay framework discussions with a goal of achieving agreement by the summer of 2020.
- The third relates to performance related pay. This represents an enormous culture change and even the Society admits in formal documentation that its proposals at this stage are “aspirational”. It is suggested that sensible negotiations around this matter could take place in the second half of 2020, giving the Society additional time to consolidate its proposals to ensure that future contractual changes in this area are not imposed.

All three of these merit separate consultations in their own right. For the Executive to condense these into one consultation and effectively leave 9 days for negotiation and agreement was clearly impossible and the Executive knew that. To then blame the Union for that failure was also deliberate. We refer to “9 days” as this is the period of time before the statutory 45-day period ended when the union was finally in possession of all the details of the proposals, despite requesting them earlier many times, as can be seen in the published negotiation meeting notes.

Unite have requested the Society establish another 45-day negotiation period which has the pay framework and the contractual incremental rises as its sole focus. If the Society is genuine about real meaningful negotiation, the Union is willing to sit down and meet in order to come to an agreement on this crucial area. As it stands, you have rejected that solution.

The Union highlights the Pension negotiations which took place in 2016. These were protracted and difficult, but were conducted in an atmosphere of mutual respect and total transparency. It was recognised by both sides that cost savings had to be achieved in order to address the increasing pension deficit and to secure sustainability. This was achieved, albeit to the future detriment of many of the Union’s members. That is a clear and evidenced demonstration of the Union’s strength and willingness to act in the best long-term interests of us all.

Unite have been made aware of the Executive’s belief that only 20% of staff are members of Unite the Union, and that we represent a small minority of staff and therefore the Union is an inconvenient irritant that can be ignored, ridden over and side-lined. It is true our membership had taken a hit over the past few years, mostly due to badly delivered restructures and the appalling staff retention levels that our charity experiences as individuals leave because of bullying, discrimination and stress.

However, we feel it is important to declare that Unite members now make up the majority of staff and that majority is getting bigger by the day. If the Executive continue with its current strategy and keeps to its path of enforced contractual change, the weakening of the Union and the erosion of workplace policies, then industrial action may be an option we will be forced to explore. If that turns out to be the case, the Union will be obliged to inform the Society of its numbers and you will then know the true strength of opinion and opposition that exists within our charity.

It is our charity. It belongs to all of us who are permanent employees, many of whom have been working passionately on behalf of animal welfare for decades. You have been our Chief Executive for almost two years now. However, you are still surrounded by a number of external senior managers who are employed on a short-term basis with a clear and cold agenda. It is clear to all staff that it is a small number of external individuals who are driving these proposals that are so detrimental, so demoralising and so alien to the values and mission of the RSPCA. Those individuals won't be around to pick up the pieces of this, it will be the dispirited staff and the Union who will be sweeping this mess up in the years to come. Those individuals will be long gone.

It is not just front-line operational staff who are opposed to the Society's proposals. The Union has been approached by many from middle and senior management to quietly and confidentially voice their concerns. They won't raise their worries during meetings or management phone hangouts because they are simply too scared to do so. They fear for their jobs. This organisation has a culture of bullying and harassment and that originates from the very top, from some of the people you have employed around you. Sadly, you appear not to see this or be able to do anything about it.

In your latest video you state you intend to make the RSPCA "the very best possible place to work". How does making all workplace policies non-contractual fit with that? Let us be very clear as to what that change means. Currently, these policies have to be negotiated and agreed with Unite the Union, the official body that represents the interests of all staff. To make policies non-contractual, means our members will have no negotiating rights in this area any more. If this change happens, the Executive will have the unbridled ability to change any policy in any way it sees fit. You say there will be "no race to the bottom" but it is clear to all that the Executive wish to make changes which will undermine and water-down the current agreements. Why else would you not want the Union in the room?

We have been the "safety net" for staff for decades, defending their rights as they combat bullying, excessive workloads, anxiety and stress. Currently there is no policy that addresses bullying or harassment. The Society's own Respect Policy has not been agreed with the Union and as a result is not fit for purpose. There is no overarching Lone Worker Policy, no Mental Health Policy and no Stress Policy. There is a limited health and safety culture in this organisation and the Executive's solution to this is to remove the Union's ability to make this a safer and healthier place to work. You state that you are not seeking to de-recognise the Union and want to work in partnership with us, but the proposals you stand by do the very opposite. Sadly, we have no confidence in you in this area. Actions speak louder than words.

The Union understands the need for sustainability and the need for costs to be under control and fully supports that objective. But it has to be stated the existing framework was only implemented 2 years ago, took over 18 months to create at great expense and was promoted as modern and affordable. Now the Society's position is that the current arrangements are no longer sustainable, change is so urgently required that it all has to be done within 45 days, and hard-working front-line staff have to pay for the mistakes of senior managers. Unite does want to be part of a pay framework that is fair, modern and affordable. However, the Pay & Reward Framework proposals go far beyond the introduction of a new pay framework and have included target operating models, performance related pay and an attempt to remove the Union's negotiating abilities on current and future workplace policies. As mentioned before, this is not just financial but is ideological and to pretend otherwise is a falsehood.

Unite and its members are fiercely opposed to the enforcement of the contractual changes. To pressurise staff into accepting contracts that will clearly undermine their workplace rights and to force them to sign up to a performance related pay system that hasn't even been properly drawn up, let alone negotiated, is simply wrong. To exploit the current financial situation in order to push this through, to threaten hard working staff with the sack if they fail to agree, and employing a Christmas deadline shows a disregard for staff welfare and morale.

In fact, this is not just wrong, it is disgraceful and such threats do not belong in our charity or any progressive workplace.

However, Chris, there is still time to stop this. There is still time to repair the damage that is being done to staff trust, overall morale and to the relationship with the Union. All the Union has requested is a sensible timeframe in which to meaningfully negotiate and agree the Society's proposals.

As you have said, "the door remains open". The question is, are you prepared to walk through it?

Regards

All of us at RSPCA Branch of Unite the Union