

**GOLDSMITHS  
University of London**

**COUNCIL**

**JOINT CONSULTATION AND NEGOTIATION COMMITTEE**

**Minutes of the meeting held on 28 September 2010**

Present: Mr Hugh Jones (in the Chair), Dr Philip Broadhead, Mr John Wadsworth, Mr Des Freedman, Ms Suzanne Stead

In attendance: Ms Kathryn Nesbitt (Secretary), Mrs Bunmi Odulaja (Senior HR Business Partner), Ms Adebola Bademosi (Assistant HR Business Partner), Ms Sally Townsend (Director of Finance), Michael Dick (Director of Estates and Facilities), Nick Jones (Head of Facilities), Mr Alan Spicer (Porter), Ms Ruth Levin (UNISON)

Apologies: Professor Jane Powell, Mr Chris Pearson, Ms Dail Francois

**OPEN BUSINESS**

**48 PROPOSED REVIEW OF THE SOFT SERVICES**

The Registrar and Secretary explained that the reason for extraordinary meeting of the JNCC was a request from UNISON that its members discuss the proposed changes to the Soft Services.

All present and in attendance confirmed their names and roles. (The Registrar and Secretary noted that, in view of the meeting's purpose, and the contribution which they could make to it, it had seemed sensible for Michael Dick, Nick Jones and Alan Spicer to attend).

The Registrar and Secretary brought the attention of all to the papers that had been circulated (i.e. the Soft Services Review paper, a paper confirming UNISON's position in relation to the Review and an e-mail confirming UCU's position in relation to the Review).

The Registrar and Secretary acknowledged that there were on-going conversations between UNISON, the Human Resources Department and Michael Dick/Nick Jones. He noted that the purpose of the extra-ordinary meeting of the JNCC was not to be a substitute for these conversations, but rather that it was an opportunity for the broadest issues relating to the Review to be explored. He asked UNISON to explain, in detail, the reason that they had requested that the meeting take place.

UNISON: Thanked the Registrar and Secretary for agreeing to the meeting and the Committee Secretary for organising it.

UNISON acknowledged that, whilst there had been on-going, informal, conversations with the Human Resources Department and Michael Dick/Nick Jones since February 2010, they were concerned that no real progress was being made. They questioned whether the proposed redundancies of Porters were genuine (and therefore 'legal'). They related this question to the issues which they had raised regarding the job description of the Porters and the College's use of an external, contracted, security company. They explained that they were deeply concerned about the possibility that the number of Porters employed by the College was to reduce, only for work to be given to individuals who were not directly employed by the College.

UNISON stated that they felt it was important to add that their members were not opposed to change per se, that they understood that it was not possible for the status quo to remain, but that they felt that change was being imposed on them as opposed to there being any genuine consultation.

UNISON stated that they objected to the College's refusal to allow Porters, who wished to take it, to be granted voluntary severance – all applications having been submitted by Porters having been rejected by the College.

UNISON stated that despite repeatedly requesting objective evidence (that was supposedly in existence) confirming the ineffectiveness of Soft Services, it had never been forthcoming.

The Registrar and Secretary asked UNISON to clarify what they meant by there having been a lack of genuine consultation with the Porters. UNISON responded that the consultation with Soft Service providers and users had been lacking.

The Registrar and Secretary noted that the key issues raised by UNISON seemed to be whether the proposed compulsory redundancies were genuine, and that the Porters who had applied for voluntary severance had had their applications rejected.

UNISON expressed their surprise that it had been necessary to request an extraordinary meeting of the JNCC. They explained that they would not have anticipated the need for one, as, historically, the relationship between UNISON and the College had been a good one. They noted that they hoped that a good relationship would continue, although they were concerned about whether this was possible given that the relationship between staff and management had become strained.

UNISON stated that two weeks previously they had met with the Human Resources Department to discuss how in general compulsory redundancies could be avoided, but that subsequently they had been advised that 50% of Porters were to be made redundant on a compulsory basis. They added that at any other Higher Education Institute the Porters would be offered voluntary severance so as to avoid the need for any of them to be made redundant on a compulsory basis.

