

Partnership in the Scottish Prison Service

The Scottish Prison Service (SPS) and the unions comprising the SPS Trade Union Side (TUS), signed a Voluntary Industrial Relations Agreement (VIRA) in December 2001. It provides access to ACAS conciliation and independent binding arbitration in return for a commitment not to disrupt service delivery through industrial action. This agreement was legally binding on the Prison Officers' Association (Scotland) (POA(S)). This, together with a similar agreement in the Prison Service in England & Wales precipitated the disapplication of Section 127 of the Criminal Justice & Public Order Act 1994, which restored full trade union rights to state employed prison officers in Scotland, England and Wales. See box 1 for a brief description of SPS and the recognised trade unions.

The signing of the *Forward Together* partnership agreement in 2003 further changed the way that employment relations operate in SPS. Since the signing, work has continued at both local and national levels to take partnership working forward and to embed it as an integral way of conducting employment relations.

The VIRA and *Forward Together* represent two of the most significant events in the history of SPS employment relations. The agreement recognises the commitment that the partners have made to providing a competitive service to the people of Scotland, whilst acknowledging and embracing the wellbeing and contribution of its staff.

Background

Traditionally, management decisions were taken and implemented with minimal consultation, often provoking adverse reactions from the trade unions and staff. Not surprisingly, these actions earned employment relations in SPS a reputation for confrontation and belligerence. Driven by a desire to

Box 1 - SPS profile

The Scottish Prison Service (SPS) is an executive agency of the Scottish Executive Justice Department. It has an annual budget of more than £231 million and is currently responsible for the secure custody of 6,900 prisoners. The SPS is independent of other UK prison services and employs some 4,200 staff at 15 operational establishments, a training college and in its headquarters.

SPS recognises four trade unions, the largest being the Prison Officers' Association (Scotland) (POA(S)). The others are the Public and Commercial Services Union (PCS), Prospect and the Royal College of Nursing (RCN). Together these constitute the SPS Trade Union Side (TUS).

The geographical bargaining unit for all recognised unions is national, covering all of Scotland. Each of the unions is recognised for the purposes of information, consultation and negotiation in relation to particular staff-group related bargaining units.

In March 2002 the SPS and Trade Union Side agreed a joint corporate vision for the future. This significant step not only established the joint aim to become the leaders in the field of correctional excellence but recognised the requirement to be competitive in the process. Through establishing a joint vision, the foundations for partnership working were laid.

change the culture of employment relations and the need to consider the long-term implications of private prison competition, discussions were held between the SPS management and its trade unions in 1999 and 2000.

Though these discussions did not in themselves lead to any agreed way forward on how industrial relations could be improved, they did achieve agreement that a new mechanism for joint working and consensus-based decision-making should be explored.

Progress towards Partnership

In 2000 three particular problems symbolised the industrial relations issues faced by SPS: disciplinary procedures, employee absence, and the reform of staff attendance patterns. Of the three issues, the proposed reform of staff attendance patterns for prison officers was producing the greatest level of unrest. By 2001, negotiations had

been ongoing for almost 3 years, and two POA(S) member ballots had emphatically rejected the proposals being made.

"It would be fair to say that before 2000, industrial relations at SPS were adversarial and had been for a long time," says Frank Blair, Director of ACAS (Scotland), who has been involved with SPS for many years. In the late 1990's ACAS became involved in the joint SPS/TUS process to develop new disciplinary procedures. With regard to these, Frank Blair says, "The first step away from these adversarial relations was the development of a 'Code of Conduct' for dealing with disciplinary cases. Before 1998 it was the case that staff would be marched in and stood to attention to hear the charges against them."

A new, modernised Code of Conduct was agreed, which represented a significant step forward. However, a new employee absence procedure was implemented by SPS without full agreement to all of its terms.

Box 2 - Criminal Justice and Public Order Act 1994

The Criminal Justice & Public Order Act 1994 introduced criminal legislation that under section 127, prohibited any person from inducing a prison officer to withhold his services as such an officer, or to induce them to commit a breach of discipline. In other words, it became illegal to organise industrial action and enabled the Home Secretary to take civil proceedings in a court of law for breach. This legislation applied to prison officers in all jurisdictions of the UK, and could only be repealed or disapplied by Westminster.

