

Departmental Committee Annual Report

November 17

2015

This report conveys the actions and discussions of the Departmental Committee since the last FCTU AGM in 2014. It reports on the main topics that faced the Departmental Committee and how those issues were resolved.

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Departmental Committee*

CONTENTS	PAGE NUMBER
Pay 2015 & Associated Issues	3
Woodland Enabling Policy	
Public Forest Estate, Forest Services, Cross Border Functions and Forest Research Refresh Project	4
Forestry Governance Project Board	
Organisational Development Programme	5
The Departmental Committee	
Policy Consultations Core Housing	6
Health, Safety	
H&S Action Plan Wellbeing	7
Mobiles Phones & Driving	8
FCTU & How it Works	
	9
Facility Time	10
FCTU Secretary	11

Appendices	Page Number
1 Pay Claim 2015	12
2 Holiday Pay & Overtime	13
3 Overtime & TOIL	16
4 FCTU & Forest Services (England)	17
5 FCTU Response to FR Refresh	24
6 Forestry Governance Project (FR)	28
7 Forest Enterprise Scotland (FES) Organisational Development Programme (ODP)	29
8 FCTU Slides for FES ODP	31
9 Health & Safety Action Plan	32
10. Union Reps Safety Questionnaire Results	36
11. How FCTU Works	37

The FCTU Pay Team had a couple of pay meetings during the year.

FCTU submitted a **pay claim** to the FC on 1st July 2015 in which we outline our ten key aims; ([Appendix 1](#)).

The continued austerity measures by the Westminster Government are ongoing with the likelihood of continued pay caps and other measures to prevent hard working FC staff from benefiting in any way from projected economic growth of which they are a contributor. The pay freeze and successive caps have led to a breakdown of a fair pay system in the FC. This has caused friction at all levels with not only the poor remuneration in general terms but with leapfrogging and in some cases higher starting salaries being applied for and given at recruitment. This is seen as divisive and denigrating to those who have been with the FC for a long time.

The pay remit of the FC had not received Ministerial sign off until late October and as such the pay date of 1st October had been missed.

The pay offer for 2015/16 will again be rejected by the unions as the overall pay policy imposed by the Westminster Government had not been the subject of any negotiation.

The Pay team also dealt with the thorny issue of **holiday pay and overtime** which saw us having to ballot the constituent unions on whether the proposal put forward by the FC in their letter to FCTU should be accepted or not. Of the votes cast a majority decision was reached to acknowledge the proposal ([Appendix 2](#)).

The Departmental Committee considered how **overtime & TOIL** was being paid as a reward for carrying out additional work, and to establish if these mechanisms were being applied consistently across the FC. It followed that we wrote an initial letter to the FC ([Appendix 3](#)).

Further to the two items in the appendix we managed to provide specific examples to the FC and they are considering the apparent inconsistencies that have been generated by a poorly managed system of paying staff for extra work. This still works in progress and FCTU hope to provide a further update soon.

Neil Grieve was nominated by FCTU to take part in the review group looking at the **dog and ferret allowance**, which clearly identified inconsistencies in the way payments were being made and policy implemented across the FC towards working dogs and ferrets. It also concluded that the present allowance payment to cover feeding costs was inadequate. It is likely that the recommendations from the group will advocate the payment of actuals rather than to continue with this allowance. The group are due to report soon.

The public sector **exit payment caps** (£95,000) subject was brought to the attention of the DC, as proposed and announced recently. While it may initially seem like this would not impact on many members in the FC, it actually could, particularly with VE schemes and people with reserved rights to pension (between age 50 and 60) having the option of leaving and taking an unreduced pension—using their lump sum to cover the cost. If it did not cover the full cost then the FC would make up the rest, but the cap would impact heavily on this. The DC agreed and it was noted that each of the unions would contact their members highlighting the need to respond to the consultation.

The past year has seen some very fundamental changes in the FC with acceleration in devolution as a result of the Scottish Government's (SG) request for all the powers relating to forestry in Scotland to be now fully devolved.

The Woodland Policy Enabling Programme (WPEP) still rolls on but with less impact on the **Public Forest Estate** in England as the likelihood of legislation to create a new management organisation seems remote. However Forest Enterprise England have been busy in brigading themselves with new management structures, strengthening of delivery teams and a new initiative designed to release the potential of the organisation as a whole.

Since the final decisions document on Reshaping **Forest Services** was published on the 5 February, FS have pulled together the implementation plan which was needed to pin down all the important next steps. In particular, plans for the transition to the new hub arrangements were developed with support from Admin Hub managers, and FS were able to confirm the destination hubs for work transferring from York and Worcester. Further to this there is a separate paper on the concerns of FCTU and how the reshaping is having negative impacts on union members in FS ([Appendix 4](#)).

The WPEP programme agreed that the **Cross Border Functions** (CBF) Project should: Review and validate the current arrangements for cross-border working within the FC with a view to establishing a refreshed basis for working in the future; Make recommendations on the future of cross border activities to be undertaken in partnership with Scotland and Wales; Consider impacts of any changes on shared services and corporate functions. Phase 1 of the project, which ran during 2013, determined the range of cross-border functions that all three GB Administrations wish to continue to deliver on a collaborative basis for the foreseeable future. The first stage of Phase 2 of the project then considered the most appropriate model for delivering those functions and its conclusions were endorsed by the Forestry Commissioners in December 2014. The Phase 2 (Stage 1) report identified a shortlist of six alternative models (including the status quo) for the ongoing delivery of FC's cross-border functions.

Alongside this the Commissioners asked Director Central Services to initiate a separate project – **The FR Refresh Project** – to take forward the fifth alternative model: Non-Ministerial Department with a Refreshed Executive Agency. The refreshed Agency could incorporate specific cross border functions currently undertaken by Corporate and Forestry Support and which fitted well with FR's existing full cost recovery model as well as the longer-term research requirements of the Administrations. In order to deliver this project a project board was formed consisting of representatives from England, Scotland, FR and CFS. This board looked at the implications of moving to the refreshed agency model and examined such things as the vision and purpose of the refreshed agency; what CBF functions should be included in it and how those cross border functions not included should be handled.

The project has now considered those cross-border functions currently undertaken by CFS and IFOS as well as the shared service activities undertaken by IFOS and has made recommendations as to what should be included in the refreshed agency. Jim Henderson was nominated by FCTU to sit on the review group for this project. As a consequence a business case for the proposed refresh and was presented to the Unions for Consultation on the 16th September 2015. The consultation closed on 16th October with a full response from FCTU ([Appendix 5](#)).

In terms of other consultation we have seen each of the FCTU Committees involved in some way in gathering views from members and feeding these through an official response to the FC. **It is worth remembering that there are 6 permanent Staff Councils and 2 temporary Staff Councils.** FCTU have been consulted on the Re-shaping of Forest Services via FCTU England and the England Staff Council, the Rationale to Change and the De-centralisation of HR Services via FCTU and the temporary Corporate Staff Council, new posts in Forest Enterprise Marketing Team via FCTU England and the England Staff Council and latterly the FR Refresh with FCTU and the temporary Central Services Staff Council.

As a result of that Scottish Government statement we can now see that the future of Forest Research (FR) has previously been under consideration by the Forestry Commission (FC) as a component of the Woodland Policy Enabling Programme (WPEP). Drivers including progress with further devolution, the impending Spending Review settlement and the need to sustain critical scientific capabilities which support the development and delivery of tree health and forestry policy objectives across the UK, mean that this work will now be taken forward as a workstream of the new **Forestry Governance Project Board (FGPB)**. This outlines a new project which will enable the FGPB SROs to make recommendations to responsible Ministers on the future delivery of forestry research functions by the end of March 2016. Those SROs are - Director, Countryside & Nature, Defra and – Director, Environment & Forestry, Scottish Government ([Appendix 6](#)).

Whilst writing this report, FCTU Scotland has been in initial discussions with Forest Enterprise Scotland (FES) about the **Organisational Development Programme (ODP)**. This will be used to reduce the predicted income deficits for the next few years.

The ODP contains three distinct projects one of which is called Delivery Structures and it is this which FCTU will be consulted on in April 2016. This project will investigate how delivery will be carried out on the National Forest Estate (NFE) and by whom, which suggests that post will be lost and that some staff might well be at risk of redundancy.

Various FCTU briefing papers on this subject have been issued to unions and union members, with the indication that members meetings would be convened to gather views and comments from all union members working for FES ([Appendix 7](#)).

FCTU Scotland is gathering views from union members not only in FES but in Forestry Commission Scotland (FCS) also. A PowerPoint slide pack ([Appendix 8](#)) has been put together to aid union reps that are holding workplace meetings between now and the Christmas holiday.

It has become apparent through this programme that governance and funding arrangements for both FES and FCS are now distinctly separate but what union members are unclear about is where each of these entities will end up once the Scottish Government (SG) makes a long awaited decision on the future of the FC in Scotland.

In going forward it is essential that as unions we take the debate to the SG and other politicians here in Scotland to defend union members from potential job losses on the NFE and the likely impacts of losing high quality jobs from fragile rural economies.

The Departmental Committee (DC) held ten meetings during the year.

The DC comprise of the following and attendance;

Mick Hoban FCTU Chair (9)

Allan MacKenzie FCTU Secretary (10)

Jim O'Neil, PCS Group President (10)

Neil Grieve, Lead rep Unite the Union (8)

Jim Henderson, Branch Convener Prospect (10)

Alistair Gillies, Shop Steward GMB (8) from February 2015

Thanks to Sam Telford who is Minute Secretary to the DC and produces all the relevant papers for each meeting.

The DC dealt with a myriad of changes to existing policies, new policies and revisions throughout the year and is as follows;

- Mobility, Recruitment & Selection
- Shared Parental Leave
- Relocation Expenses Claw-backs
- Travel & Expenses
- the introduction of a new Secondments & Loans Policy
- minor changes to the Re-deployment Procedure
- Legal Representation & Professional Indemnity

The ongoing regular meetings with the HR Policy Team have continued to consult with FCTU to consider a position on these through the Departmental Committee and respond and brief reps accordingly. Consultation responses with the consensus based views of the constituent unions were put to HR with some improvements and enhancements to these proposals being achieved as a result.

