



SCOTTISH EXECUTIVE



MEMORANDUM OF UNDERSTANDING

The Scottish Executive

and the

STUC

working together

Context

1. The Scottish Trades Union Congress has good working relations with the Scottish Executive at Ministerial level and official level and over the past few years the frequency of exchanges has increased. Both parties share a commitment to partnership working on strategic issues and in areas of common interest. It is acknowledged, however, that whilst these arrangements are working well it would be helpful if a more formal framework was in place. Within this context, as part of a wider approach to developing a social partnership model for Scotland, the Scottish Executive and the STUC have jointly produced this memorandum of understanding. This is one of a number of bi-lateral agreements which the Scottish Executive has with a range of social partners across Scotland.

Aim

2. The aim is to establish effective co-operation between the Scottish Executive and the STUC. The document is based on a mutual understanding of the distinctive values and roles of each party and provides a framework for developing genuine partnership. It recognises, however, that from time to time some differences will inevitably arise. In such circumstance, each side will treat with respect the differing views expressed.

3. Making progress in all these areas will require the Scottish Executive and the STUC to work together efficiently and effectively. Our core objective is the establishment of clearly defined processes and procedures for engaging with each other across a wide range of public policy issues.

Roles and responsibilities

4. Both parties will recognise and respect each other's roles and functions which are distinct but complementary:

- The Scottish Executive is responsible for developing and implementing public policy on devolved matters, for bringing appropriate legislation before the Scottish Parliament as necessary, and for the discharge of the functions assigned to Ministers by legislation.
- The STUC is Scotland's Trade Union Centre. Its purpose is to co-ordinate, develop and articulate the views and policies of the Trade Union movement in Scotland, reflecting the aspirations of trade unionists as workers and citizens.

Benefits

5. It is expected that the document will bring significant benefits for both the Scottish Executive and the STUC by:

- Increasing understanding of how the Scottish Executive and the STUC work, and their policy priorities;

- Achieving a consistency of approach across the Scottish Executive with regard to relationships with the STUC and the trade unions;
- Extending opportunities for the STUC to contribute their experience and ideas to the development and implementation of public policy;
- Facilitating the Scottish Executive access to the views of the trade union members and wider networks;
- Informing the processes that develop the policies and practices of all the Scottish Executive's departments and its agencies, of the aspirations and needs of Scotland's trade unionists.
- Working in partnership in areas of mutual interest; and
- Informing longer-term planning and strategic thinking;

Partnership values

6. Our relationship is based on:

- mutual respect and trust;
- openness and transparency in communications;
- commitment to being positive and constructive;
- commitment to work with and learn from others;
- a continuing dialogue on policy and priorities;
- ensuring high quality outcomes; and
- making the best use of resources.

Shared priorities

7. The Scottish Executive and the STUC will identify shared priorities and work towards the achievement of agreed outcomes. The twice yearly meetings between the STUC General Council, the First Minister and relevant Ministers will be the mechanism through which these will be agreed. Further details are attached as an Annex.

Commitment from the Scottish Executive

8. STUC can expect:

- The Scottish Executive to acknowledge that trade unions play an important role in sustaining effective democracy in society, particularly at the workplace, and that the existence of good employment practices are a key contributor to economic competitiveness and social justice;
- The Scottish Executive will support, as far as practicable, effective trade unionism, fair employment practice, and greater partnership between employers and trade unions;

- The Scottish Executive will maintain a continuing dialogue with the STUC and, where appropriate, its individual affiliates, as a means of ensuring an effective trade union input to the development and implementation of the Scottish Executive's policies and priorities. Where appropriate, the Executive will continue to involve the STUC in ad hoc groups set up to review, develop or implement policy;
- The Scottish Executive will endeavour to respond to requests for information and action points following a meeting within the timescale set, or if none set, within a reasonable timeframe; and
- The Scottish Executive will endeavour to respond to meeting requests and other aspects of how meetings are arranged within a reasonable timeframe.