The incoming Labour administration of 1997 had undertaken to repeal section 127 but wished statutory prohibition of industrial action to be replaced with a Voluntary Industrial Relations Agreement (VIRA) in all UK administrations. The Act was disapplied in 2005 for state employed prison officers in Scotland, England and Wales. This had the effect of restoring full trade union rights to prison officers, including the removal of the statutory bar on the right to take industrial action.

The Act still applies to officers in Northern Ireland and all officers employed within the Private Sector, as no voluntary agreement applies.

While the areas of disagreement were not fundamental, the process did not reflect the partnership principles later developed.

The dispute regarding staff attendance patterns however proved more intractable and contentious, and when management sought to impose new rosters, a one-day strike of prison officers took place in April 2001. The dispute was resolved by the decision of both POA(S) and SPS management to take the matter to ACAS binding arbitration. This not only resolved the dispute but also provided a practical test of how the VIRA (negotiations on

which had been underway for some time) would work. Now with confidence in the process, management and the TUS reached full agreement on the VIRA in December 2001 (see boxes 2 and 3).

The VIRA provides a “robust problem-solving mechanism for dealing with collective issues,” says Frank Blair. He adds, “it was also a learning opportunity... it took them (the SPS management and constituent trade unions of the TUS) from adversarial relations towards showing consideration for one another.”

Forward Together

The VIRA deals with issues once they turn into disputes, but it also refers to ways of working that require behaviours more akin to consultation and joint problem solving. These ways of working were built in to the VIRA in cognisance of the national parties' intentions to work toward a full-blown partnership agreement, which would enshrine partnership concepts at both national and local level.

‘If the resolution of the dispute on staff attendance patterns provided a bridge to concluding the VIRA, so too did the VIRA provide a bridge to concluding a partnership agreement’ says William Barnott, Head of Employee Relations since August 2000.

Following the signing of the VIRA, the SPS Board and the TUS at national level agreed to convene at a two day workshop event; the first such event in the history of SPS. The purpose of the workshop was to explore how employment relations operated in the past and the prospects for working in partnership in the future. Prior to the event being agreed, it was important to reach consensus on who should facilitate it. It was agreed to approach the TUC Partnership Institute, who it was felt had a high degree of credibility with both parties and could provide the professional

Box 3 - Voluntary Industrial Relations Agreement (VIRA)

The VIRA facilitated by ACAS and signed in December 2001, marked a major milestone for both the management and unions. The agreement applies to all collective matters of policy and procedure that have a significant impact on those grades of staff represented by the recognised constituent trade unions. This includes: terms and conditions of employment, working conditions, the allocation of work duties between workers or groups of workers, all policies and procedures relating to conditions of employment and facilities for the representatives of trade unions.

The VIRA provides access to ACAS conciliation and independent binding arbitration in return for a commitment, legally binding on the POA(S), not to disrupt the provision of prison services. SPS management are similarly legally bound not to breach access to conciliation and arbitration for the POA(S). As such, the VIRA provides a balance whereby the organisation of industrial action is voluntarily rather than statutorily prohibited and SPS management cannot impose change without agreement being reached either bilaterally or through ACAS as a third party. An Arbiter's award may only be overruled by Scottish Ministers and only then for reasons of national security or public interest. To exercise that power, Scottish Ministers must give a reasoned explanation to the Scottish Parliament, and publish that explanation.

The fundamental principles of the VIRA are that issues are resolved at the lowest level, that the parties adopt problem-solving techniques that focus on common organisational improvement and development goals, and that they maintain communications at all levels. The common goals also specifically include an examination and consideration of the impact that decisions have on staff and their quality of working life, as well as competitiveness.

There are also a number of important issues excluded from the VIRA process, the most notable being pay. Any disputes arising through these are referred to a separate interim procedure. Should the parties fail to agree, the matter will be referred to ACAS for conciliation, and failing resolution, binding arbitration. Other exclusions cover local disputes, provided that the intended change does not breach nationally agreed parameters, and individual grievances, disciplinary action or any type of individual complaint.

support required. A facilitator was provided and the two-day workshop took place in February 2002.

“The workshop was highly successful and for the first time provided the opportunity for a meeting of minds between the SPS Board and the SPS TUS,” says Andy Hogg, Secretary to the TUS. “Both parties had the chance to grasp the opportunity, and they took it,” he added.