Through meaningful consultation, we successfully prevented the FC from expanding the mobility obligation further to part-time staff at PB5 and above, as well as improved the terms of relocation expense claw-backs to be introduced—reducing the rates of claw-backs.

Despite strenuous discussions with HR and instances of having to push for adequate time to consult properly, or seek out more information on the reasons for changes (which have on occasion been ambiguous), a good working relationship between FCTU and HR Policy remains, with a continued real opportunity to influence and voice members' concerns on the policies and procedures that affect all staff.

The subject of **core housing** and/or key housing has been discussed on a few occasions this year, mostly as a result of the FC continuing to bring up the subject but then never actively engage in any discussion. FCTU were approached last year and rejected the suggestion by the FC that these rents should rise in line with the mechanism set out by the Office of Statistics. Recently the FC came back to FCTU to say that the tenants could be subject to taxable benefits by not using the prescribed mechanism for rent rises and that HMRC would be likely to take an interest in this. We suggested that they go away and work out what the taxable benefit for the individual tenants would amount to and then we could discuss solutions. Nothing further has been heard.

Whilst we remain a single staff group then the ability to influence central policy will be an ongoing requirement and require consultation via FCTU.

At our DC meeting in May it was announced that our good friend and colleague Edwin Rowlands had passed away due to ill health. Edwin had been the very first FCTU Chair from the time of unification until 2005. Edwin did not get to enjoy his recent retirement, and is sadly missed.

The DC has been instrumental in taking forward the **Health and Safety** Action Plan which was developed following last years AGM. The plan and progress can be seen at ([Appendix 9](#)).

The Safety Climate Tool Survey was undertaken in January of this year and had 70% response rate. Factors with the most unfavourable responses were:

- Accident and near miss reporting - Near misses are always reported (42.1% disagree/strongly disagree)
- Usability of procedures - Some health and safety procedures are not really practical (35.9% agree/strongly agree)
- Usability of procedures - Some health and safety procedures do not reflect how the job is actually done (33.8% agree/strongly agree)

Reports were produced for each location in the FC and local managers tasked with having discussions with their staff on the reports generated by the H&S climate tool survey and obtaining feedback.

FCTU issued a questionnaire to all accredited reps to see if they had been involved locally and had provided feedback to their local manager. We had some thirteen responses and these are contained in a spreadsheet ([Appendix 10](#)).

One of the major issues encountered by union representatives is the ongoing and apparent increasing of workloads for all staff in the FC today. It is a common cry at union meetings that the increase in workloads has led to some union members asking what the unions are doing about this intolerable situation and that the unrelenting pressures to do more with less is having a profound and negative impact for some on their worklife balance.

Recently the Director of FS wrote to his staff saying that *"As the last applications for the new Woodland Improvement elements of Countryside Stewardship are sent to Natural England, I wanted to thank everyone in Forest Services who helped meet this latest very challenging deadline. This has only been possible as a result of so many FS staff going the extra mile. I am extremely grateful and despite all our best efforts, the price of doing so has included very late clarity and changes, sometimes blunt approaches and much less guidance and training than intended. Clearly we cannot sustain working in this way"*.

This is one small part of the FC and this type of situation is being replicated in all areas and the effects on staff have led to the FC introducing courses on stress awareness and managing through change.

FCTU expressed the concerns of the trade unions and their members that the continued use of **mobile phones** whilst driving should be discouraged at all levels and that all staff including senior managers and line managers, understand that the Forestry Commission expects everyone who drives for work to drive safely for their own, and others' benefit.

We are endeavouring to alter the safety culture in the FC to achieve positive outcomes and reduce the incidence of incidents and risks to those who work for the FC, should we not then consider encouraging staff to reduce the use of mobile phone usage whilst driving at work to zero?

FCTU are advocating the continued use of mobile phones in other circumstances so that other health and safety reasons are not compromised such as lone working and staff who travel in areas where summoning help may be difficult as well as a genuine business needs to be issued with a phone.

The law surrounding this issue is that it could be deemed to be illegal to use a hands-free phone while driving and depending on the individual circumstances, drivers could be charged with failing to have proper control of their vehicle. In more serious cases, the use of any type of mobile phone could result in prosecution for careless or dangerous driving.

The Police may check phone records when investigating fatal and serious crashes to determine if use of a mobile phone contributed to the crash. Employers who require staff to use any mobile phone while driving for work could be prosecuted if an investigation determined that such use of the phone contributed to a crash. Claims in civil courts could also result.

Drivers who use a mobile phone, whether hand-held or hands-free:

- are much less aware of what's happening on the road around them
- fail to see road signs
- fail to maintain proper lane position and steady speed
- are more likely to 'tailgate' the vehicle in front
- react more slowly and take longer to brake
- are more likely to enter unsafe gaps in traffic
- feel more stressed and frustrated

Research indicates that they are also four times more likely to crash, injuring or killing themselves and/or other people. Using a hands-free phone while driving does not significantly reduce the risks, because the problems are caused mainly by the mental distraction; and divided attention of taking part in a phone conversation at the same time as driving.

The FC responded to recognising that "you must never use a hand-held mobile phone while driving. Stop in a safe place to respond to calls or texts. Do not make outgoing calls when driving even if you are using a hands-free mobile phone. If you must receive an incoming call, tell the caller that you are driving and be brief. Deal with simple and short calls; otherwise tell the caller that you will call them back when you have found a safe place to stop."

The FC agreed that a change in policy needed to be supported by senior managers; would require good communications and engagement to implement and should be monitored, and they will be taking this forward over the next few months. This is a good result for our unions and will reduce the risk to union members.

FCTU and how it works was the subject of a series of briefings to accredited reps in which we highlighted the need to **recruit** more members and to broaden the union reps base accordingly.

In an all staff email in June we signified the importance of strong Trade Unions in the FC: "It is in times of unprecedented change when the relevance and role and of the trade unions in the Forestry Commission comes to the forefront and the benefits of being in a forestry union can be seen even more clearly. The scale of change unfolding in all parts of the FC currently means it is more important than ever that we have a strong collective voice and that all union members are able to speak up and be heard. Only with this strength can we represent members during this period of monumental change; influence the future of the organisation; protect the terms and conditions we have fought long and hard for, and resolve national and local issues affecting staff.

During change which has been initiated by the FC, it is the role of the unions to support their members through those changes without any detriment to any one member. The union will collectively support a group of members or take on individual cases and if necessary and where appropriate supply legal advice free of charge to assist those members in protecting their employment rights.

Unions can quote many examples where members have sought assistance from their union and have seen positive resolution to the issues that affected them. Those members often say that being in the union was the wisest choice they made. For many, just by being a member is enough, providing them with insurance and peace of mind.

Industrial relations in the FC are usually harmonious and are conducted in accordance with the principles in the Partnership Agreement between the FC and the unions."

This was followed up with an appeal to all accredited reps in which we asked; can you **help to recruit new members**? "As an accredited representative of your constituent union in the Forestry Commission, you are at the frontline in aiding all the unions to recruit new members. You have selflessly put your self forward to help in supporting fellow members and to ensure the smooth running of union committees. Now you are needed to continue to promote the benefits of being in a union to those who are not yet union members.

Everyone who is in a union gets a say in how we deal with change and every member will be supported through that change by their representatives. They will have access to advice and will be able to call on their union to assist with personal issues at work. New members will become part of a strong collective voice that cannot be ignored and can alter and shape change to the benefit of union members."

We further notified accredited reps on how FCTU works and the consultation and negotiation processes. This can be seen at ([Appendix 11](#)).

As FCTU Secretary I have been made aware on numerous occasions the calibre of union representatives in the FC who have gone the extra mile to ensure that members get the very best from the effort put in by those reps. They have successfully challenged the FC on points of procedure and have where possible worked hard to reduce any sanction imposed on a fellow member. Those who deal with personal cases should be roundly applauded for their efforts.

It is fair to say that FCTU Committee members and representatives on the variety of Staff Councils have had a very busy period this year and as FCTU Secretary I would

like to thank them for their endeavours. Without those reps who sit on committees and those sitting across the table from FC managers the benefits that we would wish to see for union members would be lessened without the input of dedicated union representatives. So again thanks to all those who played their part in supporting fellow members and ensuring that their collective interests have been protected.

It would be remiss if the DC did not mention the **facility time arrangements** as they are currently being applied to lay representatives in the FC. The previous recording system was found not to be fit for purpose and a new COGNOS based system has been under trial for a few months. It is expected that this system will be used by all reps in 2016/2017. The FC have been very quiet on the whole of this subject and I am sure that they will be considering the outcomes for them as an employer under the terms of the recent Trade Union Bill, which will be the subject of discussion at this AGM. FCTU are not putting any pressure on the FC to provide a fully working system of recording facility time but we do respond to requests for a list of accredited reps from time to time.

It is likely that once some of the current change programmes work through the system then we may see a more vigorous need to manage the facility time in the FC. We are well aware of the content of the Trade Union Bill and what it seeks to do to the trade union movement in the UK. It is designed to make union activity as difficult as possible and to give unscrupulous employers greater powers to curtail union action in the workplace. The potential removal of 'check-off' could affect the financial foundations of some unions with members not moving to direct debit mandates.

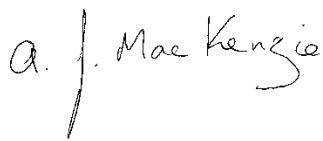
It is my intention to retire from the FC on the 31st March 2016.

A calling notice will be issues for the election of a **new FCTU Secretary** during the DC meeting on 8th December 2015 in accordance with the FCTU Constitution so that nominations for the post can be closed on 12th January 2016. The notification of my successor will be announced at the DC meeting scheduled for 9th February 2016.

As this will be my last FCTU AGM I would like to thank all those who have supported me in this role and that whoever becomes the new FCTU Secretary has an equally enjoyable term of office as I have been privileged to have. The issues that we have all faced over the past six years have been extraordinary and those same issues and many new ones look set to continue for some time yet. It is vital that we continue to have a strong union presence right through the FC and whatever successor organisations may emerge from the continued programme of change.