Alan Spicer stated that he was concerned that the number of Porters was to reduce from 22 to 11 when the number of external contractors engaged by the College was to increase from 26 to 40.

The Registrar and Secretary noted that, in addition to the two key issues previously identified, was the issue of whether, and potentially how, Service providers and users might be involved in discussions regarding its future.

UNISON asked for clarity around how it had been decided that 11 Porters should be made redundant. They also asked how the process of identifying suitable alternative employment for Porters would work (they noted that it would be necessary for there to be a 60%/70% 'cross-over' been an old and new role for the new role to be considered as suitable alternative employment). They asked that when suitable alternative employment was identified Porters be 'slotted' into it, without the need for interviews.

UNISON stated that they wished to express their concern that the College was discriminating against trade union members. They explained that their concern stemmed from the fact that a very high number of Porters were trade union members and that the College was considering transferring work which they performed to external contractors who were not represented by a trade union. They added that they believed that some anti-trade union comments had been made by members of management.

The Registrar and Secretary assured UNISON that no staff of the College had, or would be, discriminated against as a result of their membership of a trade union. He added that the management information held by the College was not sufficiently robust to allow for those who were trade union members to be identified.

UNISON responded that they had been reassured by the Registrar and Secretary. They added that there might be value in providing Employee Relations training to management to ensure an understanding of the relationship between employers and trade unions. They also added that if external contractors were to be engaged by the College in the future that they would encourage them to recognise a trade union.

The Registrar and Secretary stated that the legal advice which they had taken regarding the Review was that the proposed redundancies were genuine, and Bunmi Odulaja added that there was not a case for a TUPE. UNISON responded that although it might be necessary for the effectiveness of the Service to improve, it was still not clear why there was a diminished need for the work carried out by the Porters. They also noted that if work currently carried out by the Porters was to be transferred to an external contractor they would not be much, if any, of a financial saving to the College.

The Registrar and Secretary stated that when the Staff Cost Reduction Programme had been presented to the trade unions at previous JNCC meetings it had been explained (and the trade unions had agreed) that applications for voluntary severance would only be agreed when there was a demonstrable cost saving to the College. He explained that it was not within his gift, at that meeting, to agree to a change to the terms of the scheme, but that he would refer UNISON's request to the Senior Management Team.

The Registrar and Secretary asked Michael Dick/Nick Jones to explain the background to the Review.

Nick Jones explained that the Review stemmed from the Burton Report, which had been conducted before he had joined the College. He stated that the Report had recommended the need for only 6 Porters, but that it was his belief that 11 were needed (one of which would be based in the Post Room). He stated that, in reaching that conclusion, he had considered the duties that the Porters performed and that there was a need for duties to be performed which sat with a security, rather than portering, function, for example, some which were required 24/7, 365 days per year. (He noted that he had liaised with Jimmy Harris regarding this and had spoken with and observed the Porters).

Bunmi Odulaja noted that the Burton Report had been shared with the trade unions previously and that the Report had taken into account the perspective of Service users. UNISON responded that the Report was not a timely one – that it had been written in 2005/6. They added that they did not believe that there was any reference in it to what number of Porters should be made redundant. Nick Jones noted that the figure of 6 had come from an e-mail between Burton and Ian Jones. UNISON expressed their concern that this figure was cited in an e-mail which they had not been privy to, and not formally in the Report. They suggested that the information contained in the report had been ‘cherry-picked.’

The Registrar and Secretary suggested that it would be valuable for Michael Dick and Nick Jones to speak with the Porters regarding the make-up of the portering role (he noted that he was not sufficiently close to the role to be able to comment).

Alan Spicer stated that when he left the meeting that he would go to the Library and that although he might not be moving boxes around that he was still performing a role.

Nick Jones referred to the Registrar and Secretary’s previous comment and agreed that he would be happy to do this.

