

**UNION MODERNISATION FUND –
ROUND 2**

**PROSPECT : building capacity
within the defence sector to
develop and sustain Prospect
equality representatives**

Case Study written by : PROSPECT

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BUILDING CAPACITY WITHIN THE DEFENCE SECTOR TO DEVELOP AND SUSTAIN PROSPECT EQUALITY REPRESENTATIVES

Scope

Prospect initiated the project to identify, recruit and train Equality Reps within core MOD, two of its Trading Funds (Hydrographic Office and Met Office) and the Atomic Weapons Establishment, a former public sector organisation, now run on behalf of the government by an American owned consortium

Participants

Prospect is a TUC affiliated trade union representing 102,000 members across a variety of civil service, ex civil service and private sector bodies, and a number who are no longer in employment. Within the civil service Prospect traditionally organises specialists and professionals such as Health and Safety Inspectors, Engineers and Medical Grades, it represents about 8,000 members within the scope of the project. Prospect delivers support to its members through a branch-based system. The branch system does not map directly onto the Ministry of defence (MoD) business structure.

The MoD is a government department composed of central core area, with various business units known as Top Level Budget Holders (TLBs) and Trading Funds such as Hydrographic Office (HO) and Met Office (MO). With respect to employee representation bargaining and consultation is conducted at a departmental and business unit (TLB) level, through a traditional Civil Service Whitley system, In addition Trading Funds have delegated authority to negotiate pay and terms and conditions separate from mainstream MOD. The Atomic Weapons Establishment (AWE) is a private sector organisation involved in the production and maintenance of Britain's nuclear weapon stockpile

Issues Informing the Project

The basic means by which Prospect delivers support to members is through our network of elected workplace representatives. The majority of day to day industrial relations issues in the MOD are resolved by these representatives. Where resolution of an issue is not possible by this means then Prospect deploys paid full time officials. Prospect has for some time sought to improve the data we hold on the background and diversity of our representative network. We have been seeking to encourage greater diversity and commissioned various initiatives across our membership in this respect.

We were particularly concerned that our elected representatives within the scope of the project were predominantly white males; moreover the vast majority were over 40. Whilst this to an extent reflected the Prospect membership historically, we were concerned that the representative base was no longer reflective of our existing and potential membership. Furthermore, given the increasing profile, complexity and demands of the equality agenda we concluded that our current representative based who were fully engaged with day to day employee relations issues were unable to take on additional training and tasks. If left un-addressed we could fail to pursue equality and diversity issues with the vigour we believe is necessary to make progress. Consequently we decided that the provision of new specially trained reps would alleviate this and should be a priority for Prospect and its MOD Group in particular.

Moreover MOD, whilst it has notoriously had difficulties in providing accurate records of its staff and their background, were making attempts to address concerns over equality issues, and Prospect believed that by developing a network of dedicated equality

representatives this process could be assisted through a joint working approach. MoD has historically had an overrepresentation of white males working a standard Civil Service 42 hour week within it's workforce, this is particularly the case in specialist areas where Prospect is the recognised union, reflecting in part previous Armed Services service. The current ongoing negotiating stance for Equality Reps is to encourage MoD to produce better more inclusive mapping of its staff in terms of equality strands so that a clearer picture of any potential issues is available to aid future planning and improvements to promotion and recruitment for those covered by equality legislation.

Project Milestones

The milestones italicised are taken from our Project Bid Document, each milestone is reported on and is also annotated as to whether or not it has been achieved

1 – To carry out an analysis of Prospect membership by equality strand and compare this to a) same analysis within MOD/AWE areas where Prospect is the recognised union and b) same analysis across all appropriate MOD and AWE areas. This work will be done by Prospect centrally.

Outcome - The data was obtained and is held for future analysis. Data was obtained from Prospects Membership database, and, after some prevarication, from the MoD and AWE, both sets of data show a lack of completeness caused by problems in data capture (the MoD doesn't mandate staff to provide all equality data, Prospect itself has only recently provided members with the ability to self amend their data. However the data is now stored and available for future use - **completed**

2. Establish an e-mail database for all members in equality strands and invite them to an initial focus group meeting to discuss the Prospect project – to determine what the union

needs to do to encourage greater activity. The database will be compiled centrally and focus groups organised by the project worker will be held in a range of locations.