The successful workshop produced two key outputs, a jointly agreed vision, values and goals for the Service (see box 4) and an agreement on a definition of partnership. Both parties agreed to “*work together to develop and support an environment of trust, respect and inclusiveness at all levels, in the shared belief that partnership will benefit the Scottish public, the organisation and individual staff members.*”

“This enshrined the common ground – the fundamentals which a partnership agreement would serve to achieve,” says Barnott. A joint Notice to Staff was issued, confirming the outputs, and publishing the agreed vision, values and goals for the Service.

Following a concerted effort by a joint working group of management and TUS, the partnership agreement ‘*Forward Together*’ was signed in June 2003 after a year of development. It followed the launch in autumn 2002 of a highly successful national training programme for SPS managers and TUS representatives encouraging the development of positive employment relations across the organisation. The training was facilitated and led once again by the TUC Partnership Institute. The first day included a joint presentation from the Head of Employee Relations and the TUS Secretary explaining the concept of partnership working and demonstrating the commitment at national level to change the way business between them would be done in future. The second day focused on providing the participants with a practical understanding of partnership working and an introduction to joint problem solving. By the time *Forward Together* was launched, the organisation was at all levels ready to embrace the concept of working in partnership. The partnership agreement formally

Box 4 – Jointly agreed vision, mission and goals for the Scottish Prison Service

Vision

The Scottish Executive is committed to a safer Scotland where individuals and communities are free from crime and free from the fear of crime. We will contribute to this by the fulfilment of our agreed Vision that comprises the following elements:

Mission

We will maintain secure custody and good order; and we will care for prisoners with humanity and provide them with appropriate opportunities.

We will aim to ensure that:

- Scotland’s prisons can fairly be viewed as the leaders in correctional services, delivering effective prisoner opportunities which help reduce recidivism
- The prison estate is “fit for purpose” for the 21st century
- Scotland’s prisons are acknowledged as providing the highest standards of service delivery across their full range of activities
- Scottish prisons’ staff will be respected by the nation for their professionalism, their wide range of skills and the difficult job they do on behalf of society
- In the necessary pursuit of demonstrating value for money to the taxpayer, public sector costs will be competitive.

Aims

The aim or mission statement of the Scottish Prison Service is:

- To keep in custody those committed by the courts
- To maintain good order in each prison
- To care for prisoners with humanity
- To provide prisoners with a range of opportunities to exercise personal responsibility and to prepare for release
- To play a full role in the integration of offender management services.

Values

The **values** of the Scottish Prison Service are:

- **Integrity**, frankness and honesty in dealing with people
- **Fairness** and justice, respecting the needs and rights of staff and prisoners
- **Mutual support**, encouraging teamwork and commitment
- **Caring** for the safety and well-being of staff and prisoners
- **Openness** about our aspirations, our successes and our failures, coupled with the willingness to learn.

Goals

A service in which we all:

- Live our values
- Commit ourselves to our mission
- Work with each other and related organisations to achieve our goals
- Feel competent and confident
- Know that our contributions are effective and valued
- Use our resources wisely and well.

aligns the long-term interests of SPS and the trade unions that constitute the TUS in a series of accords (see box 5). The partnership agreement also introduces a number of new features. These include:

- A new two tier partnership structure with local partnership forums at each establishment
- Local Partnership Liaison Representatives (PLRs)
- A national forum
- Consensus decision making and an implicit understanding that SPS management will not impose significant decisions
- A joint approach to internal and external communications
- 'Pre-VIRA' guidance to help the local and national partners resolve their differences before initiating the VIRA dispute resolution procedures.

Partnership structures

The partnership agreement explains that partnership forums are necessary to support effective joint working. Their purpose is to ensure that formal opportunities exist for the partners to meet at regular intervals and build trust and mutual understanding. However, the agreement emphasises "the value of informal working and the opportunity to share ideas off the record and without prejudice. It also warns against unnecessary bureaucracy and seeks to ensure that all the people who attend meetings have sufficient decision making authority.

Box 5 - The 10 Accords of the Forward Together Partnership Agreement

Recognition agreements – sets out the terms under which SPS recognises each of the trade unions, and the scope of such recognition. Only recognised trade unions can be signatories to the partnership agreement

Partnership principles – sets out the commitment of the parties to the TUC's six partnership principles

Shared objectives – links the SPS vision, goals and values (see box 4) with the partnership principles to establish a series of shared objectives (see box 6)

Learning in partnership –states the importance of developing skills and learning from existing examples of best practice and provides access to learning for staff representatives

Shared behaviours – enshrines the key behaviours that will be required by the representatives of both parties when conducting business together

Communications – states the principles of how the parties will communicate with one another, and jointly with SPS staff

Managing image – sets out how the parties will work together to promote a positive image of SPS

Partnership structures – outlines the means by which the parties will conduct business together

Partnership resources – sets out the resources required by the parties to meet the business agenda

Resolving differences – refers to the steps the parties must take to avoid failures to agree and enshrines the use of the VIRA when a genuine impasse is reached.

National level

At a national level the joint arrangements consist of a National Partnership Forum (NPF), which operates to deal with specific issues through the appointment of sub-groups. This supersedes the previous Whitley Council arrangements and

consists of a number of TUS representatives, representatives of the SPS Board, and the Heads of Employee Relations and Communications. Formal meetings are held every six months, though in practice they occur more frequently. The purpose of the NPF is to jointly review the effectiveness of joint

Box 6 – SPS and TUS shared objectives

Linking the SPS vision, values and goals (see box 4) with the partnership principles, the SPS management and TUS established the following shared objectives:

- To work together in partnership in pursuit of the SPS vision, values and goals
- To manage employment relations in accordance with partnership principles and best practice
- To consult at the earliest opportunity and to encourage co-operation and dialogue at all levels of the organisation
- To reach decisions that can be supported by all parties
- To become a role model in employment relations practice in the public sector
- To enhance the image of the Scottish Prison Service and its staff
- To help instil in the Scottish Executive and Scottish public, confidence and trust in the ability of the parties to deliver a service which is competitive, value for money and effective in its contribution to a safer Scotland
- To create a working environment in which staff are safe, valued and rewarded for their contribution
- To be recognised as a fair and reasonable employer who, through working with progressive trade unions, provides opportunities for job security, delivers flexible working practices and encourages career development for its staff
- To be recognised as an employer whose staff reflect the cultural diversity of modern Scotland.

consultation and negotiation and to direct negotiations on strategic issues affecting the service. The SPS chief executive and the chairperson of the TUS chair these meetings in rotation.

In addition, a business review meeting is held every two months to initiate and monitor existing and future projects of national interest. Matters under discussion range from national policy and procedure, to the organisation of work and issues affecting general terms and conditions of service. The NPF has also been involved in a number of major projects of strategic significance to SPS.

Bridging the Gap, is a project initiated in 2002 by the Minister for Justice, who set SPS and the trades unions a challenge - to provide "a robust and credible plan for the operation of a 700-place prison in the public sector that would bridge the gap between private and public sector efficiency."

A second key project, the Structure and Organisation Review, is intended to address the changing role of SPS in light of the Management of Offenders Act and to provide an effective, efficient and competitive structure for the future. Both projects highlight some very challenging issues for SPS and the TUS and potential gains for both partners.

Local level

The local partners are required by the national partners to agree and publish a Partnership Charter (see box 7) as a visible demonstration of their commitment to working together at establishment level and to undertake joint communications with employees to promote the new arrangements.

Local Partnership Forums (LPFs) are intended to encourage and improve the effectiveness of joint working and decision making within each establishment.

In each establishment the LPF should jointly agree a constitution (see box 8) based on an agreed template prepared by the national partners and convene at least every two months. The Forum should comprise the Governor, Head of Custody, the HR Manager and POA Branch Chair and Secretary. Other lead representatives of other recognised trade unions, if available, should also be included.

Box 7 – The Local Partnership Charter

Each establishment is required to agree a charter based on the following commitments to:

- The success of the organisation
- Joint understanding about what structures will exist and how these will be monitored and evaluated
- Joint information and communication with staff
- Full and genuine consultation and participation in all matters affecting the establishment and/or staff
- Establish a common set of values and positive behaviours for working together
- Treat all parties fairly and with respect, dignity and trust
- Put things right when they go wrong, rather than blame - and learn from mistakes
- Recognise legitimate differences and seek to reconcile them
- Constantly innovate and improve the service provided by SPS and the quality of working life for staff
- Promote partnership jointly.

Matters dealt with locally range from operational issues such as establishment staffing levels and work organisation, to local HR matters including sickness absence levels, infection control, and smoking policy, etc. The local partnerships have also been involved in negotiations over the implementation of local efficiency measures, including shift pattern changes and workforce reduction.

maintain joint working at establishment level. The PLR is a trade union representative empowered to liaise with local management, trade union members and the local branch of their own and other accredited trade unions.

Within this remit the PLR is empowered to make day-to-day decisions on behalf of the local TUS and to lead negotiations on local employment relations issues. All PLR's are permanent SPS employees, must belong to a recognised trade union and be elected or appointed by their branch or members. In larger establishments the PLR is a full-time role, while in smaller establishments the PLR role may be part time, but must be filled for no less than three days a week. Mark Meikle, PLR for Edinburgh Prison job shares with

The role of the Partnership Liaison Representative (PLR)

The PLR is another important development to come out of the partnership agreement and is designed to promote, develop and

Box 8 – Content of a local partnership forum constitution

- Functions of the forum
- Membership
- Quorum
- Chairperson(s)
- Frequency and length of meetings
- Cancellation of meetings
- Arrangement of additional meetings
- Record of meetings
- Decisions of the forum
- Joint communication of forum discussions and decisions
- Dissolution or amendment of the constitution.

another union representative. "Being a PLR means that you can work with the Governor to address issues as they arise", says Meikle. "Because the role has decision making responsibility, the unions are able to influence many more decisions than would otherwise be possible," he adds.

In an employment relations environment characterised by formality, one of the most striking features about the relationship between the PLR and individual Governors at establishment level is the informality that can develop over time. "Hardly a week goes by without some ad hoc or informal meeting," says Bill Millar, Governor at Polmont Young Offenders Institution. David Croft, Governor at Edinburgh Prison adds "In partnership we will challenge the perception that management spend all day thinking up ways to make things difficult. By working together we are more likely to deal with a situation before it becomes a grievance."

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Resolving differences and making decisions

"Working in partnership encourages a new approach to conducting employment relations between management and the trade unions," says William Barnott, Head of Employee Relations. Both recognise that despite the best endeavours of all the parties to resolve issues locally, initial agreement is not always possible. In these circumstances the VIRA provides a clear procedure to bring any dispute to a speedy conclusion. As stated by David Melrose, Chairman of the TUS, "Yes we will disagree at times but it is about resolving our issues internally at the lowest possible level."

As part of the partnership agreement the partners have also designed a 'pre-VIRA' checklist (see box 9) to provide the parties to a disagreement with additional help to establish whether all possible avenues for resolution have been exhausted prior to accepting that a potential failure to agree exists.

The partnership agreement requests that all efforts should be made to achieve a positive outcome thereby negating the requirement to use the VIRA process. In contrast Frank Blair,

Box 9 - Pre-VIRA checklist

- Are both parties satisfied they have addressed their commitment to the competitive success of the SPS?
- Are both parties satisfied that they have understood and recognised the legitimate interests of each other?
- Are both parties satisfied that they have addressed the impact on the quality of the working life for staff?
- Are both parties satisfied that they have conducted consultation in an honest, transparent and reasonable manner?
- Are both parties satisfied that the consultations / negotiations have added value to the SPS?
- Are both parties satisfied that sufficient informal discussions have taken place?
- Has all relevant information been provided to both parties to ensure a clear understanding of the issue(s) to be addressed?
- Are both parties content that all alternative solutions to the issue(s) under discussion have been fully explored and impasse reached?
- Have both parties sought informal advice and guidance from parties external to the potential failure to agree (e.g. if the impasse is at a local level have the national partners been consulted)?
- Have both parties agreed a joint communications strategy for staff involvement?

Director of ACAS (Scotland) encourages SPS and the unions to use the VIRA. "When the VIRA was established some suggested that we measure a lack of recourse to the agreement as a measure of the success of joint working," Blair argues that this is not the case. "Conciliation – or assisted problem solving should not be considered a failure. It is no bad thing to be able to ask for help".

