

Industrial Relations

Employee Relations

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Overview

Industrial relations are the interaction between the British Council and its staff representatives (for employee relations generally, refer to Relationship between the British Council and its Employees). This section defines the British Council policy on industrial relations.

This section covers:

- Trade Union Side (TUS)
- Public and Commercial Services Union (PCS)
- British Council Partnership Agreement
- British Council Redundancy Procedures Agreement
- Setting up a local staff association
- Managing change (inform, consult or negotiate).

Audience

This guidance and procedures must be read and followed by managers who:

- are responsible for initiating or managing changes affecting UK-appointed staff which might require consultation with Trade Union Side (TUS)
- have contact with TUS through involvement in grievances relating to an individual or a group of staff.

This guidance applies mostly to UK-appointed staff, except where stated. Managers overseas must ensure they follow local legislation with regard to consultation with local Unions and/or consultation bodies.

Responsibilities

All British Council staff are responsible for adhering to the policy, guidance and procedures described in this section.

As a manager, you are responsible for consulting with unions and associations, and also for communicating with and consulting staff directly.

Policy

- The British Council recognises advantages in its staff joining trade unions and/or staff associations, and taking part in their activities. Refer to Setting up a local staff association and the information on unions in Guidance below.
- For staff overseas, there are mechanisms for consulting staff which reflect local practice and employment legislation. However, where local law allows, it is expected that the British Council's global Human Resources (HR) policies will apply. In all instances, the British Council's values and standards apply (see British Council Values).
- Management consults unions (see TUS below) and associations on proposals, not on decisions. Where managers are proposing changes which have significant implications for staff, it is British Council policy to consult on any such proposals, including the proposed timeframe for the implementation of change. It is important to build in sufficient time to allow for meaningful consultations with unions and associations, so that everyone can benefit from their help in the management of change.

Guidance

Although TUS is referred to in this section, in practice all TUS representatives are PCS representatives. This means that TUS and PCS are interchangeable and either may be used by representatives when contact with management takes place. See [PCS](#) below.

Relations between management and TUS take place both at a local level (including individual cases) and at a corporate level. In each case the principles of the policy on industrial relations for UK-appointed staff apply.

TUS

The British Council recognises the TUS as representing staff as a whole, and consults and negotiates with it as appropriate.

The British Council management bases its relationship with TUS and staff associations on openness and trust, and consults on proposals not on decisions. The provision of information to TUS must reflect these values. As a manager, you must provide as much information as possible, as this allows unions and associations to inform their members and in turn reflect back to management the queries and concerns of the membership.

Managing relations with TUS representatives

There is no fixed model for how UK managers should establish or maintain a relationship with TUS. This is a decision for the senior management team within the work area. However, managers must ensure there is continuing contact with TUS, and that any members of the management team required to handle relations with TUS have received appropriate training or briefing.

An established relationship with TUS, be it formal and structured or informal and ad hoc, usually improves the management of change, facilitates better working relations with TUS in individual cases, and promotes a healthy employment relations climate.

Relations with TUS are not an alternative to a manager's responsibility for informing and consulting staff, but can provide another important means of giving staff confidence that their interests and points of view will not be overlooked when important decisions are taken.

Constant considered judgement and sensitivity are required from managers for the British Council to maintain a healthy corporate industrial relations climate. The way in which managers communicate with staff and their representatives on a day-to-day basis influences the success of their dealings with TUS when they have specific proposals or issues for TUS consideration.

TUS involvement in individual cases

The British Council's formal disciplinary/grievance procedures provide staff with the right of accompaniment by a trade union representative at any formal meetings (see Disciplinary Procedures and Grievances and Appeals). Managers might also be approached by TUS representatives on behalf of individuals or groups of staff who have grievances or concerns about issues in the work area.

In such cases, TUS representatives may support individual members directly in dealings with management. The TUS representative may be a British Council TUS member or a national trade union official. In either case, the involvement of the TUS representative must not be seen as a threat, but as a means of facilitating a successful outcome to whatever problem may exist.

TUS involvement depends on the specific case, but can often help develop a better understanding of any problems, and assist resolution. Managers must contact Human Resources (HR) or Pay and Employment Relations (PER)] for advice if approached by a TUS representative.

Provision of information to TUS representatives

The British Council has an agreement to provide information to TUS where there are significant implications for staff as a result of the planned creation, suppression, re-grading and redesign of posts (see Creating and Suppressing Jobs and Succession Planning). Line management initiating such change must work out the implications and provide information to TUS as necessary.

Management must provide open information to TUS in good time, allowing it to inform members and seek their views. The annual planning exercises (country/business and financial) at home and overseas are often an early indicator of proposed changes of interest to staff. Managers must therefore ensure that relevant information is provided to TUS at an early stage, with an indication of the likelihood and nature of any possible subsequent changes. It is important to ensure TUS understands the full background (external/financial) to any changes being proposed.

Facilities time for TUS representatives

Managers must be aware of the British Council Facilities Agreement, which sets out the principles and practices governing the facilities available to staff who are representatives of unions recognised by the British Council. The agreement specifies that paid absence from work and/or special leave up to an agreed limit will be given to accredited trade union representatives to facilitate their involvement in industrial relations and trade union activities. It also indicates that paid absence from work may be granted to trade union members to facilitate their involvement in trade union activities.

PCS

The PCS is the national trade union recognised by the British Council for collective bargaining purposes for all UK-appointed staff. The PCS provides a range of services to individual members, such as legal advice and insurance services. It also employs a range of specialist staff to provide training, research and negotiating expertise to members and to local branch representatives.