Outcome - There is a database of interested parties. An initial project meeting was held with a group of members who had expressed an interest in the project following an initial mail out and publicity in Profile (our member's magazine). The attendees at this meeting and also those who expressed an interest then formed the database we used to involve members. The initial project event included focus groups which took views from those involved about encouraging debate but also about taking the project forward. The event which also involved speakers from both the MoD and TUC provided the project with its initial cadre of potential representatives. It was particularly encouraging that some of those who came forward had not previously held any representational role in Prospect, nor attended union meetings - **completed**

3. A presentation to employers and other interested unions on the aims of the project and seek agreement to set up similar focus group meetings with potential members to determine their priorities. Project team members will be responsible for making the presentations. Again, the focus groups will be organised by the project worker and held in a range of locations.

Outcome - All employers were contacted by the Project worker who held a number of meetings with them and all supported the aims of the project. Employers were consulted on the programme of events planned, and also asked to feedback any issues that they had in recruiting their own diversity officers so that we could learn from their experience, outline views on the role of the equality representatives were also shared with employers It was agreed with those employers that any non-members wishing to attend any project event would be entitled to the same paid release as members. Despite understandable internal disquiet at

the involvement of non-members in any discussion body which had an influence on union policy, we were prepared to take this novel approach in order to further the aims of the project. Notwithstanding this at the other project events that took place there was no interest from any non member in attending, despite clear indication being made through employer publications, such as the MoD all staff bulletin that we welcomed non member involvement - **completed**

4. To establish an initial training programme for senior elected representatives and Prospect staff on the aims of the project and on the bargaining skills required for equalities. This will be organised by the project worker, with training inputs from across Prospect.

Outcome – As part of the process of consulting branches, all branches (and thus by default all senior reps) were given a background briefing on the project and on the need to up skill in terms of bargaining. All branches have been made aware of the already existing Prospect training course Bargaining for Equalities, and branch reps have been encouraged to attend. The course material relating to the role of equality reps is now integrated into the Prospect rep training programme and so all reps undertaking the training programme will be exposed to it – **completed**

5. To establish an information sharing agreement with MOD and AWE covering equality issues, a facilities agreement covering release and a mechanism for discussing and where necessary agreeing equality issues at all levels of the industrial relations structure. This will be the responsibility of the Branches / MOD Group and their FTOs.

Outcome - A formal agreement with MOD has been reached in respect of information sharing. The MOD Equalities Whitley oversees this agreement and makes strenuous efforts to ensure that all the TLB Whitley's adhere to it. A more informal agreement is in place with AWE,

strenuous efforts at obtaining a more formal agreement with AWE have not been successful, the industrial relations environment in AWE has been somewhat strained and a number of competing priorities have arisen. The Negotiating staffs in the AWE area have indicated that this agreement remains a high priority for them and are continuing to pursue the employer – **Partially Completed**

6. By 1 July produce communications materials based on the lessons learnt from the initial focus groups. There will be a range of inputs to this work, including Prospect's Communications Department.

Outcome – Because of the delay in running the initial focus groups we took the decision to focus the communications on clarifying the role. We used the progress on the project and all inputs up to that time to produce a formal statement about the role of Equality Reps across Prospect, this was produced by Prospect Communications Department and authorised by the NEC's Equality Advisory Group and eventually the NEC. This document has been promulgated to all branches involved in the project, all interested parties via our distribution network and is available through RSS to all branches in Prospect – **Completed.**

7. Run a separate series of focus groups to explore the needs of part-time / flexible workers and those who aspire to work more flexibly.

Outcome - This was somewhat delayed by the change of personnel. The Focus Groups formed part of the Equality in Defence Seminar chaired by Paul that took place in May 2009 – the findings of the focus groups were shared with the Steering Group, the document has been forwarded to the MOD Group, who will now decide upon priorities and implementation of those findings. – **Completed** – the findings are at Annex B, the invite to the focus group is at Annex D

8. Establish an e-group system for equality members in MOD and AWE and use this as the base for communications including a regular newsletter giving feedback on the project and on bargaining successes/failures. This will be done with input from Prospect's ICT and Communications teams and with input from Branches and FTOs.

Outcome – On taking over the initial thought was that we could simply create an e-branch for the equality reps. In discussions with our website administrator we learned that we could not use e-branch in that way, we can only use it for branches. Although the functionality will be made available at a future upgrade, neither the project (nor it appears Prospect) has any control over the timing of this upgrade, the computer code was being written and supplied by a third party. It was decided to wait to see if the upgrade would occur within the life span of the project, as although they are alternatives, we are keen to use our award winning E-Branch system. The MOD pitch has established a number of e-networks using the upgrade to our systems and these are now in full use by staff and reps alike - **Completed**

9. Establish a cadre of Prospect FTOs and representatives prepared to act as mentors/role models and train them in the necessary skills. The project worker will identify and work with the potential group of mentors and organise training at an appropriate venue.