I would like to say that I leave the FC in a better place than when I first joined some 40 years ago but that may be stretching the truth just a little far. One thing I can be sure of is the dedication and willingness of all union representatives right across the FC and from all the forestry unions, in that they will not stop in their fight to ensure that their fellow members get the best benefits from their employment, whilst exploring every avenue to keep them in employment and to maintain and if possible enhance their terms and conditions.

I would like to dedicate my time spent as FCTU Secretary to all those reps past and present and to say to them and the members they represent, that being in the union is always the right place to be.

A handwritten signature in black ink that reads "a. j. MacKenzie". The signature is written in a cursive style with a large, sweeping initial 'a'.

FCTU Secretary
November 2015

Pay Claim 2015

Forestry Commission staff are thousands of pounds a year worse off as a result of;

- The cumulative effect of 2 years pay freeze coupled with the continuing 1% pay cap until possibly 2018.
- Increased pension contributions averaging 3.2% by 2015.
- Inflation at 1.6% (RPI, January 2015).
- Continued cuts to terms and conditions with increased hours; reduced redundancy arrangements and reduced value of pensions from 2015.
- Our members have suffered unprecedented wage cuts for many years now and their overall reward package continues to be eroded. It has been stated at various staff meetings that workloads are placing undue pressure on our members and that their worklife balance is being damaged as a result. More work for less pay is not sustainable and our members in the FC deserve better.
- Pay progression has not been honoured.

Our claim in 2015 seeks the following;

1. An increase in pay rates of 5%; or £1200 if the percentage increase is less than this sum. This reflects the slogan that is currently being promoted that "Britain Needs a Pay Rise".
2. Every payband to only consist of a minimum and a maximum and for all staff to attain the maximum after a satisfactory completion of probation.
3. No compulsory redundancies.
4. No further increases in pension contributions.
5. Equal Pay: equality concerns should be the central principle on which pay systems are based:
 - Close pay gaps within and across departments.
 - Short pay scales with contractual progression.
 - Equality Impact Assessment of the 2015 pay remit.
6. Remedies to anomalous situations that have arisen and to restructure the pay system so as to prevent instances of leapfrogging.
7. The introduction of a standard set of overtime and TOIL arrangements for all non-operational employees.
8. A phased reduction in working hours and 30 days Annual leave on appointment.
9. 'On-call' to be increased in line with RPI (other allowances awaiting outcome of review).
10. The positive adoption of the Living Wage in all procurement and tendering of contracted-out services.

Holiday Pay – The Forestry Commission’s Approach

As you are aware, the case of Bear Scotland decided that non-guaranteed overtime should be included in relation to the 20 days annual leave which derives from the European Working Time Directive (“European Leave”). You have accepted that there is no legal basis for the suggestion that non-guaranteed overtime should be included for further periods of annual leave which are based on domestic law or contract. It is unfortunate and disappointing that we have been unable to reach an agreement on a suitable approach to holiday pay going forward. Given that the Bear Scotland ruling took place in November 2014, I do not think that we can delay matters further and I believe that FC employees who are due this payment should start having overtime included in their payments for their 20 days European Leave as soon as possible. I have therefore set out below the FC’s intended action and system for implementing holiday pay.

Going Forward

Although the FC’s position is that overtime is voluntary, we will not make a distinction between voluntary overtime and non-guaranteed overtime for the purposes of European Leave going forward and we will give employees contractual right to this, even though voluntary overtime was not included in the Bear Scotland ruling and has not been established by any recent case law.

Where overtime pay is considered to form part of an employee’s ‘normal remuneration’ it will be included in the 20 days European Leave. For the purpose of working out the 20 days leave that will necessitate holiday pay top-up, the first 20 days leave (including PPAs) in any leave year will constitute European Leave.

In line with the Bear Scotland ruling, the FC has decided that ‘normal remuneration’ can include overtime pay as well as On-Call; and Travelling time payments.

As you are aware, there is no clear definition of ‘normal remuneration’ except that it is work that is ‘regular’ and has a ‘consistent pattern’. There is also no clarification of what constitutes a ‘regular and consistent pattern’ of work. However in order not to exclude any employee, the FC will treat payment for overtime/on-call/travelling time, irrespective of the frequency, as forming part of an employee’s normal remuneration. Therefore we will not set any limits/thresholds for including these elements in holiday pay. As such, any employee who works overtime in the reference period preceding their leave date (in relation to their first 20 days leave) will get the holiday pay top-up.

The standard reference period for the calculation of wages is 12 weeks, however as wages are paid monthly in the FC, we will use 3 months as the reference period for calculating holiday pay going forward.

Employees will get their holiday pay as and when they go on leave. However, as we do not have a central system for recording employees’ leave, employees will need to submit a ‘self-nomination’ form when they take leave in order for their holiday pay to be effected. The formula for calculating holiday pay will be as follows:

The total amount earned for overtime in the reference period ÷ total number of working days in the reference period × the number of leave days.
(Pro rated for part time employees)

Three contractual policies will be impacted by the inclusion of overtime in holiday pay and will be updated to reflect the change to the FC’s practices. The policies are:

- Pay – to reflect that payment for overtime, travelling time and on-call will be included in holiday pay, and the formula for calculating the payment will be explained.

- Hours, Overtime, and Travelling Time – to reflect that where an employee is paid for overtime, travelling time, or on-call, they are entitled to such payment being calculated when they go on leave as long as it falls within the reference period.
- Annual Leave and Public/Privilege/Additional Holidays – to reflect; the distinction in the leave dates (EU leave, WTR statutory leave, and remaining contractual leave), holiday pay for EU leave, and explain in detail the system of self-nomination for claiming holiday pay. The self-nomination form will also be designed.

The changes to these policies will be effectively communicated across the FC.

Back Pay

Staff who worked overtime in 2014/2015 leave year will receive back pay consisting of holiday pay top-up for 20 days leave. The rationale for limiting the back-pay to 20 days is that when we went through the last two years' annual leave of the employees who brought claims against the FC there was a gap of at least 3 months between the two leave years in all twenty four cases, which would break the series in their claim. We believe that this will be the case with all our employees, and as such back-pay will only be paid for a year's worth of European leave, i.e. for 20 days.

Implementation and Timescales

The FC intend to make the 2014/2015 back payment to all eligible staff in the November 2015 payroll. For the avoidance of doubt, this is for overtime/travelling time/on-call earned between 1st April 2014 and 31st March 2015. We intend to send letters to the relevant employees to inform them of this payment before it is made on 30th November 2015.

We suggest that the system for calculating holiday pay going forward and the form for employees to self-nominate for holiday pay be implemented at the end of November, and employees can therefore begin their self-nomination for payment in December 2015.

We will write separately to staff who have worked overtime since 1st April 2015 requesting them to complete a 'self-nomination' form to include all the holiday that they have taken since 1st April 2015, in order for their holiday pay for this current leave year to date to be effected in December 2015 payroll.

HR policy team will make the changes to the contractual policies and seek to reach a negotiated agreement with you on the content, with a view to launch them by 1st December 2015.

We intend to implement the changes to holiday pay based on the parameters set out above, however we will welcome any suggestions for a smoother and easier implementation process. I therefore invite you to consider the FC's intended course of action and feedback the Unions' comments by Tuesday, 6th October 2015. In the meantime if you have any queries or require further clarification, please do not hesitate to contact me.

FCTU Final Response on Holiday Pay & Overtime

Thank you for your letter of 22nd September 2015 outlining the FC's intention to implement the changes to holiday pay, based on the parameters and timescales set out in your letter, and the request for feedback. We do however note that you sought suggestions on the intended implementation, which we believe is not equal to a negotiation aimed at an agreement.

You will be aware that it has been difficult for the FC Trade Unions to establish a firm position on this ongoing issue, with some holding the view that the proposal does not go far enough, and were unable to accept this proposal and any such imposition. Others sought legal advice and considered that the best course of action would be to pursue claims through the Employment Tribunal route.

The constituent unions have given more consideration to the intended course of action, and after further and in-depth discussions, an overall consensus could not be obtained. The FCTU Chair called for a formal vote, in accordance with the FCTU Constitution, from the four unions comprising the FCTU Departmental Committee.

As a result of this democratic vote, a simple majority was obtained. I have now been instructed by the Chair of FCTU to confirm that FCTU have no other option but to acknowledge the proposal as outlined in your letter.

In moving forward, we wish to refer you back to previous correspondence on this subject; particularly to our response letter of 3rd July 2015 in which we sought a number of reassurances on the payment process and timings, while anticipating a revised policy for comment from FCTU.

FCTU Letter to FC on Overtime & TOIL

FCTU are concerned that the mechanisms for the awarding of additional remuneration for additional work may not be fit for purpose within the FC. We base this concern on the number of union members expressing a lack of consistency in the application of overtime and TOIL.

Our first example of this is as follows:

Are the current arrangements for these additional payment systems for undertaking extra work outside of the normal working week creating barriers to staff in taking on a role with additional responsibilities?

This question is posed very often when those interested in a post with more responsibility seek to find out what the post entails and if a reasonable work-life balance could be achieved. Many will seek to ask the present incumbent of the post if overtime is payable or if TOIL can be utilised. It would appear that on many occasions this enquiry is met with a negative response either from the post holder or those based locally. This might even be construed as misinformation and may be due to other factors unknown to the member of staff making the enquiry. If the response is negative the member of staff may decide not to further pursue the opportunity.

If the FC is unaware that a potential internal candidate might have put themselves forward but did not due to the negative information given, many will say that the member of staff should have explored further, but sometimes the lack of additional remuneration for periods of extra work is sufficient to put some off. As is often the case, the FC has to seek out and recruit from an external source, which is a lengthy and more costly exercise and we perhaps lose the potential in-house capability that would have added value to the post.

In our second example we explore the following:

We are aware of members who work unpaid overtime as shown in our workloads and worklife balance survey. It has been indicated to us that accumulated TOIL which is never taken is also becoming an issue for our members.