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Communication

The partnership agreement also commits SPS and the TUS to follow agreed procedures for communicating with each other, with employees (see box 10) and in promoting a positive image of SPS at all times, and especially when an issue is in dispute.

The importance of the role of communication is endorsed by Tony Cameron the Chief Executive of the SPS, "We need to find ways of enabling Managers and Staff Representatives... and staff members themselves to understand what partnership is all about and the challenges that face the partners."

Among the interesting commitments listed in relation to communicating

with staff are that all the parties:

- Provide regular updates on matters subject to ongoing discussion
- Provide clearly evidenced rationale for all decisions taken
- Provide an accurate reflection of events following resolution of an issue, using constructive terminology and not destructive rhetoric
- Convey agreement and not victory on matters resolved.

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Impact on employees and SPS

When the partnership agreement was established the national partners agreed a number of measures of success (see box 11).

It was recognised at the time of establishing Forward Together that finding a set of criteria that would unambiguously measure the success or otherwise of partnership working would not be easy, and that more work would be required at a later stage to refine those already published.

During the first two years of partnership, no issue had gone to arbitration. Work on the joint bid for a

Box 10 - Internal communication

Internal communications at SPS take place both nationally and locally and involve both top down and bottom up elements. Given the remote physical relationship between headquarters and the various establishments, communication is required in a number of forms including regular information cascaded down the management chain, message boards, email and intranet. Individual establishments are free to adopt the mechanisms that best suit their circumstances. However, apart from the annual staff survey there is little regular feedback on the effectiveness of these mechanisms. Governors' offices also operate an 'open door' policy to all employees.

Local partners may agree to circulate the minutes of partnership meetings via any of these mechanisms or put together a bulletin covering the main items discussed in the meeting. The guidance specifically states that the parties need not reach a decision before communicating to employees that an item was discussed. This is intended to help staff understand, at an early stage, that joint work is underway and that an outcome can be expected at some point in the future.

From the trade union side, information is shared on an ad hoc basis. Often directly with the membership by word of mouth or through large-scale meetings with members and indirectly through dedicated union message boards.

In relation to external communications the partnership agreement also reveals a number of joint commitments, including to:

- Maintain confidentiality agreed in respect of any matter relating to the SPS under discussion between them
- Communicate jointly whenever possible on matters relating to the work of the SPS
- Represent separate interests fairly without undue criticism of either party
- Refrain from making destructive comments or personalising issues in either internal or external media.

new prison has been successful to the point that the Minister for Justice approved further work to be taken forward following receipt of an outline proposal. A recent employee survey also suggests that joint communication and the performance of the partners have been received well in general (see box 12 overleaf).

The results indicate that while both establishment and headquarters employees may be well informed about partnership, establishment colleagues are not as convinced as headquarters staff of the benefits it brings to the organisation (or perhaps to themselves in particular). The latter is not perhaps surprising, given that overall improvements in organisational performance are not always linked to short-term reward, but to longer term objectives such as maintaining

employment security.

It may also be argued that partnership and open communication has given employees in the establishments a much deeper understanding of national issues. Greater access and sharing of complex information and open dialogue, particularly about future plans, often leads to much more rigorous examination and criticism from the establishments.

However, national-level communications with staff could be improved, and it is recognised that levels of sickness absence and grievances, while related, are not in themselves inextricably linked to successful partnership working.

A more serious challenge comes from the negative association that partnership has with the drive to

reduce costs and compete with incoming private sector competition. This is a difficult challenge for the national partners especially where the win-win scenario is not always readily apparent. For example, flexible working practices and reduced staffing have obvious competitive advantages. Balancing these with attempts to increase work-life balance or long term job security for a smaller workforce are however much more difficult for members to equate with the initial shock of the proposed action.

At a local level "the staff see (the national) partnership as a one way street, a large part of which is taken up by the need to address annual savings," says Eddie Cruse, PLR at Polmont Young Offenders Institution. "Much of the communication is reactive," says another, "and a lot of the outcomes come across as a compromise."

Barbara Allison, Director of HR for SPS suggests that from a management perspective there is also "some frustration when trying to implement change, as managers can no longer go ahead and proceed without first engaging in dialogue with the Trade Union and securing agreement to the proposals". She further recognises that the "POA(S) Local Branch and National Officers get a rough ride from their members," but

Box 11 - Forward Together measures of success

- Reduce the number of formal failures to agree with a target of resolving all before reaching arbitration
- Jointly sign quarterly bulletins updating progress on partnership. This is to be issued by the partners at national and local level
- Jointly construct a bid to deliver a new public sector prison operated by SPS
- Reduce sickness absence by 10 per cent
- Increase the satisfaction of employees by 10 per cent
- Reduce the number of grievances, which reach the final stage of SPS's formal grievance procedure by 20 per cent.

Box 12 – Staff survey results on partnership working

Survey Question	Establishment employees (% agree)	Headquarters employees (% agree)
I know what the Partnership Agreement is.	74	82
The Partnership Agreement has been of benefit to the SPS.	46	67
Close working between the TUS and management is necessary to the future of SPS.	72	87
SPS Staff Survey: 2005		

concludes that if SPS is to become a 'provider of choice' in a mixed economy of private and public sector prison service provision, then despite the problems "there is no realistic alternative to partnership."

There is also some evidence to suggest that the PLR's ability to influence management decisions is seen by members as a benefit. The PLR's relationship with management means that "the PLR can be more forthright and that means people get better representation," says Eddie Cruse. Andy Hogg, TUS Secretary adds: "relationships have come a long way at a local level. There is greater understanding from management that representatives should be consulted, and behaviours have changed considerably."

However Mark Meikle, PLR at Edinburgh Prison warns: "While staff see small changes taking place at a local level, they are sceptical of partnership nationally because they are not sure where it is leading them." Nonetheless, more frequent formal and informal meetings, greater local TUS influence through the PLR, and fewer national disputes are among the general benefits associated with the partnership agreement.

Assessment and future prospects

"In employment relations terms, the organisation is unrecognisable from ten years ago," says Frank Blair. "The VIRA

is designed to provide a clear procedure to bring any dispute to a speedy conclusion, while the partnership agreement serves a much more general objective, that of shaping the future of a traditional public service in a competitive marketplace."

Positively, the VIRA and partnership agreement have given some of the smaller unions more opportunity to participate in joint working and decision making at both local and national level. The RCN was recognised in 2003. Philip Coghill, RCN national representative says, "We are not used to being the baby organisation in big institutions, but the partnership agreement creates a culture in which information is shared and we actively negotiate on a wide range of issues. This is much more positive and less destructive than the alternative."

Locally too, the PLRs meet with the representatives of other unions and hold formal meetings with management. However, Barbara Allison believes there is still room for improvement: "Currently all the PLRs are from the POA(S) and some people feel that they do not represent all levels of staff (particularly management grades) as they should." This is a problem that the PLRs and local management also recognises, and is compounded by the nature of the role, which by definition involves considerable time spent away from the shopfloor. Getting too close to management and losing touch with the perspective of the membership remain a constant challenge for the PLRs and National Officials.

The sustainability of the partnership agreement and VIRA will depend partly upon evidence of greater activity from the national partners. As one interviewee mentioned: "It can be difficult to come up with obvious cases of success at a corporate level". "Branch members [also] need to be better informed and see the bigger picture," says Eddie Cruse. "This is a local and a national challenge, but one that does need to be addressed" says Phil Fairlie, POA Scottish National Committee member. He adds that: "the acceptance and understanding of partnership by the membership is very much unfinished business."

Clearly an air of caution remains among both local and national participants. This is not born of a lack of faith in what partnership can deliver. On the contrary, partnership has exceeded the expectations of most and no one would wish to return to the adversarial and at times destructive past from which it emerged. Among employees, this is evidenced by the overwhelming 3 out of 4 of those who responded to the staff survey stating that they believed that close working relationships between the Trade Union Side and management is necessary to the future of SPS. Caution stems instead from a fear of complacency; that failing to continuously improve working relations will mean stagnation or not making the most of this remarkable opportunity. As long as all participants continue to be driven by the need to move forward, partnership working in SPS has an excellent future. As Tony Cameron, SPS Chief Executive put it, "Partnership's the only game in town."

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EUROPEAN COMMUNITY
European Social Fund



Involvement & Participation Association

42 Colebrooke Row, London N1 8AF

Tel: 020 7354 8040 Fax: 020 7354 8041

E-mail: involve@ipa-involve.com Website: www.ipa-involve.com

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