Outcome – Using links that Gareth Howells our Wales Officer had made with Cardiff University we were able to consult with the provider and run a course in late 2008 at which 6 members of staff and 3 senior reps successfully qualified as Approved Mentors under the Cardiff University Mentor Scheme. All current and potential Equality Reps covered by the project were then informed of the mentor scheme and offered the chance to ask for a mentor, at the current time one rep has done so – **completed**

10. Establish an initial group of members/representatives who are prepared to become equality reps and provide them with an introductory training day. Provide each of those willing to take on the task a mentor/role model. Again, the project worker will co-ordinate this activity.

Outcome – Using the attendees of the initial project event we were able to identify a group of members interested in becoming reps. Three events were held one in Bristol and two at headquarters, at which all potential reps were given a grounding in equalities issues – all potential reps were subsequently issued with copies of the publication *The Role of Equality Reps In Prospect*. We received positive feedback on these sessions. - **completed**

11. Report back to Branches on the focus group work on part-time / flexible working and draw up an action plan.

Outcome – The focus groups findings have been forwarded to the MOD Group Senior FTO for discussion to take place at MOD Group as to how these findings are best implemented – **Completed** – the findings are at Annex B

12. Initiate a full training programme for the equality representatives. This will be organised by the project worker, with appropriate training input.

Outcome – The Project Worker attended the equality reps training course run by the TUC at FE colleges and also available online, to evaluate it. The TUC training fully meets the needs of the Prospect Equality Rep and because it doesn't require a minimum number of attendees from Prospect and is available online is far more flexible in delivery than any internal course could be. Feedback from Prospect participants on the course has been excellent - **completed**

13. In line with the timetables for Branch and MOD Group ADCs/AGMs establish an equality

committee to advise AWE Branch and MOD Group on equality issues and to monitor achievements.

Outcome – A MOD Group Equalities Advisory Committee was established very early in the project and has taken the lead on a number of issues. AWE members have a standing invitation. – **completed**

Project Outcomes and Lessons Learned

The italicised parts are taken from our Project Bid Document as already indicated, the purpose of this project is to improve the both the inclusiveness and effectiveness of the union's operations in the defence sector. Tangible objectives of the project include: An increase in the proportion of under-represented members active within Prospect.

Improved retention of members in all equality strands. –

Outcome - Measuring this outcome will be difficult. The software enhancement needed to allow members to update their equality details on the membership system, which was ordered at the start of the project has only recently been finally released as a live product. As we have therefore we have only recently been able to actively ask members to update our data, it is highly likely that the data held now is more or less the same as that held at the beginning and no meaningful analysis will be possible. This has been one of the most frustrating aspects of the project. The software upgrade was ordered by the original Project Worker but by the time of handover in October 2008 the upgrade was still not available, in discussions with the individual responsible for placing the contract it was requested that the upgrade be viewed by the third party supplier as an urgent issue. It appeared that the software would be available early in 2009. It was agreed that once the vital end of year membership activity had been undertaken on

the membership system along with a membership system upgrade that the website software could be made available. What wasn't clear was that this timescale was for the website software upgrade to go on test, and as a result the upgrade was not available as expected in March. The upgrade software was only released to our website administrators for testing, in June as the project was winding down.

The major issue here is the lack of clear accountable delivery schedules for the third party software provider, and the inability of the project to communicate with them. For future projects I would strongly suggest that important deliverables like this are actually put in place before the start. Obviously not having the ability to deliver in house means we were at the mercy of external suppliers and we perhaps haven't communicated with those suppliers as effectively as we should have.

We can of course measure the Project impact on the data that we already have though it is suspected that it will produce a no change outcome. However because of the success in other parts of the project we now have a democratic body, within the MOD Group, elected at MoD group Conference from amongst branch members charged with taking forward our equality aims.

Now that the self amend upgrade is available and has been widely promulgated in Prospect publications like Profile and Report (respectively our magazine for members and our Representatives newsletter). The MOD Equalities Group will be able to appoint an individual to investigate the data and report accordingly. It is suggested that reporting back on the data is made a reportable item at the annual MOD Group Conference so that awareness is raised of any ongoing issues. – **Not Achieved but Ongoing**

An elected and trained equality representative in each MOD branch and on the MOD Group Council.