We recognise this is within the agreement between line managers and their staff and as such we are unsighted on just how much TOIL has been accumulated without any chance of it being taken and therefore it is sacrificed in order to maintain the day to day business requirements.

FCTU would like to see some discussion around this subject and suggest that each Staff Council makes this an agenda item so that the HR Business Partners can furnish the necessary information alongside the evidence from local union representative on the councils.

FC Response

Many thanks for your letter of 12th August in which you raise concerns over a potential lack of consistency in the application of overtime and TOIL. I understand that your concerns are:

- that you may have members who work unpaid overtime;
- that members are accruing TOIL which is never taken

On Wednesday 19th August I held an initial meeting with the three HRBPs to discuss the concerns you raise. During our exploratory conversation the HRBPs all confirmed that they were not aware that this was an issue currently and had not been privy to any complaints or issues raised on this subject. We do take your concerns seriously and plan to investigate the points you raise further. Accordingly the HRBPs have each been tasked with going out to the business to secure inputs on this topic and to feedback their findings by close of play on Friday 18th September. Once I have the results of their initial discussions I will set up a meeting for us to discuss further.

FCTU and Forest Services in England:

Background

The re-shaping of Forest Services (FS) led to consultation which is well documented and that the outcome was to reduce the number of administrative hub from 5 to 2. This meant that the York hub would close immediately, the Worcester hub at the end of 2015 and the Santon Downham hub during 2016. The two remaining hubs one in Bullers Hill (BH), Exeter and the second in Bucks Horn Oak (BHO) in Farnham would absorb all the work of the closed hubs plus their existing workloads.

As the result of union meeting in Bucks Horn Oak on 9th July 2015 FCTU were alerted to the concerns of members working in that hub that they were under extreme pressures and that their current workloads are not manageable. We asked the members to write their concerns down and if they did, then FCTU would take those to Richard Greenhouse (RG) the Director of FS. FCTU met with RG on 29th July to discuss the FCTU findings and seek some solutions to ease the pressure our members were experiencing. RG produced a 10 point plan to address our members concerns but also stated that; *"Despite the current issues, it is clear to me that the admin hub model remains the right one for FS. It has already proved itself to be much more efficient and resilient than the previous arrangements and all the more so given the already very significant resource constraints that render the previous arrangements unaffordable and that are likely to become all the more acute as a result of the spending review now underway. I do however recognise the new challenges, such as an increase in distance working, which the admin hub model and the more recent reduction in the number of hubs have created. We are already working hard to implement these changes as best we can and will keep working to address the new challenges they raise. Not least it is clear that despite our having anticipated and built into our resourcing models some of the additional pressures that admin hubs now face, such as from the splitting of grants and regulations administration, current pressures have exceeded current capacity, hence the proposed actions aimed both at reducing total workloads and increasing total capacity"*.

Currently

FCTU took the opportunity to visit the hub at BH on 23rd September and a return visit to BHO on 24th September.

During the **BH** meeting which was well attended it was again apparent that similar pressures were building up in this hub and that many are struggling to keep on top of their workloads. They are concerned that there is a lack of permanent staff and the need to engage STTAs is seen as causing more stress in that they all need to be trained prior to taking on the work that they need to get through. Recruitment delays are also a feature as it is taking too long to engage permanent staff which is causing a backlog of work. They perceive that there is a lack of management and this adds to their problems. There appears to be no process in place to predict peaks in workloads and the solution is always to bring in temporary staff after the event which in turn adds further strain to those in the hub. Another observation is that there appears to be insufficient staff available to deal with GLOS/IT issues quickly.

The member in BH referred to the consultation in which specific numbers of staff were allocated to the two hubs, a question asked at this meeting was whether those numbers would be increased as a result of continued increases in work? It was further observed that managers appeared not to recognise the volume of work that needs to be got through on a daily and weekly basis and that any interruption to that flow causes backlogs and puts strain on those coping with that flow of work. It appears that there is double the work but not double the staff!

The movement of paper forms forwards and backwards, resulting phone calls as to where client's paperwork is at present and who is dealing with it is leading to an increase in some irate phone calls from claimants and clients. Hub staff members require more clarity in what additional work is coming and how to deal with it alongside the normal day to work.

There followed a discussion on photographs which are attached to claims in which the e-mail system can handle due to file size, no opportunity currently to store on external storage devices. One recent claim had 94 photos attached to it, hub staff not equipped to interpret the contents of a photo in relation to the accompanying text. True to say that they only need to sample some 10% but the interpretation is still an issue. BH still experiences considerable disturbance as the local server continually crashes and has a particular issue with the uni-flow system; the server is shared with FEE.

Members in BH would like to see some restraint in the constant need for information required by Bristol this interrupts the programmes of work that need to be got through to keep on top of the day to day pace of work. Some guidance on what the intended use for information requested would be helpful in setting priorities for responding to these requests. Currently there appears to be a lot of confusion and it is very difficult to answer client's questions fully without sounding evasive or unprofessional.

Members are rightly concerned about the forthcoming spending review and are fearful of losing their jobs and that temps will be brought in to do the work of full time employees.

The members were keen to point out that they take a pride in their work and like to maintain contact with the clients and to aid the reputation of FS. The continued impacts on agents/owners are very negative as they are unsure who they should be dealing with within FS. Many calls from the Glasgow call centre are wrongly routed and this leads to further frustrations and time being wasted.

The return visit to **BHO** was to enable FCTU to see how the 10 point plan was being implemented and if the working environment had improved. It appeared that the atmosphere was a lot less tense than on our previous visit and that some improvements had been positive. The hub team are still concerned about overall full time posts which they consider to have a shortfall currently from the consultation agreement. If there was a full complement there is insufficient room in the current hub office to accommodate them all. Since our previous visit two new posts created with one more coming from Santon Downham (SD) should DEFRA work come across to FS.

Priorities in the BHO hub are decided on workflows between SD and BHO. Pooled working but there are difficulties in workflows as constant staff changes make it extremely difficult to achieve.

The lack of space in BHO has led to the meeting room having to act as an extension to the hub office; this has caused some tensions between FS and FEE who share the same site.

An example of customer frustration was highlighted to us in that one customer had made five calls to establish where to send his claim. Application had different addresses and he phoned each office only to be told it was another office he should contact. Again lack of communication as to which office is dealing with the work from York.

Good to have Nigel Cooney from York to carry out training needs for temps this is welcomed wholeheartly by the permanent staff in the hub.

The turn over in staff is causing concern that some claims are left pending as the member of staff leaving has not passed on the work, some system shortfall in this. Also that legacy work is still ongoing and will be for today and tomorrow and onwards. Staffing levels need to be revised in light of the new work and existing workloads. It appears that FS senior managers are not aware of the actual work that is passing through the hubs and as such planning for that work is not being considered. The turnover of temps means that they can only be taught bits of the process but not all of it.

There is continued frustration that delays in other agencies process are having a negative impact on FS and that when these processes are unlocked a flood of additional work will have a tsunami effect on the hub and the staff. The admin team are concerned that the reputation of FS is starting to appear negative to clients and that we are becoming just like the rest of

DEFRA. Again there is much concern on what the forthcoming spending review will have on the jobs and budgets in FS.

FCTU made a visit to The Santon Downham Hub on 5th November and noted the following points;

Questions or statements raised by Hub Staff

1/

Will the union take up our request that new staffing is not always at Bristol, I was disappointed to see the HR jobs coming down from Edinburgh to Bristol, these 3 AO and 1 EO post could have been done anywhere in the country, this is quite clear as it is being done from Edinburgh at present. The staff at Santon Downham from April 2016 will be 3 full time equivalents and 1 EO which matches with these posts. Santon Downham has capacity to take on several more staff without changing the situation on office space, but if the staff did increase we have the area space to rearrange the office to accommodate. If further devolvement from Edinburgh is planned can the union ask FC to consider using the "At Risk" staff to cover these posts.

2/

We have received notification of At Risk letters, but they mean nothing, I had applied for a post at FE on the same scale but the fact that I am at risk of losing my job in the future was not taken into account. What is the point of these letters if they give us no support for the future? At what point does this letter gain us any assistance?. Is this likely to be before PFE start recruiting for changes in district office, or will we once again lose out on the opportunities that the PFE changes may have.

3/

Was the Union involved in the negotiation of the VEE for Worcester Hub, I would hope that as half of the team at Santon Downham are Union members we can expect them to be available to use when the time comes for us to discuss with HR our options. What sort of support can we expect from the union with regard to our future?

4/

What support will the union give us to save our jobs, the MOGUL figures used by FS to determine the closures of Hubs is very out of date now given the changes that have happened to the process since April 2015. Claims that use to take about 10/15 minutes now take at least 30 minutes if not longer due to the extra checks we must now do. Plus we spend a lot of time sending letters to applicants to ask them for the evidence information we require to complete their applications or claims. We also now are expected to cover 7000 per year, annual claims, which use to be paid on an automatic payment run. These forms will need to be produced from the system, sent out, checked on their return and then paid; this has not been included in the figures at all. We feel that there will be a need for more staff in admin due to these changes, could we ask that the union support us in asking for those post to be at Santon Downham rather than most posts being made at Bristol by temps, instead of fully trained Admin.

5/

FS Staff are not happy with the processes used by PFE to recruit staff. Staff taken on for Maternity cover, are still here, and appear to be permanent staff members, this post was never listed for FS staff to apply for several of the posts that have come up in PFE recently appear to have been allocated to the person wanted by FE and these names are known prior to the interviews being carried out, some staff are even doing the job the day after the interviews are completed. I know there is a matrix but we feel that FE does not want to take anyone from the FS side. If this is not the case, could we ask PFE to organise their recruitment with the knowledge we will be out of work in March 2018 and therefore available for any posts coming up.

Woodland Officers (WOs) and FS:

In the re-shaping consultation a generic job description was included in which the main tasks to be undertaken by WO's once the implementation plan was rolled out. Many WO's are concerned that this job description does not accurately reflect the current role and the actual duties being carried out.

Aligned to this was commitment by FS to look at better ways of supporting WO's and ensure that they did not become isolated.