UCU stated that it was important that the voice of the Service user was heard.

UNISON stated that they sought an agreement that the College would reconsider the proposed compulsory redundancies and subsequent engagement of an external contractor, that the College would reconsider their rejection of the applications for voluntary severance made by Porters, that the College would seek and take consideration of feedback from Service providers and users, and that the College would introduce a redeployment policy which would result in suitable alternative employment being ring-fenced for Porters. They asked that feedback regarding their requests would be forthcoming as soon as possible as their members were anxious.

UNISON noted that, as a result of them not agreeing that the proposed redundancies were genuine, they had not participated in discussions with the Estates and Human Resources Departments regarding the criteria for selection for redundancy. They stated that they questioned the need to interview Porters as part of a selection process.

UCU expressed concern that previous discussions concerning the Review had not been robust. They added that they had not seen any objective justification for the proposed redundancies. The Registrar and Secretary stated that Michael Dick / Nick Jones would no doubt disagree that there was no objective justification.

The Registrar and Secretary referred back to UNISON’s request around ring-fencing and stated that was an issue for discussion when the other key issues had been ‘ironed-out.’

Nick Jones stated that, with regard to the evidence requested from Service users, although some did exist he was willing to gather more. He noted that different users had different expectations of what the role of a porter should be.

The Registrar and Secretary noted that what was clear was that there was a need for change within the Soft Services, and that what work, and the quantity of it, required needed to be identified. UNISON stated that they did not dispute that there was a need for change. UNISON noted that the Review needed to take account of extra-ordinary work in which the Porters were involved, and not just the day-to-day work which they performed.

UCU referred to the Burton report and commented that it had recommended an 'in-house' security provision – that they had been no suggestion that the College should engage an external contractor. The Registrar and Secretary advised that this was something that would have to be explored with the 'experts.'

*UNISON requested a short adjournment, to which the Registrar and Secretary agreed.*

UNISON stated that they recognised that the College had agreed to engage in further fact-finding and discussions regarding the aforementioned key issues. They requested that whilst the fact-finding and discussions were on-going the current proposals were suspended. The Registrar and Secretary responded that if there were to be a temporary suspension that definitive timescales for the completion of the fact-finding and discussions would be necessary. UNISON stated that if discussions between staff and management were to be fruitful that it would first be necessary for management to regain the staff's trust.

*A further adjournment was called.*

The Registrar and Secretary stated that he shared UNISON's frustrations regarding the length of time between the beginning of the informal conversations regarding the review of the Soft Services and this extra-ordinary JNCC meeting. He also stated that he agreed that further fact-finding and discussion would be valuable, and that this should begin in the following two weeks. He agreed to a temporary suspension of the current proposals whilst this took place. (He referred to the timetable contained within the Review document and noted that the College was currently engaged in collective consultation stage). He advised that he would refer to the Senior Management Team the issue of the Porters' eligibility for voluntary severance. He stated that the possible outcomes of the suspension were: either that the proposed changes would not move any further forward, or that the College would pick up where it had left off. He added that if the latter of the two outcomes was realised that the College would honour its commitment to mitigate redundancies.

Nick Jones stated that it would be useful (following staff consultation) if a working party was formed from the wider Porter-community. UNISON agreed that this would be useful.

UNISON stated that they felt that this extra-ordinary JNCC represented a fresh start. Nick Jones stated that he did not believe that the College was 'starting afresh' with regard to the Review but that it was open to ideas. UNISON noted that they felt that communication between management and the Porters had been poor as the Porters felt that the Review represented a fait accompli. Nick Jones noted that individuals had actually approached him with ideas previously so perhaps this was not the case.

UNISON stated that they would like to have a follow-up meeting with those in attendance and present at this extra-ordinary JNCC and a document which captured what had been agreed that day. The Registrar and Secretary agreed to both requests.

## **49 Next Meeting**

that the next meeting would be held on 23 February 2011