Outcome – We have partially achieved this objective, we have an Equality rep on MOD Group Council, and in several branches, indeed several branches have more than one equality rep describing what we did, challenges encountered attitude/constraints upon reps etc. Given that the role of the rep as finally identified by the project is one of monitoring and advising rather than a directly representational role the fact that we don't have reps in every branch is not a disaster. It is more important that we have equality reps covering the levels at which bargaining take place – this is at Top level Body (TLB) Whitley level within MOD – our branch structure doesn't reflect this bargaining structure. Thus by having more than one Equality Rep in branches we have in fact covered a number of TLB Whitley's. Currently Equality Reps are in place in AWE, MOD Air, MOD DE&S, MOD DE, MOD DSTL, Met Office and MOD Centre.

Once it became clear in early 2009 that we were at risk of not meeting the objective the Project Worker contacted Full Time Officials (FTO's) with responsibility for those branches yet to appoint Equality Reps and asked for an invitation to attend branch meetings. Take up of this request was small; this may be for a number of reasons.

- Firstly it is unfortunate that most MOD Group Branches have a quarterly meeting cycle so in many cases the request may just have been overlooked due to the passage of time, although reminders were sent to FTO colleagues.
- Secondly some branches, for example the Hydro graphics Office were simply overwhelmed by events (a proposal from the employer for massive staff cuts) and were unable to devote any resource to the Equality Rep role.

As an addition to speaking at branches the Project Officer delivered reports to both the MOD Group Council and the MOD Group AGM, again sadly the take up was not huge.

Therefore despite attendance at branch meetings and input from the relevant FTO's we have not been able to recruit Equality Reps in MOD Land, MOD Navy or the Hydrographic Office, In the latter case it would appear that a year long dispute over staffing cuts has understandably taken up most of their time and resources.

Moving forward we'll have to review how we interact with these branches to ensure that we can get TLB Whitley coverage from these branches. The major lesson here is to strongly identify the role of the representative before the project is initiated. Had we done this we would have known that to be effective we needed reps at TLB level rather than at branch level, in fact we could have achieved the objective and still not ensured that all Whitley's had equality rep support. It is also likely that the lack of a "role description" for the rep at an early stage meant we couldn't engage as fully with prospective reps as we would have liked, given that we couldn't really answer the basic question "what am I going to be doing".

It would appear that the lack of a direct link between our branch structure and the bargaining structure in MOD may have been misunderstood at project initiation and in future it may be helpful to have that structure more defined and understood when drawing up project outcomes. There is however no doubt that one of the single main contributors to the failure to recruit more Equality Reps is the failure of the new equality legislation to grant Equality Reps the right to statutory time to perform their duties. This has meant that MOD (already under pressure to reduce costs) has not been able to add additional facility time, meaning that the extra roles and responsibilities have to be added to an already heavy workload, which being blunt, isn't a wholly attractive proposition. The fact that we have recruited new reps, and existing reps have stepped up to the plate to take on their role is a tribute to their commitment. Sadly however it is also clear that the failure of some

branches to invite presentations and discussion on the project would indicate that we have still got some way to go in terms of engaging with some representatives about the importance of our equality agenda.

Fortunately because of our achievements in other areas of the project we have established the MOD Group Equalities Committee, this body is ideally placed to carry forward the work of recruiting equality reps and has a firm base in respect of training availability, materials and mentors. The MOD Group Equality Committee will firstly conduct a survey of those equality reps already appointed to identify what made them become active, using these examples of best practice to those branches without equality reps, the committee must also build upon the good work already undertaken on the establishment of the equality newsletter, to build a better understanding and acceptance of Prospects equality agenda. In respect of the problems with the Single Equalities Bill, senior Prospect officials are amongst the most active in the TUC in lobbying for parity between equality reps and learning reps, as this remains the single biggest block to recruitment – **not achieved**

An equality committee established at MOD Group Council level to advise the council on equality issues and monitor achievements. –

Outcome - This was established very early in the project, this body acts as the Prospect Trade Union Side to the MOD Equalities Whitley, and has been very effective in this role and it is now the body which will take forward issues outstanding from the project. The feedback from the employer is that this outcome is very welcomed and is extremely useful in supporting the employers ongoing diversity agenda - **achieved**

A cadre of trained and elected equality representatives across MOD and AWE. –

Outcome - We now have a solid cadre of 15 elected equality reps across MOD and AWE, although as indicated above we have not achieved full branch coverage, we do have coverage of much of MOD and AWE's bargaining structure, and a base of reps from which to extrapolate best practice and on whom we can build - **achieved**

An electronic communications system covering all Prospect equality members in MOD and AWE.

Outcome – An electronic newsletter is now circulated to all branches (and therefore members). In addition new developments to our e-branch system means that the MOD Equalities Group is now established as an e-Group and is able to disseminate information electronically and maintain a “webpage” within Prospect e-Branch system. This “webpage” contains links to all other Prospect Equalities networks and to external bodies.