Commitment from the STUC

9. The Scottish Executive can expect:

- The STUC will provide the Scottish Executive with access to representative views, knowledge, expertise and experience of trade unionists as both workers and citizens, democratically determined through structures underpinned by equal opportunities principles;
- The STUC will assist the Scottish Executive to identify the trade unions with which it should be maintaining a dialogue on specific issues;
- The STUC will endeavour to respond to consultation exercises, requests for information and action points following a meeting within the timescale set, or if none set, within a reasonable timeframe; and

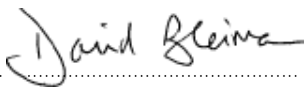
Delivery and Monitoring

10. Progress will be delivered and monitored by:

- Promotion of the document across the Scottish Executive and its agencies, and the STUC and its affiliated organisations;
- Reporting at least annually on its operations to one of the bi-annual meetings of Scottish Ministers and the STUC; and
- Reviewing annually the shared priorities.



Jack McConnell, MSP
First Minister



David Bleiman
President, STUC

WORKING ARRANGEMENTS

Shared priorities

1. The following represents the current priorities which have been jointly agreed by the Scottish Executive and the STUC:

- Economic development in Scotland
- Modernisation of public services
- Social partnership

2. This list may be amended at the twice yearly meetings between Scottish Ministers and the STUC.

Meetings

3. Scottish Ministers will meet the STUC twice a year for the purpose of exchanging views and information about policy issues. At these meetings, items may be placed on the agenda by either side.

4. Scottish Minister will meet with the STUC, as necessary to discuss specific issues around their portfolios. In addition, either may request an ad hoc meeting on a specific subject at any time.

5. As well as Ministerial meetings, the Permanent Secretary and Management Group will meet the STUC General Council on an annual basis.

6. The STUC and officials will meet as necessary to discuss specific policy issues.

7. Numbers and composition at meetings will be such as to contribute to meaningful discussion and debate on the issues outlined in the agenda which will lead to agreed outcomes.

Monitoring

8. The Scottish Executive and the STUC will each conduct an annual survey on the effective operation of the *Memorandum of Understanding* in order to assess progress and whether adjustments are required.

9. The Scottish Executive officials and STUC officials will meet annually to review the operation of the memorandum of understanding and the results of the surveys and to report to Ministers and the STUC.

Consultation

10. In addition to meetings, consultation and dialogue will continue across a range of policy areas.

11. The Scottish Executive and the STUC will undertake to carry out any consultation process in accordance with the Executive's *Good Practice Guidance on Consultation*, including:

- Every effort will be made to provide for a minimum 12 week consultation period;
- Both parties will undertake to provide a considered, co-ordinated and timely response to issues on which they are consulted;
- Both parties undertake to respect confidentiality where that is required or requested; and otherwise to conduct their dialogue openly; and
- A mechanism will be established to feed back findings from consultations.

Public Appointments

12. The Scottish Executive is committed to ensuring that its public appointments processes comply with *The Commissioner for Public Appointments Code of Practice for Ministerial Appointments to Public Bodies*. Key elements of the Code include:

- The principles of equal opportunity and diversity must be inherent within the appointment process;
- Departments should take positive action wherever possible to attract suitable candidates from all sections of society, and this in turn, should lead to wider representation on public bodies;
- To demonstrate openness of the system people must be made aware that an appointment is available through some form of publicity. For high profile posts, chair posts, posts that are paid, have a high profile or have responsibility for managing significant public funds must involve proportionate form of advertising, e.g. websites, advertisements, issuing notice of forthcoming appointments in interested groups; and
- All major appointments are advertised on the Scottish Executive's Public Appointments website (www.scotland.gov.uk/government/publicappoint). The Scottish Executive will consider extending this to include advertisements for all vacancies.

13. The Scottish Executive welcomes applications for public appointments from all walks of life and is committed to work with the STUC to ensure consistency of approach across Executive Departments and to encourage trade union candidates to come forward for selection to public bodies.