WO's have contacted FCTU to express the deficiencies that they feel have crept into their work and that the capacity to get everything done is being compromised.

Points of concern;

- I preface this with the recognition that our colleagues and managers have a huge job in Bristol in wrestling with this CS beast also, and undoubtedly they feel much the same at times. This is not necessarily aimed at them, but taken from a perspective of the end users trying to work with the system at our end, and feeling somewhat unsupported.
- However: In my (very) long career as a Woodland Officer, I have never known so little about the scheme I am supposed to be administering. No doubt this is exacerbated by my ageing self, which seems to make absorbing information much more difficult these days – or I fear I have got to saturation point. This is not helped by the ever changing goalposts – at times, I feel it isn't worth trying to get to grips with some rules, as they seem to change weekly. I have never had to apologise to our agents as frequently as I seem to be doing these days, for a scheme they seem to be as baffled with. I am certain I am the one at fault at times, but as per last weeks u turn on infrastructure quote requirement, it's not always me. I feel it necessary to apologise as we are the interface they interact with – and let's face it no one else would make an apology, something Bristol should consider from time to time. They put the WO's in the position we have to take on that burden....
- I have also got the very strong belief that Bristol is uninterested in hearing any of the WO's "Whinges" – read: ideas/thoughts/suggestions. We are a pretty sound bunch of people I think, and the combined experience and years of service, along with our general enthusiasm and energy for what we do, meant that the industry identified us a few years ago, in the Independent Panel review, as a real asset to the FC and forest Industry. I do not feel remotely as valued by our managers in Bristol – whether they intend this or not, that is the outcome of their action/inaction. Also the valued position of the WO's within the industry is eroding rapidly and that special relationship we enjoy will be gone.
- I dearly love the job I do, I love making a difference in the countryside, trying to raise standards and promoting an industry I strongly believe in. The job has always had an element of paperwork and rules and regulations we have to grapple with, but part of the WO's role in the past was to interpret these rules and make the interface with the users a friendlier place. This process meant we were able to encourage the end users to consider grants and opportunities, and guide folk. This resulted in increased interest and applications.
- I know we have been told for many years to sit back and "wait" for applications and reduce our "helpful" approach – but in my experience I see a distinct drop off in applications when we do that. Do we want to encourage folk or not? The WO's know a little about what works and what doesn't. Trouble is nobody seems to be interested in what we think - and what history shows has worked in the past.
- I have never known morale among my FC colleagues to be as low as it is among WO's today. I believe this has come about because the FC has lost control of events, being now subordinate to EU/government/ Defra and NE, in that order. Compounding that,

there are too few senior FC staff who have come up through the FC system, and who therefore thoroughly understand the strengths of our organisation (at least, as they were before the WO/AO teams were broken up, the admin hubs were created, etc). And then of course, there is CSS.....

- The culmination of all this is that WOs are increasingly tied to their computers and forms (which many of us are not particularly good at) rather than being able to use our practical knowledge and experience to promote the good management of our woods & forests (something that we are pretty good at, and which, surprise, surprise, is what we're actually here for).
- In practical terms, I think probably the most useful argument that the unions could put to management is to emphasise this latter point, that they need to free up WOs from "admin" type work, thereby releasing them to use their professional and technical skills more effectively. Otherwise, I fear that we will come to be seen as "NE/Defra light", with all that that would imply to the rural communities with which we deal!
- FC England is down the pan, it is only time before it dies and it will die. I am wasting away in the FC, and the salary is crap and will remain crap. Job satisfaction is crap, I feel less than worthless, and I've become a zombie. Unqualified, inexperienced non foresters seem to be getting further than us dinosaurs with forestry backgrounds; we are a laughing stock in the industry now. Forestry skills don't matter to the FC anymore, soon it will not be govt's forestry experts, and there won't be any experienced foresters left! I can reflect on FC Scotland, a far more professional outfit, but also hamstrung by crap salaries, even they are losing experienced foresters.
- Recruitment problems covered up by recruiting/promoting non foresters, low salaries, unjustifiable differentials in salary in the same grade doing the same job (remember when there was progression pay?), low morale, dumbing down on forestry skills to the point of just being pens pushers.
- Countryside Stewardship is the nail in the coffin, it shows the board/senior management have no respect for woodland officers, or indeed any staff at the pit face. To top it off, crap salaries with no progression pay, but if one is lucky enough to be at the top of their pay scale, then there is some consolation.
- My recommendation to the foresters left is, look to leave, I suspect FC is being run down by stealth, the real intention is to get rid of staff to the point the organisations fails and it has to be wound up.
- I have been totally dumbfounded by the mess and utter shambles that is CS. I have been tied to my desk for weeks now trying to process just four applications whilst everything else I am expected to do just falls by the wayside. CS has been deemed a success by senior management, how can four applications for woodland management in one year possibly be a success? I am sure we are all used to dealing with far more applications than this. Something has to change before next year, for if we get more applications than this year we will never cope!
- There are many Woodland Officers across all the areas to whom I have recently had communication with in relation to the Woodland Officer forum that feel completely exasperated by what has happened in the lead up and also during this year in relation to countryside stewardship.
- I will also say that I feel like the input and discussions that have been had between WOs, Field Managers and National Office colleagues in relation to the wealth of professional experience of those delivering in field work, dealing or working to processes and communicating with applicants and agents has just been dismissed.

- We have a valuable resource of Woodland Officers and Field Managers across the country that has the professionalism, positivity and drive to deliver. However the increasing pressure, lack of support and lack of clarity as detailed in the email below is breaking those people that are at the forefront of delivery. This has been discussed before, but the approach currently to the way we are trying to deliver Countryside Stewardship has meant unfortunately the movement to working long hours - to which we were supposed to be moving away from (or have moved away from) and the idea that working like this is acceptable to which I don't believe it is.
- As with everything change is difficult there are new things to learn and get used to but I feel that we have tried to run before we can walk with Countryside stewardship. We haven't taken the time to understand past mistakes. I think it's important to understand and take on board the points raised by those delivering. Also to ensure that a clear standard is set nationally this is something that is key.
- I believe and this is a personal opinion that we should have not opened this year for WD2 applications. We were just not ready - which is clear from the ever changing guidance which is still coming out just days before 9th Oct! In hindsight perhaps we should have opened for Expressions of Interest - because let's face it, some of the applications we have had are being pipelined into next year due to missing info or other issues. Then we could have assessed the issues or the timings for some of those EOIs. In turn that would have given us a base to develop everything on- I however I do understand that it's not as simple as that.
- Fortunately I think that across all Area Teams and Hubs we are diverse enough and experienced enough to support each other in our area teams but also nationally in working groups and I certainly value that a lot. We should all be very proud of ourselves that despite it feeling that we are hitting our head off a brick wall we try our absolute best to do the job we do to a high standard in increasingly hard situations.
- I would say is that given the very high top-down pressure from ministers through senior Defra/RPA officials, it was never possible for the FC to have a "fallow" year while we worked out how to do it properly. How good a fist of it Bristol has made of it all will become clearer over coming weeks/months. I think the answer will be "not very", and a lot of the problems I think stem from an over simplistic "one option fits all" decision to keep it simple – ha ha ha – and restrict us to just WD2. Could that decision be featured at the WO forum?
- What I would stress most of all though is that although too many senior FC staff clearly don't value the WOs particularly highly – despite their constant reassurances to the contrary, I'm afraid actions speak louder than words – the real problem has been the failure, over too many years, to realise the fundamentally important role that the admin officers and their managers played in delivering what we used to be good at. I can't remember who it was that came to Worcester from Bristol to announce the result of the Admin hub closure "reconsideration". But I truly cringed when it was said that "Woodland Officers are the beating heart of the Forestry Commission". To my shame, I failed to point out that beating hearts need a blood supply, and ours was about to be cut off.
- The recent low point for me was at Crewe for the CS workshop the other Friday – after however long it was with WOs and Field Managers asking questions, seeking clarifications, pointing out things that weren't working, "we must just push really hard to meet these targets" – I forget the exact words, of course. And I think it followed a brief discussion on the idea that 100% of this year's CS applications could be turned into successful agreements. Didn't they think we already had been trying really hard? Did they dare to think that, given who we are, we wouldn't *carry* on trying to get the job done despite everything? That was a rallying call I really didn't need.

- There's a much overused cliché in football about managers "losing the dressing room". We're not there yet, quite, but we're not far off, I'm afraid.
- I had been finding the past couple of months incredibly stressful and de-motivating. The worst thing was feeling as though it was maybe just me that everyone else was cruising along making the best of it although I think most of us feel very undervalued and frustrated. I echo the majority of issues expressed in all your emails. I agree strongly with ##### in that I have been quite vocal on the point that I do not think it was a sound decision to open for WD2. I am not a political animal and the reason for opening was undoubtedly based in politics. There is a clear lack of appreciation of the pressure put on field teams as a result of the chaos of the past few (?) months."

The comments above would suggest that a review of the WOs workloads, professional standing and a having a relevant job description are something that should be considered by FS as a matter of some urgency. The isolation of WOs again needs to be actioned and the promised project needs to deliver outcomes very soon.

When asked by FCTU for WOs to offer solutions to the current situation they all responded with, " impossible to do that as we have no idea on what we are expected to do and no direction in that priorities seem to change weekly"!

FCTU Response to FR Refresh Proposals: Executive Summary

Introduction

The FCTU welcomes the opportunity for consultation on the proposals to create a refreshed FR. Given the gravity of the proposals, FCTU has made considerable efforts to seek views from affected union members in the Forestry Commission and in Forest Research.

This paper serves as an Executive Summary of the full complete response from the FCTU, and focuses on collective points of concern highlighted by union members, and recommendations to management that flow from these. The underlying discussion and assessment of members' responses that has led to the recommendations can be found in the associated full submission offered by the FCTU.

Collective points of high-level concern

The FCTU notes that the formal consultation asks for FCTU views on two specific points:

1. The introduction of a new Vision and set of Objectives for FR
2. The transfer of a number of functions that are currently delivered by CFS over to FR.