PCS British Council branch/Branch Executive Committee (BEC)

British Council staff who belong to the PCS are also members of the local branch of the PCS. The PCS branch has a representative structure of British Council staff elected annually by British Council members of the PCS. These representatives are members of the PCS BEC which is responsible for managing the branch.

Members of the BEC provide a full range of services to individual members including advice, support, and representation on any problem relating to their employment. The BEC meets regularly to develop policies based on membership input and designed to protect the interests of members. Once policies are agreed, delegates of the BEC then pursue these policies with local management or at a corporate level.

PCS full-time officer

British Council management provides facilities for a PCS member to work full-time on industrial relations and trade union activities. The full time PCS officer supports effective industrial relations processes in the British Council, and assists BEC members by providing information, advice and support in the development of PCS policies. To support this process, the PCS full-time officer undertakes the necessary research and keeps PCS members informed of the progress and outcome of negotiations.

The PCS full-time officer also facilitates the Partnership Agreement, and liaises with management on day-to-day industrial relations matters at both corporate and local levels.

The British Council Partnership Agreement

The central formal mechanism for consulting and negotiating with TUS in the UK is detailed in the British Council Partnership Agreement. The Agreement facilitates regular consultation and negotiation between TUS and management on issues affecting British Council staff.

Under the Agreement, there are a number of committees which meet quarterly; the most important are listed below. Other forums are established to discuss major issues subject to strict time constraints, for example, significant change projects.

Personnel and equal opportunity committee

This committee is chaired by the Director of HR. It handles HR issues such as new policy and strategy, and changes in, for example, performance pay, recruitment policy and practice, and

training. It also handles the equal opportunity-related aspects of a range of initiatives, and advises on disability, gender and sexuality, and childcare policy.

Facilities committee

This committee is chaired by the Head of Global Estates. It handles building, health and safety, security issues and security policy.

British Council Redundancy Procedures Agreement

This agreement defines the term 'redundancy', outlines avoidance measures and sets out procedures to be followed before, during and after a redundancy (see *Early Retirement and Redundancy*).

Procedures

Setting up a local staff association

Setting up a local staff association varies depending on the size of the office. In a small office, it might be a simple and informal process where staff elect one or two staff representatives on an annual basis. In a larger office, a more formal approach might be necessary.

1. If necessary, carry out an initial staff poll to see whether setting up a local staff association has wide local staff support and would therefore be representative. One or two members of staff could volunteer to carry out the poll and organise the first meeting.
2. If there is support, prepare a draft constitution and organise a general meeting to agree the aims and objectives, the constitution and administration of the association. The aims and objectives could be, for example:
 - to protect and promote the interests of members
 - to maintain and improve conditions of service
 - to maintain and improve relations between management and staff
 - to advance the efficiency of the British Council
 - to establish funds for the benefit and welfare of members
 - to ensure the regular collection of subscriptions in pursuit of these aims.

The constitution must also state who is eligible to join, and describe the structure of the association. The structure could cover, for example:

- what officers are required and their respective duties
- if a committee is needed, how many people it should have
- how often the committee should meet and what powers it should have
- how to establish regular elections, and the method of voting
- whether there should be a minimum number of people present at meetings of members and committee meetings and the method of voting
- the form of communication with members, for example, regular meetings (including an annual general meeting), written minutes of committee meetings, circulars and news sheets.

If a subscription system is agreed, make sure the constitution specifies:

- the size of subscriptions
- the frequency and method of collection
- the necessary financial controls and procedures to protect funds.

3. The officers and committee must meet regularly to:
 - discuss matters raised by members
 - assess progress on issues raised with management
 - prepare for subsequent joint meetings

- decide on methods of reporting to members.
4. Agree, with management:
 - facilities time for officers and members to attend meetings
 - use of office services.
 5. The staff association committee and management must agree on procedures for regular consultation and discussion.
 6. Hold regular meetings with management to address a variety of issues, including
 - local office rules
 - personnel management policy and procedures
 - health and safety and welfare.
 7. Association officers may also be involved, as required, in individual personnel cases:
 - acting as representative
 - seeking the right to attend meetings or interviews
 8. Between annual general meetings, the officers and committee must maintain the internal life of the association and pursue its aims, guided by the rules and by members' express wishes.

Managing change (inform, consult, or negotiate)

1. For any given proposal for change, responsible managers must consider the implications of their actions and plans in terms of industrial relations. As part of this process, managers must decide whether it is appropriate to:
 - inform: provide information to TUS
 - consult: provide information to TUS, and consult prior to a management decision
 - negotiate: provide information to TUS and consult to reach a joint agreement.
2. Where managers are proposing changes that have significant implications for staffing or other legitimate interests, it is British Council policy to consult on any proposals, including the proposed timeframe for the implementation of change. If the decision is to consult or negotiate, the manager must build in time to allow for meaningful consultations or negotiations.

In this way, the contribution of TUS is a help in the management of change, and not a hindrance. If management is perceived to be acting out of obligation or just 'going through the motions', this damages rather than helps the process of change.
3. Provide as much information as possible, to allow TUS to inform its members and in turn reflect back to management the queries and concerns of staff.
4. If appropriate, provide TUS with papers on a management-in-confidence basis, allowing TUS representatives to give an initial reaction to the management position. However, only use this confidential marking when absolutely necessary.
5. The manager must also consider the most appropriate approach to working with TUS (local and *ad hoc*; local and permanent forum; a one-off forum as specified in any relevant procedure).