A regular equalities newsletter.

Outcome – This was established very early in the project and has been received well by members – **achieved**

Trained mentors committed to encouraging the development of equality representatives.

Outcome - 9 trained mentors are available, and qualified through the Cardiff University Approved Mentors Scheme - **achieved**

An effective partnership between MOD/Prospect and AWE/Prospect covering all equality issues, including information sharing, facilities for representatives, collective bargaining machinery and agenda.

Outcome – Information sharing agreements are in place formally with MOD, and informally with AWE, Prospect is party to the MOD Equalities Whitley, which covers all collective issues relating to equality at MOD level. We

have commitments from AWE on consultation, and information exchange. Sadly we have not been able to obtain additional facility time for Equality Reps, and currently reps will need to access currently available time for their duties. The failure of the Single Equality Bill to put Equality Reps on the same legal footing as learning reps has caused problems. Facility Time is under pressure as a result of Government economy drives and the current economic climate and this will no doubt remain a difficult objective. Several attempts were made by colleagues responsible for negotiating directly with the MOD to broach the issue of additional facility time, but it became very clear that this was not an issue on which the MOD wished to engage. The MOD Group Equalities Committee will monitor the situation in respect of facility time, especially in the light of any changes to the Single Equalities Bill, and will attempt to negotiate improvements at the appropriate juncture – partly **achieved**

A joint Training and Development Partnership that will focus on the DIS, DTS and McKane Study and address the equality aspects.

Outcome – Training for Equality Reps is now delivered through a combination of internal Prospect and external TUC courses. One of the outcomes of our focus groups was a view that Prospect should look at greater involvement with MOD delivered courses. This is has now been passed to MOD Group Council for their views. There are significant differences between the role of Equality Rep as developed by Prospect and the Equality Advisers as used by MOD, and we need to maintain distance between the two. We would need to think strongly before committing to joint training on this issue. However we encourage reps to attend management delivered training courses and this is supported by the MOD, we need to investigate whether it is appropriate to see a slot on these programmes for use by our reps. The MOD Group Equalities Committee will investigate the interface between the role of equality reps and management equality advisers and the

training issues and report back to the MOD Group Council by the end of 2009 – **partly achieved**

Further Issues

We have had issues with how well we have been able to involve some of our existing representative base, and due to workload priorities some of our full time officer cadre. This capacity to engage may be addressed as the equality sections of the new training courses are rolled out, and as information provided via the equalities newsletter, which is issued quarterly to all branches giving updates on equality issues and highlighting areas of success and concern.

In respect of the full time officer situation although the project was able to deploy a project officer the role did not have any direct negotiation role with the employers involved and the project required the involvement of negotiating officers to deliver some targets. We should not underestimate the competing workload demands on our officers and representatives, these are perhaps best illustrated by the Hydrographic Office involvement which was severely curtailed because of a year long dispute over staffing cuts, moreover the need to communicate with employers and third parties through others does build into any relationship the potential for communications problems, some of which did occur. In future it may be appropriate to limit the scope of the project so that the project officer can have lead on negotiations in the scoped area to ensure that competing priorities and communications issues do not disrupt the project

Conclusion

Although we have not been able to fully meet all of our objectives, we achieved the majority of our objectives and gained further insight into

the issues involved in those objectives we have yet to complete during the project. We have plans to continue to address those matters as described in the report. Progress on these issues following the completion of the project falls within the remit of the MOD Group Equalities Committee, this is a member led committee which will present it's findings and recommendations on progressing the project to the MOD Group Council and ultimately the NEC for approval.

We now hold details of interested members who can form the basis of any further attempts to expand our representative base

We have held focus groups, which should ensure that member's views are fed through into our policy-making decisions

We have been able to recruit 15 new representatives and to re-invigorate existing reps to take on the role. Those taking on the role have expanded our representative base within those covered by equality legislation

We have heightened the awareness of equality issues across the MOD/AWE area of membership

We have developed a training programme that will ensure the recruitment and development of Equality Reps is sustainable in the future

We have trained 9 mentors who are available to assist new reps across the MOD; these mentors will also be available to assist any extension of the equality reps programme across Prospect

Working with the MOD we have established a Whitley Committee solely to consult upon and progress equality issues across the department, alongside this we have established our own democratic structures to support the Whitley and to ensure accountability

A new equality newsletter is in production and is widely circulated across the defence membership

A very clear definition has been established for equality reps across Prospect, which will aid consistency going forward

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