Views are offered on these points as part of the FCTU response, but these are incorporated into the discussion of six points of high-level concern raised by union members, which are:

1. Successful integration of existing and new functions will require significant cultural change
2. Costs need to be identified, quantified and addressed
3. The issue of how CFS/SIS procurement will be managed needs to be resolved
4. Deliberations over possible future business models for FR need to be more transparent and inclusive
5. Greater efforts need to be made to develop proposals for the future of staff left out of the FR refresh
6. The success of the FR refresh needs to be reviewed.

These points are discussed further below. It is important to stress that the terms of the FR refresh consultation do not include consideration of either the CSR 2015 or the Forestry Governance Project, and it has not been possible to take account of these processes as part of the FCTU response, even though these will have significant impacts on a refreshed FR. As a consequence, the position the FCTU needs to take on behalf of union members is very likely to evolve.

The FCTU must also express strong disappointment that staff and union members are being consulted about the implementation of a single option for reorganisation, which has already been decided upon. This is not in the spirit of open and inclusive management, and has been the subject of critical comments from a number of union members.

1. Successful integration of existing and new functions will require significant cultural change

This is the biggest and most complex set of concerns that the FCTU needs to express on behalf of union members. It is complex because "culture" for the refreshed FR is being referred to here in a very broad sense, covering:

1. The physical organisation of the refreshed FR
2. Ways of working within the refreshed FR
3. The valuing and developing of staff in the refreshed FR
4. The need to reflect these points in the vision and objectives of the refreshed FR.

Complexity arises because these points, and relevant concerns raised by members, are intimately interlinked.

Recommendations on composition and organisational structure

The FCTU offers two recommendations on the composition and on the development of the organisational structure of the refreshed FR.

Recommendation 1: In taking forward the implementation of the refreshed FR between now and April 2016, the proposals for the organisational structure of the refreshed FR are revisited and revised, with the aims of:

- Better reflecting the job roles and functions of staff and groups potentially joining the refreshed FR, ensuring that the existing role and focus of jobs are not lost
- Supporting existing interdisciplinary working between groups potentially joining FR, and also between these groups and those already based in FR
- Starting to grow opportunities for, and eliminating any barriers to, new interdisciplinary working between the various individuals and groups that will comprise the refreshed FR

- Ensuring that the organisational structure of the refreshed FR fully reflects the Agency's expanded remit, roles, functions and outputs.

The FCTU is willing to work with management to gain a fuller understanding of the job roles and responsibilities of staff joining the refreshed FR, and already in FR, and to provide input to further shaping the organisational structure of the refreshed FR, based on the views and insights of union members.

In this respect, the FCTU notes that one example option for an alternative organisational structure has been proposed in a response received from members, based on the three pillars of:

1. Science and research
2. Evidence and analysis
3. Corporate services.

Further discussion may be found in the full response offered by the FCTU. However, it must be stressed that the FCTU has not had the opportunity in the time provided to consult adequately with union members to arrive at a collective position on their behalf on options for improving organisational structure. Consequently, further engagement between the FCTU and members is needed before the FCTU can offer a definite position on this matter. What is clear at this point is that management would

be well advised to give further thought to the question of an organisational structure that is truly fit for the purposes of the refreshed FR.

Recommendation 2: As a matter of urgency, the proposals to transfer certain staff groups/job roles to the refreshed FR should be reviewed more closely, to more definitely establish:

- That the full range of job roles and functions is suitable for transferring to the refreshed FR
- Whether or not particular staff groups/job roles should in fact transfer to the refreshed FR, rather than remaining part of a government department.

The FCTU considers that this is particularly necessary in the case of statistical roles, currently residing in CFS, which are proposed for transfer to the refreshed FR. Responses from affected union members give a strong indication that the full roles and functions of these jobs would be compromised by moving to the refreshed FR.

The FCTU also draws management's attention to similar concerns expressed by union members currently in Publications and Technical Communications and in IFOS.

The FCTU is willing to work with management to gain a better understanding of relevant job roles and functions, and the extent of their suitability for transfer to the refreshed FR.

Recommendations on ways of working

The FCTU offers one recommendation on the development, or perhaps clarification, of intended ways of working in the refreshed FR.

Recommendation 3: In taking forward the implementation of the refreshed FR between now and April 2016, efforts should be made to clarify the intended approaches to ways of working by the various staff groups comprising the refreshed FR, with the aims of providing assurances to staff that:

- Critical job roles currently undertaken by staff groups joining the refreshed FR are not dissipated or completely lost
- Staff are not expected to take on new roles or functions that represent an unreasonable change from their current jobs and responsibilities
- The workloads of staff are not expanded to an unsustainable extent
- Existing effective working relationships between the various groups joining the refreshed FR, and existing groups in FR, continue to be supported and strengthened
- Ensuring that opportunities for growing and improving positive working relationships between the staff groups comprising the refreshed FR are supported and encouraged.

The FCTU is willing to work with management to develop approaches to managing ways of working in the refreshed FR to address the above aims and the concerns of union members.

Recommendations on valuing and developing staff

The FCTU offers one recommendation on the subject of valuing and developing staff in the refreshed FR.

Recommendation 4: In taking forward the implementation of the refreshed FR between now and April 2016, efforts should be made to develop holistic policy and practices towards the development and grading of staff groups in the various job roles and functions comprising the refreshed FR, with the aims of:

- Ensuring fair and equitable treatment and opportunities for all staff groups in the refreshed FR

- Getting the best out of the different staff groups and job roles in the refreshed FR, in support of the business need, recognising the expanded scope and remit of the refreshed FR
- Clarifying the application of the FR Science Promotions Procedure and general grading systems to the various staff groups comprising the refreshed FR, including those categorised as “scientists”
- Mitigating potential risks of pay inequalities amongst individuals and staff groups comprising the refreshed FR.

The FCTU is willing to work with management to identify and address gaps and inconsistencies in existing policies, systems and procedures, to address the concerns of union members, whilst acknowledging legitimate business requirements.

Recommendations on vision and objectives

The FCTU notes that the proposals for the vision and objectives of the refreshed FR have drawn some critical comments from all sides represented by union members (i.e. scientists commenting that scientific research is downplayed, whilst professional and technical staff have commented that policy informing and evidence provision are downplayed). As such, this could be seen as the mark of a successful compromise. Nevertheless, the FCTU offers one recommendation on the vision and objectives of the refreshed FR.

Recommendation 5: In taking forward the implementation of the refreshed FR between now and April 2016, the proposed stated vision and objectives of the refreshed FR should be revisited and possibly revised, with the aims of:

- Taking account of the outcomes of the actions taken in response to Recommendations 1 to 4
- To the extent possible, sharpening the messages projected by the vision and objectives to potential clients and stakeholders.

The FCTU is willing to work with management to advise on the views and aspirations of union members, to inform any further development of the refreshed FR’s statement of vision and objectives.

2. Costs need to be identified, quantified and addressed

Union members and the FCTU are very surprised at the suggestion made as part of the proposals for the refreshed FR that changes can be implemented on a cost neutral basis. The FCTU contends that financial costs associated with the formation of the refreshed FR are likely to be significant. Accordingly, the FCTU offers four recommendations on the issue of costs associated with the formation of the proposed refreshed FR.

Recommendation 6: As a matter of urgency, efforts should be made to identify and quantify financial costs associated with the formation of the refreshed FR, likely to be incurred in the short term, medium term and ongoing.

Recommendation 7: Based on the findings of the actions taken in response to Recommendation 6, efforts should be made to develop a financial plan that will address the increased costs associated with forming and running the refreshed FR.

Recommendation 8: In the event that the assessments undertaken in response to Recommendations 6 and 7 reveal that there are significant short-term costs involved with the migration from existing structures to those that will be constituted following the formation of the refreshed FR, management is urged to consider the option of seeking an appropriate level of contingency funding to cover these transitional costs.

Recommendation 9: Given the extent of changes taking place in the Forestry Commission and in Devolved Administrations, efforts should be made to obtain assurances that funding for FR currently administered by CFS is safeguarded and that there is a sustainable body for budget-holding and procurement of outputs and services from the refreshed FR.

The FCTU is willing to work with management to identify and quantify costs associated with the creation of the refreshed FR and associated changes.

3. The issue of how CFS/SIS procurement will be managed needs to be resolved

This issue has already been raised in Recommendation 9. In addition, union members and the FCTU are aware that the creation of the proposed refreshed FR, along with implementation of the outcomes of other reviews for Central/Shared Services, will leave behind a very significantly diminished central FC body. In particular, the transfer of IFOS to the refreshed FR, and any reorganisation of the CFS Policy Analyst team, will have significant impacts on the processes of managing and procuring outputs and services from the refreshed FR. Accordingly, the FCTU offers one recommendation on the issue of costs associated with the formation of the proposed refreshed FR.

Recommendation 10: As a matter of urgency, arrangements need to be clarified for the holding of budgets and the procurement and management of outputs and services from the refreshed FR, as part of implementation of the FR refresh.

4. Deliberations over possible future business models for FR need to be more transparent and inclusive

Although the subject is not strictly within the scope of the proposals for creating a refreshed FR, union members and the FCTU are very concerned that options for a change in the business model for the refreshed FR appear to be already under consideration, and could have significant impacts. Accordingly, the FCTU offers one recommendation on any deliberations undertaken on the question of a future business model for the proposed refreshed FR.

Recommendation 11: As part of any reviews of possible future business models the proposed refreshed FR, management must make all possible efforts on behalf of staff to ensure that the review process is transparent and allows for the views and aspirations of affected staff to be taken into account. This should include consultation with staff on a set of possible options for business model, rather than a “done deal” of a preferred option.

5. Greater efforts need to be made to develop proposals for the future of staff left out of the FR refresh

The FCTU notes that those functions not transferring to the proposed refreshed FR will be considered as part of the wider change programme to develop new corporate service arrangements and for the meantime will remain part of CFS.

Those functions not transferring to the proposed refreshed FR include:

- Economics
- Research commissioning.
- International and support for UKFS.
- Plant health
- The remaining parts of CFS Corporate Services.

