

Laura Butterfield

Nick Walkley
Chief Executive
LB Barnet
North London Business Park
Oakley Road South
London N11 1NP

9 September 2011

Dear Mr Walkley,

Correspondence with UNISON Members, 6 Sept

I understand you wrote to all UNISON members currently taking industrial action on 6 September. This letter contains a number of inaccuracies. Further, there appear to be two different versions, and I would like to be clear on which is the correct version.

Dealing with the last point first. Your first letter contains a paragraph stating you will be presenting an injunction application for the action planned for 13 September. The second letter appears to be identical other than it does not contain this paragraph. I would be grateful if you would clarify which of these versions the Council deems to be correct. Further, and for the avoidance of doubt, I take this opportunity to advise that to our knowledge no injunction application has been made by the Council and to confirm that UNISON intends to proceed with the action notified to you in our three letters headed "Notice of Industrial Action Following a Ballot" dated 6 September 2011.

Moving on to the content of your letter. It is correct to say UNISON has raised concerns in relation to Barnet's plans to outsource the workforce, and thus forcibly change the identity of their employer. These concerns have been consistently raised throughout, and were the subject of meetings over the summer period. It is worthy of note that the Council ignored our concerns until members took industrial action short of strike. It is believed it is this action that finally brought officers to the negotiating table.

At the last negotiating meeting on 26 August, a final package was tabled. UNISON presented arguments to the effect that in our opinion the wording in this offer did not give the protection to our members they felt they needed to mitigate against a change of employer. It was agreed that management side would consider our comments and come back to us with an amended document. To date we have received nothing.

We have not therefore received any offer we can put to our members. We made it clear at the meeting that should our concerns be met we could defer our action for 13 September pending consultation with our members. As nothing has been forthcoming we have therefore served notice of strike action for that date. UNISON has complied with the legal timescales for serving notice of strike action.

I repeat the assurances we gave to your negotiating team on 26 August – if UNISON receives a revised proposal that meets the core concerns we expressed at that meeting sufficient to put to our members then we could defer the action proposed for 13 September.

Your letter informs staff of the package put forward and criticises us for taking action on 13 September. I will be writing to members giving them the above information that no full and final offer has been put to us. In addition I will be pointing out the final offer put forward on 26 August was confidential to the negotiators and not to be shared. It is for this reason it was not communicated to our members.

I will also be pointing out that the Council have acted inconsistently on this matter. Not only did your management team agree to present a revised proposal at our meeting on 26 August, they went on to withdraw a paper at the Pensions Committee Meeting on 1 September on the basis that no agreement had yet been reached with UNISON. I am therefore at a loss as to why the Council appears to have broken its agreement with UNISON to present a revised package.

Your letter states you are now implementing the package. I can only reiterate the points that UNISON made to your negotiating team – that we feel the wording of the proposals is insufficiently firm for incoming service providers to be bound to the conditions, and that protection of terms and conditions for one year is insufficient. Further we remain concerned about your lack of any in principal commitment and/or recommendation to the Pensions Committee that admitted body status should be via an open rather than a closed scheme. We would have thought such a commitment is as much in the interests of the Council as our members. This is not least because open schemes mitigate against the significant risk of financial cost to the council (and ultimately your tax payers) emanating from an ongoing reduction in paying scheme members.

Preliminary indications are that UNISON members are not particularly reassured by the proposed package as described in the letters, and I urge you to rethink your intention to impose and agree to re-establish negotiations with us where they were left off.

Finally, it is of grave concern to UNISON that the council's negotiating team has been limited to HR staff. UNISON fielded our Regional Head of Local Government in addition to the Branch Chair, Branch Secretary and myself as we regarded the issues posed in Barnet as being of significant strategic

importance. It remains a disappointment to us that the Council has not seen fit to deploy senior strategic staff in support of its HR team in these negotiations and I would ask you to rethink its composition for the future.

Yours sincerely

LAURA BUTTERFIELD
Regional Organiser

Cc: John Burgess – UNISON Barnet LG Branch Secretary