

High Speed Two Limited and the Trades Union Congress Initial Framework Agreement (IFA)



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Introduction

This Framework Agreement sets out a framework agreed by High Speed Two Limited ('HS2 Ltd') and the Trades Union Congress ('TUC') (together, the 'Partners').

It is noted that Recommendation 19 of the HS2 Task Force Report¹ states:

"HS2 Ltd must ensure strong working relationships with its contractors and workforces to deliver exceptional results"

It also states that HS2 should start discussions with employers and trade unions with a view to reaching agreement on:

"a framework to deliver high standards in working practices and skills development"

HS2 will be an incredibly complex project with a number of distinct and overlapping elements and work packages, including design services, major civil engineering, engineering construction and electrical and mechanical construction works, the development of station facilities, railway systems, the permanent way including signaling, the procurement and manufacturing of rolling stock, and, following the completion of the project, the ongoing operation of a new high speed line, with new and upgraded station facilities and maintenance facilities.

HS2 Ltd will achieve its goals mainly through the engagement of suppliers, contractors and other providers. The Partners believe that a relationship between them, at a high level, will provide a useful mechanism to discuss, strategically, matters concerning employment, development, diversity and inclusion issues affecting those working for the suppliers to HS2 Ltd.

This Framework Agreement describes the Partners' shared purpose, and their values for effective joint working and will:

- support the overall shared objective to deliver a high-quality HS2, on budget and on time, in a way that supports the highest employment standards and maximises the potential benefits of HS2 to the UK supply chain;
- provide a high-level mechanism to discuss strategic issues including (but not limited to) employment (including local labour clauses, standards indirect employment); union access; high-quality apprenticeships; staff training and development; equality, diversity and inclusion; and health, safety and wellbeing (See 'Purpose and principles');
- set the environment for subsequent work package agreements, to be agreed directly between the appropriate unions and contractors, with the support of HS2 Ltd and the TUC; and
- monitor and assist in the resolution of issues that may arise in relation to the work package agreements.

¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/294851/hs2-get-ready.pdf

This Agreement is not a collective bargaining arrangement, nor is it designed to cut across or replace any existing or subsequently agreed collective bargaining arrangements (for example, those that HS2 Ltd may agree with its own staff).

1 Purpose and principles

1.1 The following principles reflect a commitment by the Partners to shared values and common purpose:

- the importance of respect at work;
- the potential of partnership at work;
- the commitment to equalities, diversity and inclusion;
- a commitment to exemplary health, safety and wellbeing;
- a commitment to legacy, maximising economic and social regeneration; and
- a commitment to environmental and social responsibility - in particular, the Partners share:
 - a commitment to working together on employment and development issues within the planning and construction of the HS2 railway; and
 - a belief that HS2 Ltd should ensure that those contractors and suppliers with which it engages promote good practice in all areas of staff management, including equality, diversity, inclusion for all and workers' rights to freedom of association

1.2 This Agreement recognises the positive role that trade unions can play in ensuring that a high-quality HS2 is delivered on time, to budget. This extends to a commitment from HS2 Ltd to ensure that access by trade unions for them to carry out their legitimate roles is made an integral part of all subsequent work package agreements. HS2 Ltd will commit to proactively encourage its suppliers to recognise the value of working in partnership with trade unions, including promoting the development of recognition agreements, access and facilities where appropriate.

Additionally, this Agreement establishes that subsequent work package agreements will include:

- a commitment by HS2 Ltd and its suppliers that the latter will recognise and apply relevant national agreements;
- that suppliers work constructively with trade unions party to this agreement, acknowledging their legitimate role in employee relations;
- a commitment to the Living Wage and London Living Wage where National Agreements do not apply;
- an enforceable commitment to support direct employment;
- commitments to develop the workforce, including arrangements on high-quality apprenticeships, staff training and career development;
- commitments to promote equality, diversity and inclusion; and to challenge social exclusion and discrimination;
- commitments to promote opportunities to disadvantaged communities; and
- a commitment to the highest standards of workplace health, safety and wellbeing.

2 Terms of Reference

2.1 HS2 Ltd has mechanisms to engage with its own staff. The contractors it engages in the construction and operation of the railway will have their own relationships with their staff and the

trade unions that represent them. This agreement is separate from those arrangements. It is not a stage or escalation point in the Machinery of Negotiation for HS2 Ltd or its contractors.

2.2 The Framework Agreement provides a mechanism for HS2 Ltd and the TUC to discuss the plans and progress of the HS2 project and its legacy at a strategic and national level, and matters concerning employment and development affecting those working for suppliers to HS2 Ltd, including (but not limited to):

- trade union and workforce engagement ;
- employment and recruitment;
- apprenticeships;
- skills, training and development;
- health, safety and wellbeing;
- equality, diversity and inclusion;
- procurement and supply chain management;
- sustainability and environmental impacts;
- Living Wage and London Living Wage; and
- setting and monitoring standards, with particular emphasis on how the expertise and experience each Partner has can assist in the goal of HS2 Ltd not only constructing a railway, but leaving a long-term legacy.

2.3 The Framework Agreement is to be 'hard-wired' into the procurement processes of HS2 Ltd and applied to subsequent work package agreements and tiers of suppliers.

HS2 Ltd will be an active client and will adopt procedures and practices that mandate, require and incentivise the commitments set out in this Agreement.

3 Structure

3.1 A committee, chaired by the CEO of HS2 Ltd, will be formed under this agreement, consisting of:

HS2 Ltd

- CEO;
- Director of HR Operations; and
- Managing Director, Construction.

Trades Union Congress

- General Secretary plus one;
- Two each from the following trade unions: RMT, UNITE (Construction and Rail); and
- One each from the following trade unions: ASLEF, GMB, TSSA, UCATT.

Others may be co-opted by the committee as it feels appropriate.

3.2 It is foreseen that this committee will meet four times a year during the initial phase of the project and twice a year thereafter, but will be free to make its own decision upon frequency.

3.3 HS2 Ltd will provide the secretariat and will undertake to produce an agreed agenda, which will be circulated at least one week in advance of any meeting. Agreed notes of the meeting will be circulated within a month of any meeting.

4 Values

4.1 HS2 Ltd is committed to the following values:

- Safety
- Respect
- Integrity
- Leadership.

4.2 To deliver Partnership working successfully, it is vital that formal and informal relationships are developed that build trust while respecting difference. To facilitate this, the Partners will commit to the following when dealing with one another:

- build trust and a mutual respect for each other's roles and responsibilities;
- openness, honesty and transparency in communications;
- top-level engagement;
- a positive and constructive approach; and
- where appropriate, maintain confidentiality of information shared.

4.3 The document is based on a mutual respect of the values and roles of each party and is a framework for developing a genuine Partnership. It recognises that, from time to time, differences may arise. In such circumstances each party will treat with respect the views expressed by the other.

5 Status

5.1 This is a Framework Agreement between High Speed Two Limited and the Trades Union Congress. There are no other parties to the Agreement.

5.2 The Agreement is not legally enforceable and either party may terminate it by giving one month's notice in writing.



Frances O'Grady
General Secretary
For Trades Union Congress
6 April 2016



Simon Kirby
Chief Executive
For High Speed Two Ltd
6 April 2016