Union members and the FCTU are conscious that more information is needed on the functions not transferring to the refreshed FR, and what the constitution will be of the remaining parts of Central/Shared Services that are not transferred to the countries. There are only cursory remarks on those functions that should not move to the refreshed FR and staff are concerned about this lack of information. Furthermore, union members have expressed concerns that effective team relationships are being broken up under proposals to move some groups to the refreshed FR, some to the countries, whilst retaining others in some sort of central body. Particular concerns have been expressed with regard to the functions of Plant Health and Forest Reproductive Material. Further discussion of these points is provided in the full FCTU response. Accordingly, the FCTU offers two recommendations on the subject of functions not transferring to the proposed refreshed FR.

Recommendation 12: As a matter of urgency, management should bring forward clear and credible proposals for the futures of those job roles and functions not proposed for transfer to the refreshed FR, demonstrating a rational case for transfer to countries or retention in a central body. Proposals are also urgently required for the constitution of the remaining central body.

Recommendation 13: In responding to Recommendations 2 and 12, management should also consider existing working relationships between those staff groups/job roles proposed for transferring to the refreshed FR, and those proposed not to transfer, to ensure that essential working relationships and functions are not disrupted by the breaking up of existing teams and working arrangements.

The FCTU is willing to work with management to gain a better understanding of relevant job roles and functions, and the extent of their suitability for transfer or retention as coherent teams.

6. The success of the FR refresh needs to be reviewed

A strong message from union members has been a sense of frustration at having witnessed many proposals for significant change in parts of the Forestry Commission and its successor bodies, which are subsequently implemented, but never properly reviewed to determine whether the changes have been effective and have met objectives. Accordingly, the FCTU offers one recommendation on the subject of the need for a review of the outcome of proposals for a refreshed FR, assuming these are implemented.

Recommendation 14: Should proposals for a refreshed FR be implemented, then, following a suitable interval, management should commit to undertaking a review of the effectiveness of

the organisational changes involved, and whether these have been successful in meeting objectives and sustaining relevant job roles and functions.

Forestry Governance Project (FR)

The future of Forest Research (FR) has previously been under consideration by the Forestry Commission (FC) as a component of the Woodland Policy Enabling Programme (WPEP). Drivers including progress with further devolution, the impending Spending Review settlement and the need to sustain critical scientific capabilities which support the development and delivery of tree health and forestry policy objectives across the UK, mean that this work will now be taken forward as a workstream of the new Forestry Governance Project Board (FGPB).

This outlines a new project which will enable the FGPB SROs to make recommendations to responsible Ministers on the future delivery of forestry research functions by the end of March 2016.

The project will consider and make recommendations to FGPB for the long-term arrangements (including organisational) of forestry research functions either on a pan-GB basis or in the countries; recognising that the future of FR as an agency of the FC depends, in part, on the future of the FC.

The project will undertake the following activities:

- a) Define the policy and operational requirements of forestry research functions. Recognising the synergies and views of Defra and the Scottish and Welsh governments and building on analytical work which has already taken place to develop the FC's new Science and Innovation Strategy. This will include some wider customer insights work with FR's operational customer base.
- b) Define the critical science capabilities needed to deliver a) above and those that only FR can provide, including those which underpin statutory and operational delivery. Drawing on previous reviews of science capability as appropriate, for example the recent Walport/Boyd assessment.
- c) Review the impact of likely legislative scenarios, and the assessment and evaluation criteria previously developed under WPEP.
- d) An analysis of FR financial flows and funding arrangements for forestry research.
- e) Review and cost benefit analyse future organisational model options.
- f) Submission of a recommended model option to Ministers. Agreement to be reached with the Ministers of England, Scotland and Wales.

The project will deliver in two phases.

- **Phase 1 (Definition)** – will deliver activities a) and b) above and an end of Phase report by **end November 2015**. FGPB approval will be needed to proceed to phase 2.
- **Phase 2 (Design)** – will deliver activities c) to f) above, and a submission to Ministers by **end March 2016**.

Briefing to DC

Forest Enterprise Scotland: Organisational Development Programme (ODP)

This briefing is aimed at informing the DC about the potential impacts for union members currently working for Forest Enterprise Scotland.

FCTU Scotland met with FES on 2nd October 2015 to a confidential meeting to discuss the ODP and how it would become the mechanism by which the shortfall in excess of £10 Million in 16/17 and perhaps even greater in 17/18 could be managed. FES have made it clear to FCTU that they need to reduce their cost-base and are looking at streamlining the delivery of outcomes on the National Forest Estate. There is an indication that they are considering a reduction in posts which will affect field staff, managers and other parts of FES as appropriate.

FCTU believe that nothing other than the status-quo is out of scope in the way that this programme will change not just the delivery on the estate but the framework by which that delivery is to be made in the future. A phrase that was used at the meeting was one of moving towards nationally supported teams which would suggest a regional or area framework rather than forest districts! Also the phrase increase use of managing agents which suggests more of the local management being tendered to third parties and even more chilling, to withdraw from direct activity (including machine based activity). All of this is designed to reduce the paybill which in turn means job losses for our members. FCTU questioned FES on how they would approach this and they were informed those close to retirement and normal churn would not be sufficient and that early exit would have to be considered.

Should we reach compulsory redundancy situations then a whole new political dimension will kick in and it will be a test of the Scottish Governments commitment to no compulsory redundancies in Scotland.

From this point on FCTU will organise and hold union member meetings around the forest districts and FES head office to gather views in this period of review. FCTU anticipate that discussion more formally with the unions will take place early in 2016 with a delivery date for the project by April 2017.

It would be very helpful if lead reps on the DC could be available to attend any meetings with members during the next few weeks just to add a constituent union view to the meeting content.

We will be discussing this at the next DC in December and an update at the FCTU AGM in November. If you wish anything further please contact me at the FCTU Office.

To: all accredited union reps, for onward distribution to members

What is the Issue?

As staff in Scotland were briefed previously, Forest Enterprise Scotland (FES) is seeking options to reduce its cost-base and to simplify the way that the whole of FES is organised. The Organisational Development Programme (ODP) is designed to deliver the necessary changes in FES, including devolution of work from Shared and Central Services, looking at more efficient operational activity, simplifying management structures within FES and deliver on other Scottish Government policies which are developing.

There is no doubt that this will lead to a reduction in staff numbers.

How is FCTU Involved?

FCTU Scotland met on 2nd October with Simon Hodge CEO of FES to discuss the current situation and how FES wishes to explore proposals at this stage that would successfully enable this. They would look to find more efficient ways of working to aid in reducing the income shortfalls and have a structure that meets those aims and objectives. FCTU are under no

illusions that this is a serious situation and wish to be kept fully informed on the potential options being explored and the possible impacts that these might have on union members working for FES.

All FES staff are being asked to put forward suggestions and ideas as part of the programme and the FCTU would encourage all members to take this opportunity to influence the future of the organisation.

What next for FCTU?

Everyone working for FES should now be aware of ODP and the need to reduce the cost-base. It is the intention of FCTU to hold members meetings in Scotland over the coming weeks to gather views and suggestions on how we mitigate against potential impacts on members. FCTU will continue to further support members through any resulting changes and work with FES to achieve the best possible outcome for union members in these challenging times.

FCTU will issue further regular briefings to alert you to members meetings and to keep you updated on any discussions between FES and FCTU. If you have any immediate views please contact your local representative or email unions@forestry.gsi.gov.uk.

This brief is for all accredited representatives in Forest Enterprise Scotland and any other reps in Forestry Commission Scotland as information.

This programme will mean a significant change to the way in which FES delivers its aims and objectives in future. It will not only affect the management of staff but the overall number of staff. Local delivery will still be required but it is not yet clear to FCTU who will be carrying out those tasks and under what arrangements. This period of review indicated by FES would suggest we can influence some of the potential options they may wish to consider, but it is clear that FES are committed to reducing their income deficit and as such will be looking hard at their running costs and seek to minimise expenditure where possible.

All the changes within the FC have been unsettling for many members caught up in them, with the shifting of posts from one part of the FC to another. The ODP programme goes beyond all of that as it is seen as a financial necessity and posts will be lost as a result. This is on top of the next spending review and the challenges this will bring to all parts of the FC. To make matters worse, members are being paid less in real terms; having to pay more toward pension provisions; and face further threats of austerity from the Westminster Government.

Union members will look to their union and local representatives to help them understand the degree of change, how it will affect them, how they can make their views known and how you can support them through this period of change. As a local rep you have an important role to play in listening to your members, feeding back their views and acting as a conduit in passing information to local members. You will also require support and you should discuss this with senior union reps in your constituent union, FCTU Scotland or contact unions@forestry.gsi.gov.uk.

We are under no illusion that this is a serious situation that will impact on every union member in FES. FCTU will be arranging members' meetings shortly and will need your help with these. You may be asked to set a suitable date and venue; or if you are aware of pre-arranged staff meetings locally then we could piggy-back onto these for our union meeting, which would help with facility time arrangements. You will need to encourage members to attend by promoting these locally with posters and email where appropriate. The purpose of the meetings will be to get an initial reaction to the programme and to gather views, comments and questions from the membership prior to any decisions on proposed options.

As a local union representative your help in all of this is vital, not only to benefit local members, but to aid FCTU to inform FES through our collective bargaining agreement the broadest possible views of all union members in FES.

FCTU Slides for FES ODP



(FCTU Scotland)

Reacting to the Organisational Development Programme in Forest Enterprise Scotland

11/6/2015




What is ODP?

It is made up of three distinct projects

- Strategic Business Planning
- Business Services
- Delivery Structures

FCTU are currently interested in the Delivery Structures Project as this will be formally consulted on in April 2016

11/6/2015




Is Your Job at RISK ?

- FCTU are opposed to any job losses
- We will ask FES to explore all options
- We will discuss other options with FCS
- We will use our unions to seek assurances from the Scottish Government

But YES no matter who you are, where you are or what you do – your job is at RISK

11/6/2015




What we know

Q&A stated: -

- 'It is clear we will need to reduce the number of posts in FES'.
- FES will make the most of opportunities that arise through retirements, resignations, promotions and redeployment. Beyond this, may need to declare some posts redundant!
- The programme will identify FES Core Activities and some work that falls outside this remit will have to stop.
- But equally important, FES will look at whether they can organise themselves to work in a more streamlined way, and seek opportunities to work with others on delivering public benefits


11/6/2015



What's the Timetable?

- From now until early 2016 the ODP seek your input to help inform and influence the development of any proposal
- Initial round of union workplace meetings November/December 2015
- Further union meetings January/February 2016
- March/April 2016 the ODP will start the consultation phase around a proposal.
- April 2017 is the planned implementation of any new structure

11/6/2015



Time to have your say

- What questions do you want FCTU to ask FES?
- What would you expect from the Scottish Government?
- What role would you expect Forestry Commission Scotland to play in this?
- What do you think local politicians can do?
- What will the public reaction be to ODP?

11/6/2015



Finally

- FCTU is opposed to any and all job losses
- FCTU will meet regularly with FES
- FCTU will provide updates to union members
- FCTU will listen to union members
- FCTU is the collective bargaining body for the unions
- FCTU will be formally consulted on any future proposals

11/6/2015

FCTU Health & Safety Action Plan

TASK	LEAD	ACTION BY	TARGET DATE	STATUS	NEXT STEPS	ACTION UNDERTAKEN
Increasing Rep Numbers	DC	DC	Ongoing	Urgent need to increase rep numbers for FCTU to be fully involved with cultural change and FC's strategy.	Mick reported new potential reps in Yorkshire that are looking to undergo the necessary training. Find out if any reps on safety committees could put themselves forward to be H&S reps and undergo training. Action: constituent unions to approach their reps on safety committees to discuss furthering their H&S roles.	Allan written to FC Scotland and England seeking committee members lists. All received, Sam compiled list by district and circulated to DC on 19/3 with additional guidance on online training.
Rep Locations	DC	DC	Ongoing	AGM agreed for FCTU to populate a map showing rep locations and gaps. This was then provided to the DC on and reviewed at 21 st January meeting.	Map to be updated with new Yorkshire reps once fully fledged. 22 nd July update – Mick reported that signing up these two new reps was stalling and would report back reasons/barriers.	
Training	DC	DC	Ongoing	AGM discussions highlighted workloads, travel distances and duration of training as issues preventing some from being willing to undertake training. TUC training was understood to be 12 days over 12 weeks. Online training now offered – guidance circulated on 19/3.	Action: Unions to ensure that reps who will be making approaches to those on safety committees have details of the required training whether TUC based, online, or through their own union.	

TASK	LEAD	ACTION BY	TARGET DATE	STATUS	NEXT STEPS	ACTION UNDERTAKEN
H&S Facility Time and FJPs	DC			The new Facility Time Arrangements in the FC and onerous mechanisms of recording and inputting was raised at the AGM as another potential barrier to reps or potential reps from wanting to carry out duties on behalf of their union. DC discussed further on 19/1/15 and agreed it may not be as big an issue as initially felt and shouldn't be a barrier in itself.	Awaiting introduction of new recording system. DC reps agreed to test system with HR prior to launch.	
Management Buy-In	DC	FCTU Office	June 2015	AGM discussed middle management attitude to health and safety rep duties and FCTU intervention when barriers are put in the way. Further commitments given by FC at senior level at the Departmental Staff Council in December. There is a need for this to be transmitted down and reflected at a local management level.	Draft leaflet produced for management use in improving understanding of the role and management of union H&S reps. Action: Unions to consider content and report back with any comments or desired additions/changes. FCTU Office to produce final version.	

TASK	LEAD	ACTION BY	TARGET DATE	STATUS	NEXT STEPS	ACTION UNDERTAKEN
Communication	DC	TBD	TBD	When more reps are established, they should not feel isolated and should be able to flag up issues easily with open communication channels for between reps and FCTU/constituent unions.		H&S now included in all Staff Council agendas with discussions minuted.
Accident Reporting	DC	TBD	TBD	AIRS training being rolled out to all areas currently; greater levels of understanding and use being reported.	No action currently.	
Lone Working	DC	TBD	TBD	Business rules and proper use of spot-trackers provided to Wildlife Rangers clarified. Benefits communicated and assurances given to alleviate fears of improper use. Unions aware of some issues with lone working and accuracy of spot-trackers currently.	No action currently.	

TASK	LEAD	ACTION BY	TARGET DATE	STATUS	NEXT STEPS	ACTION UNDERTAKEN
Health (inc. mental health) Awareness	DC	TBD	Summer 2015	<p>AGM agreed there was a need to promote greater awareness of health issues including stress, depression and mental health – challenging stigmas and finding solutions.</p> <p>DC 19/1/15 explored ways of taking this forward, with encouraging the FC to sign up to existing campaigns an option, as well as looking into what guidance was already available from the constituent unions nationally.</p>		

Appendix 10

H&S Representatives	Awareness of the climate tool survey	Aware of the local H&S committee	Awareness of local report	Opportunity to provide feedback to report	Aware of local improvements	Able to report near misses
1	Y	Y	Y	Y	Y	N
2	Y	Y	Y	Y	Y	Y
3	Y	Y	Y	Y	Y	Y
4	Y	Y	Y	Y	Y	Y
5	Y	Y	Y	Y	N	Y
6	Y	Y	Y	Y	N	Y
7	Y	Y	Y	Y	Y	Y
8	Y	Y	N	Y	N	Y
9	Y	Y	N	N	Y	Y
10	N	Y	N	N	Y	Y
11	N	N	N	N	N	Y
12	Y	Y	Y	N	Y	Y
13	Y	Y	Y	N	Y	Y
14	Y	Y	N	N	Y	Y
Total	86%	92%	64%	57%	71%	92%

Thanks to those reps who took the time to respond to this questionnaire, which will be used in our role on the GB Health and safety Strategy Group for their consideration.

How FCTU Works

Consultation and negotiation between the Forestry Commission and its staff is carried out via the FC Trade Unions; and we collectively speak for all staff. Only union members can have an influence at the table and we would therefore encourage any non-member to join a union to have their voice heard. Any colleagues considering joining a union and would like to know more should contact the [FCTU Office](#) for guidance.

Consultation

Consultation is the process by which management and employees or their representatives jointly examine and discuss issues of mutual concern. It involves managers actively seeking and taking account of the views of employees via FCTU, before making a decision. It is recognised that meaningful and timely consultation is an essential component of successful organisational change and good employee relations.

Meaningful consultation depends on those being consulted having adequate information and time to consider it, and that meaningful and timely consultation:

- Allows constructive debate to take place on proposals that affect employees, enabling better understanding of the likely practical impact of the proposals.
- Enables the merits of alternative solutions to be considered and amendments to be made, following discussion, where appropriate.
- Ensures sufficient time is built into the timetable for FCTU to consult with members before final decisions are taken and that information is provided to enable them to do so in a meaningful way.
- Does not mean that all views of FCTU have to be accepted.
- Will be carried out with a view to reaching agreement

Consultation will be carried out within areas that impact on employees' terms and conditions. As such, almost any subject is appropriate for consultative discussion. Some examples of appropriate topic for consultation are listed below. This list is not exhaustive:

- Health, Safety and Wellbeing
- Changes to Organisational Structure
- Redundancies and Transfers
- New ways of working
- Training
- Equality and Diversity
- Policies that impact on employees
- Resource levels

Negotiation

Negotiation is a process whereby the FC and FCTU seek to reconcile their differences with the overall aim of reaching agreement. Implicit in the process of negotiation is an intention and willingness to compromise in pursuit of an agreement. However, all parties jointly acknowledge that it is not always possible to reach agreement on every issue. Negotiation is applicable in the following areas:

- changes to contractual terms and conditions of employment,
- changes to the terms of established collective agreements between employers and trade unions

National Full Time Officers

Union members pay subscription fees to their respective union allowing full time negotiators to be employed on their behalf who deal with Government initiatives and policies that affect the whole Civil Service.

There are also full time officers allocated to the each Government department to support lay officers in consultation and negotiation around structural or policy changes and personal cases.

Lay Representative

Lay representatives are employees of the Forestry Commission who are elected by union members to represent local interests. Representatives from any union may hold more than one role in these structures as long as the facility time arrangements are adhered to. It is these lay representatives who form the membership of FCTU Committees and some will be elected to represent fellow members at Staff Councils.

Lay representative also take on other duties such as

- Health & Safety Representatives
- Union Learning Representatives
- Harassment & Bullying Advisors
- supporting members in Discipline and Grievance

There are other activities that are outside of the facility time arrangements in which union representative will take on elected roles to support their individual union structures either at a Branch, Group or Committee level.

Lay representatives are a vital component in how FCTU and the unions work within the Forestry Commission. It is therefore extremely important that these representatives have the ability, the resources and the support of everyone in carrying out their union duties. As we move forward and the scale and scope of the Forestry Commission changes we need to ensure that we have sufficient lay representative to carry out those very necessary duties in the future.

It is a fact that workers in unionised workplaces enjoy better terms and conditions. Why? Because trained trade union reps are active in the workplace negotiating, representing and promoting the wellbeing of the workforce. That role is ever more important as inequality in power and wealth increases. Trade unions help to rebalance power relations in the workplace – a fact commonly recognised by 70% of respondents in MORI polls who say unions are “essential to protect workers’ interests”.

However, things may well get tougher for lay representative to carry out their duties and support their fellow members as they have been doing to date. To undermine the fundamental role of trade unions, the last UK government put a cap on the proportion of the Civil Service pay bill that could be spent on trade union facility time; restricted the number of union reps given full time release, and banned paid time off for trade union activities. Now the government proposes to extend those restrictions across local government and into the private sector.

It is hard to avoid the conclusion that the government in Westminster is determined to weaken trade unions so that they can attack rights, pay, and conditions for all workers. Collective bargaining works because both sides have some power – that’s why the vast majority of negotiations result not in strikes, but in a deal being reached. Collective bargaining benefits union members and non-members alike.

Notes: