



Campaign Pack

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Examples and Models

Press releases
Members FAQ
Articles – General/Scottish
Leaflets - General and Scottish perspective
NW/NF Lawyers - national material
Letter to local politicians

NB:Contacts for Assistance

Equal Pay General – Glyn Hawker

g.hawker@unison.co.uk

Legal Advice/Employment tribunals etc – Peter Hunter

p.hunter@unison.co.uk

Political Lobbying – Dave Watson

d.watson@unison.co.uk

Campaigning and Communications – Chris Bartter

c.bartter@unison.co.uk

Research – Kenny MacLaren

k.maclaren@unison.co.uk



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2) A Campaign Guide

Many branch activists are experienced in running campaigns on both local and national issues. However, it's always useful to review our approach, so below are a few basic tips. And for those of you who are new to publicity and campaigning, hopefully this will be of help.

This guide is in no way intended to be a final word — as with any campaign there should be room for everybody to contribute ideas.

We need Aims and Targets

- Aims are the focus for any campaign, around which everything else is built
- Aims also make it possible to review the campaign. Are we achieving what we set out to achieve? Make sure everyone knows the issues around the campaign and the line of march. Encourage member activity in support of the campaign. The campaign can also have the added benefit of building organisation within the branch and raising the profile of UNISON.
- Targets are the people we need to convince. Who they are will depend on your aims and they will determine what materials you need.
- You need to know where you're going, so you know when you've got there, and when to stop!

Planning is essential

- Creating a flexible plan with a timetable and with responsibilities identified means you have a strategy. Everyone is aware of the intended progress of the campaign and can prepare for events. It also makes it possible to identify when specific materials are required and to identify shortfalls in resources
- Make sure you know about relevant dates and opportunities to get your campaign on track. For example, are there certain meetings your branch might want to attend or lobby? Are there regional UNISON events you could attend to get support from other members or branches? Is there a local event that could provide a useful 'hook' for your campaign?

Who does the planning?

Obviously it is up to the branch activists and committee to agree to a campaign plan. But it may be easier to form a sub-committee or working party to focus primarily on drawing up the plan. They could then take it to the rest of the branch for discussion and agreement. Drawing up a document — which lists key dates, proposed activities, resources and responsibilities — would be impossible to do from scratch in a full committee or branch meeting. A small group allows flexibility to meet as and when necessary. The group can continue to meet as events progress, adapting the plan or co-opting others as and when necessary. They can also review each phase as it happens and report back to the rest of the branch.

Of course this may not be appropriate for your particular branch. Or you may wish to work with other branches on this basis. Choose whatever suits everyone best. Some branches agree to free up specific individuals in these situations, sharing out their work so they have more time to concentrate on the campaign. Don't forget to involve regional staff. Are there organising or specialist staff who can help you? They may also have experience of working on campaigns.

Communications — or how to get your message across

It is important to think about who your target audience is and what you want to communicate. Communications may be viewed as 'internal' ie within UNISON (either the branch, Scotland, or at UK level) or 'external' ie outside UNISON (eg the employers, local or national media, trades councils, other trade unions, etc), or a combination of both.



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You may want to think about using some of the following methods:

- press releases, to tell the media about specific events in your campaign or a compelling story in your branch. Don't forget that journalists are interested in anything that will make a story, so think carefully about what interests their readers
- briefing meetings for activists and members. Do you want to invite a guest speaker along? What issues do you want to tell people about?
- could you create any photo opportunities to attract the attention of the press and public but also to provide your branch with stock photographs to be used in your publicity?
- Newsletters.

Other ideas:

Circulars, email, noticeboards, word of mouth, workplace meetings, pre-printed envelopes, social events, posters, leaflets, advertising.

What do you want to communicate?

Think about:

- the aims of your campaign
- back up information which can fill gaps
- key dates in the campaign timetable
- who is responsible for what
- how the campaign aids recruitment and retention
- messages of support from outside the branch
- appeals for financial support.

Importance of recruitment

No UNISON campaign can neglect the importance of recruitment and retention of members. Running a well-planned and high profile campaign in itself demonstrates that UNISON is worth joining. UNISON campaigns should show members that their concerns are being addressed and hence aid retention. Recruitment opportunities need to be identified in your planning and also picked

up on as they arise in the course of your activity

See our recruitment page for more information

(www.unison.org.uk/communicating/recruitment.asp)

Evaluation

The importance of reviewing cannot be overstressed. There's no point reinventing the wheel, so ensure that you learn from yours and other's experiences. At every stage your plan needs to be looked at and the activities reviewed. We can all learn from successes and mistakes. Think about how you might review activities.

For example, did you run a recruitment stall but nobody turned up? Where did you site it? What time was it there? How did you publicise it? Where did you publicise it? And don't forget that successes need to be shared with others. Don't assume that you were the last to think of an idea. Get your rep to report it to the Local Government Committee and the Communications and Campaigns Committee. And don't forget to tell *Scotland in UNISON* the magazine for activists, and the UNISONScotland website - webmanager@unison-edinburgh.org.uk.



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3) Communication to (and from) the members

How organised is your communications network?

Experience and research show that the long-term success of any campaign a union undertakes depends on how well they involve, enthuse and keep together their members. It is particularly important when (as in this campaign) you will want members to take part in some of the activities – writing to councillors and MSPs, lobbying, taking part in demonstrations and – of course - voting for and taking industrial action.

This will depend in part on how effective their communications network is.

In fact, an effective communications network is crucial to the success of any union activity, from developing a steward structure to running a campaign, from solving an important grievance to increasing membership

The very effectiveness of the union as an effective, democratic activist organisation depends on effective communications.

What kind of communications does your branch have? How can this be used to activate union members behind the union’s agenda?

Communications Network Structure

An effective union communication action network might look like the diagram below.

An effective communications network ensures that when information needs to get from local union officers to members, or from union members to the officers, or even members to members, then the information is communicated *quickly, accurately, and inclusively.*

The communications network should be inclusive. Every member of the union should be part of the network. It shouldn’t be seen as “top - down”. Information, which flows through the network towards its hub, or centre, is just as important as the information, which flows from centre out!

Also note that ideally no single network member should be responsible for communicating with more than 5-10 other members. This requirement ensures that no one person is overloaded and that information moves quickly and efficiently through the network.

Members

Member Contacts/ Reps.
(One for Every 5-10 Workers)

Workplace representatives/Stewards
(One per workplace or work site)

Convenors/Area Co-ordinators
(One per Department, Employer, etc.)

Union Campaign/Information Co-ordinators

Branch Officers

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4) Identify your Aims

All successful campaigns have clear aims – what we want to achieve. Because once those are established they form the first step in planning the campaign and lead on to identifying your targets – who you need to convince and therefore what materials and methods you need.

In this campaign we have three aims

- i. to ensure that members are paid fairly and equally without losing jobs – including compensation for past discrimination
- ii. to defend members threatened by massive loss of pay and/or conditions due to poor job evaluation/low pay issues or other reasons. Including action to defend against imposition.
- iii. to put pressure on politicians locally and nationally to properly fund fair pay and the public services that members provide

A good campaign aim should match as many as possible of these points:

1. Have a good chance of success

The problem should not be so large and insurmountable that there will be no successes to report at the end of the campaign.

2. Be widely felt

The issue should be relevant to the great majority of members and potential members and there should be widespread agreement about the solution proposed.

3. Be deeply felt

The issue should be something that people feel very strongly about.

4. Be an issue which can involve members and potential members

Members and potential members should feel that they and not outsiders have won the campaign.

5. Be worth the effort

Members should feel it is an issue that is worth their time and effort. If the issue is not so important but requires enormous time and commitment it might not be worth the effort.

6. Be easily understood

The issue should be expressed simply, so that it can convince members and potential members

7. Be consistent with your values, priorities and strategic plans

The issue should be consistent with UNISON's values and reflect your union's priorities and plans.

This is a standard set of criteria for assessing campaigns. How does your branch's Getting Equal campaign match up?

If there are criteria that don't match up – is the campaign too large and insurmountable for example – are there ways to break it down into digestible chunks?



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5) Identify your Targets

Your aims will determine your targets (and other players). They might be

Direct Targets

the group or individual who needs to act to enable you to meet your goal. For example: in this case the key direct targets on both the equal pay and job evaluation aims are authority managers and local politicians

Indirect targets

other groups or individuals your campaign has to reach, because they are influential in enabling you to reach your direct target. To continue the same example, an indirect target might be the press, and another might be other political parties or other unions. You may not agree with everything the indirect targets say, but they can help you get to your direct target, so you need a relationship with them. Indirect targets here might also be the public.

Allies

These are your close friends. Indirect targets are often confused with allies. A good test of whether a group is an ally or not is - do you trust them enough to share your campaign plans with them? Are other unions here allies or indirect targets?

Who are the targets in this campaign?:

LOCAL POLITICIANS – key Direct Target – are the ones who can deliver on 3 above.

National Politicians (Indirect/Direct Targets)

Press/Public (Indirect Targets)

Members

- Winners
- Losers
- The majority!

Non-Members – Recruitment targets



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6) Strategy

The circumstances surrounding each campaign are unique and each campaign strategy must be unique as well. But we can take *guidance* from some strategies that were part of other campaigns.

In the case of the Getting Equal Campaign the strategies will involve a number of different types – depending what stage negotiations are at.

Strategy Type	Description	Examples
Membership involvement/Workplace Activity	Use of bargaining to gain leverage in contract negotiations with local council - direct target.	Enter into negotiations and if necessary lodge a collective claim or dispute. Including ET1s for compensation
	Workers and unions in different locations demonstrate their support.	Rallies, leafleting, marches, petitions.
	Workers organise their numbers, their knowledge of the job and their access to first hand information.	Wearing stickers, work-to-contract, collective whistle-blowing, industrial action
Influencing employers/ other decision makers	The legislative, political and electoral process is used to pressure the target.	Lobbying politicians at appropriate levels, local councillors through to MEP's. Using direct contact and letter-writing
	Assisting government agencies that enforce laws and regulate employers to scrutinise the target employer.	Using the SJC, EOC or other body to challenge claims.
	Using media to publicise demands and pressurise the target	Identifying journalists. Using press releases, briefings, letters, phone-ins and calls to draw attention to our message. Publicise tactics and events

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7) Tactics and timelines

Remember who you identified your targets and allies. Decide what tactics to use to put pressure on them.

Then, in relation to each tactic, check :

- does it fit with your strategy?
- how difficult will it be to organise?

Sketch out a campaign timeline, mark up key events relevant to the campaign e.g. council meetings, deadlines for job evaluation results, . **(Remember these will often not be decided by you!)**

Insert tactics on the timeline as appropriate. Consider what needs to be done first in the campaign, bearing in mind that you should aim to start with easier tactics and build the campaign. Make sure you plan to take advantage of any opportunities provided by the events you have identified.

Remember!

Your Communications network. Will it fit your campaign? How will you utilise the members in your branch in your campaign?

In this campaign your target is your local council. What sort of tactics can you use?

Letter-writing campaign – give members draft letters to send to councillors. Appropriate at different times – eg rejection of comp offer, refusal to sign away rights etc. Why not get them writing to local papers

Lobbying – organise a lobby of a council meeting. Why not organise individual members to go to councillors surgeries?

Political lobbying – use LabourLink officers and delegates to CLPs in Labour Councils. Members of other Parties on your exec – can they raise issues? Use local MSPs – but remember they are part of the problem!

Rallies and Demos – if the issue is serious. Nothing worse than a demo no-one attends.

Press Campaigns – Use contacts with journalists. Get good examples – low-paid woman with long service for Compensation story; low-paid woman losing money for job evaluation;

In all these tactics – you need to utilise your members. Get them active. Use stewards/contacts to pass on the info. Make it easy for them – use websites, email briefings to

- a) keep them up-to-date and
- b) send them material to use in campaigning – can you put email letters on the branch website – do you have councillors email addresses?
- c) Give them the arguments to use with councillors; family and friends

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8) Materials, Media and other Resources

Similarly your materials should be determined by your tactics, just as they were by your targets. If your target is a small group of powerful councillors then do you need 10,000 flyers printed to reach them? Or would it be a better tactic to have members write hundreds of letters to them? What do you need to produce to do this?

Where are you going to get the resources (money, people time)?

How are you going to distribute each item?

Identify key media outlets that you want to use as part of the campaign

- Who might be interested?
- Are there any specialist reporters or journals who cover the area?

Who is going to speak for you in the media? - Branch Officers? Stewards? Members?
When and how are you going to attract the media? Can you tie this into your tactics and strategy? You need human interest, examples, figures that relate to people. A cleaner has been robbed of £3,000 per year over the last 20 years. A Classroom Assistant is set to lose £5,000 a year. Some model releases are contained in this pack.

Think about what resources you currently have for the campaign and what is needed.

Resources and sources

Within UNISON

Branch level

Funds,
Members,
Expertise

Scottish Level

Information and research facilities, - Website, P&I Team.
Assistance with organising, negotiating, communications, legal, training etc.
Use of 'High-Profile' UNISON figures
Political/ Employer influence
Access to Funds - GPF/Communications/Development Funds etc.
Solidarity from other Sc Brs

UK Level

More Information and research
More Assistance
Industrial Action approval
Even more 'High-Profile' figures!
More Money
Solidarity from other UK Brs

Outwith UNISON

Trades Councils

Other TU's

Community/User Groups

Political Parties – but be careful they (all of them!!!) have a vested interest in using your campaign for their own ends

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9. Political Lobbying

There are two main targets for political lobbying on equal pay. Firstly, the Scottish Executive for a better financial settlement for local government. Secondly, local councils to make proper financial provision within their own budgets and deliver on their commitments under the single status agreement.

Scottish Executive

The Financial Position

Whilst the Scottish Executive is not a party to the single status agreement they do have a broad responsibility for equal pay and control most (around 80%) of local authority income. The past and current budget plans (in real terms) for local government are set out below.

£000s	2002-03 Budget	2003-04 Budget	2004-05 Budget	2005-06 Budget	2006-07 Budget	2007-08 Plans
Local Government Revenue (AEF)	7,432,348	7,917,400	8,094,195	8,292,228	8,304,967	8,321,549
Local Government Capital	336,844	393,564	345,698	348,769	341,713	338,192

This table demonstrates that the Scottish Executive has provided a real term increase in local authority spending. In addition there are ring fenced funds provided from other Scottish Executive budgets. However, there are also growing demands on local government spending, at least partly, due to the demands placed on local authorities from the Scottish Executive. In addition efficient government savings were top sliced from local government. The cumulative impact on was described in the Parliament's Finance Committee report on last year's budget settlement:

"The Minister has acknowledged that new funding pressures are impacting on local authorities and promised to revisit this next year. That is a positive commitment. However, the Committee remains very concerned that to meet the 2.5% council tax target, the Executive's target for spending leaves a shortfall which the Committee calculates as £84.9m over and above the £58.5m efficiency savings target." ([5th Report, 2005: Stage 2 of the 2006-07 Budget Process](#))

This issue was considered again by the Finance Committee in their report on the financial implications of the single status agreement. They reported:

"61. COSLA's submission to the Committee estimated that the cost of equal pay compensation could range between £310m and £560m. The unions asserted that £560m could be an under-estimate as they believe this figure only takes account of past inequalities relating to bonuses and does not take account of past inequality in relation to grading.

62. Whilst COSLA has said that local authorities can manage the ongoing costs of Single Status implementation, it claims local authorities cannot meet the costs of compensation payments without assistance from the Scottish Executive. This is also the view of the unions.

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63. COSLA states that the costs cannot be met from reserves as they say that only 25% of the current total reserves of £1 billion (ie, £250m) is unallocated. In addition, local authorities have a policy of retaining 2% of their balances. The Committee however noted that the settlement made by Glasgow City Council had been met from reserves albeit by using up all of its available reserves in the current financial year.

68. COSLA put forward a number of technical financial proposals which it believes could help local authorities to manage the costs of the equal pay liabilities. Firstly, they suggested that these costs could be offset against capital receipts rather than taken from revenue budgets and suggest that this has been adopted by some English local authorities with the approval of the Office of the Deputy Prime Minister.

69. The Minister indicated that such a decision could be taken but that it would not be in accordance with the Treasury's golden rule and therefore, the Treasury might raise an objection to this being done.

70. Secondly, COSLA suggested that costs could be funded through external borrowing. Finally, money for equal pay settlements will be taxed and it has been suggested that "30% to 45% of this [cost] could be self funding if the Treasury acknowledge that as additional revenue arises from higher contributions from councils this money should be returned to councils." According to press reports, it would appear that the Treasury has ruled out repaying any money to councils".

The Committee's recommendations recognised the funding pressures on local authorities. However they were also critical of local authority financial planning.

"71. Evidence from both local authorities and the unions suggested that the costs of equal pay were unmanageable. If local authorities were left to fund settlements in their entirety then this would have a considerable effect on jobs, services and council tax. COSLA highlighted the need to consider equal pay retrospection in the context of other funding and cost pressures on councils.

72. The Committee is of course mindful of funding pressures on local authorities and indeed, highlighted this issue in its report on Stage 2 of the Budget Process 2006-07. However, it notes that the average council tax increase set for 2006-07 was 3.1% with the largest local authority, Glasgow, imposing no increase with no major cuts in services or job losses. While the Committee welcomes lower than anticipated council tax increases, it finds it difficult to reconcile this position with the evidence given to the Committee on Single Status and equal pay.

73. However, the Committee believes that the current situation must be addressed by councils, unions and COSLA. If Single Status and liability for retrospective compensation payments are not resolved, then the already serious financial consequences of inaction will escalate. **The Committee recommends that the relevant parties must engage in realistic negotiations, recognising the imperative to reach a solution, within current financial constraints taking into account any commitments of financial support from the Executive.** ([4th Report, 2006: Report on the Financial Implications of the Local Authority Single Status Agreement](#))



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Essentially this is where the matter currently rests. With CoSLA and the trade unions lobbying the Finance Minister for a more realistic financial settlement in the coming financial year. Or at least some flexibility in the use of capital funding and borrowing.

The draft budget is currently being considered by parliamentary committees before the Executive makes a final proposal to Parliament. The Chancellor's autumn statement may be relevant if there are Barnett consequential effects although all the indications are that we will be entering a period of much tighter public expenditure across the UK.

Lobbying

UNISON Scotland has been engaged in a range of lobbying activities in support of a realistic local government financial settlement for the coming year.

Our evidence to the Finance Committee inquiry sets out our position in some detail. This is supplemented by specific briefings for all MSPs and individual briefings to reflect differing political and local circumstances.

Using UNISON Labour Link, discussions have been initiated with key ministers and MSPs and support has been gained from the party's Local Government Committee and Scottish Executive Committee.

The case has been taken to all the political party conferences and has been raised with government through STUC structures.

The window of opportunity for further lobbying is now tight. **However, branches can support this activity by raising the issues above with their constituency and list MSPs in writing or in person.**

Local Councils

The single status agreement was agreed with local authorities and they have the responsibility to both implement the agreement and make financial provision. This point is highlighted in CoSLA's evidence to the Finance Committee inquiry and in a briefing for a recent parliamentary debate.

"COSLA would want to send a clear message to Parliamentary colleagues that the responsibility for delivering on the vitally important issue that is Single Status stops with local government and it is something that can only be negotiated at the local level."

This point was reinforced by the Finance committee recommendation:

"The Committee believes it is unacceptable for any public body not to be meeting its obligations under the Equal Pay Act 1970. Therefore, it is dismayed that seven years after the Single Status framework was agreed, these equality issues have not been resolved. Whether delays have been caused by local authorities or by the relevant unions, it is the employer's responsibility to ensure that pay and conditions comply with equalities legislation"

Progressing Single Status

Despite CoSLA's encouragement of local authorities to implement single status – progress has been patchy. This is primarily a negotiating issue and the Local Government Service Group has a record of progress in each authority. The overview position as set out in our latest briefing is:

- Only three councils have concluded an agreement (South Lanarkshire, Renfrewshire and Moray).

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- A significant number of councils have made very little progress in developing proposals.
- Several authorities have presented final proposals. In these areas there are active negotiations or the proposals have been the subject of membership ballots. (Glasgow is among those who have balloted for industrial action).
- Falkirk Council has issued notices of dismissal and re-engagement to staff. North Lanarkshire has imposed their pay and grading scheme. Others have intimated that they will do the same. Sacking staff is never the appropriate response. These authorities should return to the negotiating table to resolve the outstanding issues.
- A large group of authorities are still developing proposals. This includes detailed discussions with the trade unions, mainly around the structure of the job evaluation scheme.

From 1 April 2007 the Gender Equality Duty comes into force placing an obligation on the public authority to take action to promote equality, not on individuals to take action after discrimination happens. An important aspect of this duty requires public authorities to develop, publish and regularly review an equal pay policy, including measures to address promotion, development and occupational segregation. For further details see P&I Briefing 138.

Local Council Finance

Many local authorities will claim that they cannot afford to meet the cost of implementing single status and compensation for past discrimination.

Branches should therefore look carefully at their council's finances to test the veracity of this claim. Local authority finances are split into revenue and capital.

The costs associated with single status should come from revenue expenditure. Most of the revenue budget will be committed to existing services but there will be some flexibility created by efficiency savings or budget growth brought about by an increase in grant or increasing the Council Tax. What the revenue budget is spent on is essentially a political decision. It may well be that in an election year the council may decide it has other priorities other than financing single status and wishes to avoid unpopular tax rises. If your council is proposing a below inflation increase in the Council Tax it can hardly claim that it has insufficient finance for single status.

The main financial pressure on local authorities comes from having to finance back pay for single status gainers and the cost of past discrimination. This is a one off revenue cost that could be funded from the revenue budget or from balances. There is around £1bn in local authority balances across Scotland although councils claim that most of this is allocated to identifiable projects. The Accounts Commission also advises local authorities that they should hold 2 per cent of reserves or balances, although there is no specific accounting rule which requires that this should be the case.

Councils could also utilise capital receipts or use prudential borrowing powers subject to being able to finance the revenue consequences and meeting other statutory rules. They may also have under spent in the current financial year or increased revenue by for example better Council Tax collection rates. This all creates a one off source of revenue to fund equal pay.

Branches should therefore look carefully at the last published accounts and the draft budgets for the coming year. In particular look at balances and how they are allocated, income levels, under spends and the expenditure options being considered by the council. Once the Scottish



Executive has finalised the level of grant the council will consider the level of the Council Tax for the next financial year. Section 10 shows you how to look at your councils finances in more detail.

Best Value

Equal pay is also relevant to the Best Value duty on local authorities, the central role of equality in Best Value (BV) and the assessment of BV by the Accounts Commission. Audit Scotland's BV reports do not identify the financial implications of pay inequality, nor do they record the fact that significant failings on equality suggest that councils are not delivering on BV as defined by the 2003 Act. It is extremely worrying that recent BV reports by Audit Scotland do not reflect the seriousness of the problems identified by the 2006 Finance Committee report into Single Status. UNISON has informed Audit Scotland that we believe it ought to be more prominent in rectifying problems identified by the Committee. Branches should be aware that this may be reflected in local audits.

Lobbying

When negotiations fail to make progress or break down, branches will want to include local campaign options into their plans. This campaign pack includes advice on how to organise your campaign.

Political lobbying at local level should not allow local politicians simply to blame politicians at another level. There will always be local options and research into your council finances will in any event enable you to test the veracity of their claims.

Political lobbying is best done at the local level by members contacting their own councillors in writing or in person. Most councillors have e.mail addresses published on the council's web site. There is a particular problem this year given that due to the introduction of STV and the retirement compensation many councillors will not be standing again. Labour councillors can also be lobbied through their branch and constituency Labour parties by any members and CLP delegates your branch Labour Link Officer is aware of.

This pack includes model letters to be adapted to local circumstances. Further models will be produced and added to the pack as they become required.



10. Council Budgets – How to read them

Every year councils must publish an audited statement of their accounts to allow the public to examine how they both raise and spend their money. The annual accounts are usually published alongside the Council's annual report. These documents can be obtained either direct from each council or from their websites. If you are looking online for the annual accounts then try checking any section on council finance if it is not immediately obvious where the accounts are published.

There are two key elements within the annual accounts; these are the capital and revenue budgets. In general terms, the capital budget deals with finances going towards the construction of new assets (such as new buildings etc) while the revenue budget is mainly concerned with the day to day costs of providing services (such as staff wages etc).

As well as publishing the annual accounts of previous years, councils also often publish budgets for future years, providing information on council spending priorities for the year(s) ahead. This is another useful source of information relating to how much of their income councils intend to spend and whether or not their reserves remain intact. The Accounts Commission advises local council that they should hold 2% of reserves or balances although there is no specific accounting rule which requires that this should be the case.

However, while most of a council's budget is committed to providing existing services examining the accounts and budgets may highlight that there is a potential underspend which could be used to address any short term, one-off spending such as funding equal pay.

Each council presents its accounts in a slightly different way, and while some may have the levels of reserves indicated in a review of their finance at the beginning of their accounts, it may be that you will need to examine the whole document to find the level of reserves held. The main sections to check for this information are the Consolidated Revenue Account and the Statement of Movement in Reserves.

Even if there is a significant level of reserves held it is not simply an indication that a council has extra spending power available. Often such reserves are held back for a specific or earmarked issue and thus could not be easily realised for any other item.

Councils could also use some capital receipts as a one off source of revenue to fund additional spending, so it is worth checking the capital budget for any potential underspends.

Branches should therefore look carefully at the last published accounts and the draft budgets for the coming year – in particular the balances and how they are allocated, income levels, underspends and the expenditure options being considered by the council.

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11. PROMOTING EQUALITY – the Gender Equality Duty

(Briefing No. 138 June 2006)

WHAT IS IT ?

The Gender Equality Duty is part of the new Equality Act and became law in April 2007. It is the biggest change in sex equality legislation in 30 years and it will require public authorities to pay due regard to promoting gender equality and eliminating sex discrimination. In other words, it will put the obligation on the public authority to take action to promote equality, not on individuals to take action after discrimination happens.

WHAT WILL IT DO?

By putting the obligation on public sector employers and service providers, it means they will require to have a radical rethink of policies and the way that services are delivered, with the different needs of women and men in mind. That means public bodies will need to set their own gender equality goals in consultation with service users and employees and to take action to achieve them.

WHAT ARE THE REQUIREMENTS OF THE DUTY?

There are two aspects to the duty. The first is 'the general duty'. This requires public authorities to eliminate unlawful discrimination and harassment and to promote equality of opportunity between women and men, and is seen as the core of the gender duty. The second aspect is a series of 'specific duties' setting out the exact steps public authorities should take, and which are designed to support progress in delivering the general duty. The specific duties will require public authorities to:-

- Produce and publish an equality scheme identifying gender equality goals and action to meet them, in consultation with employers and stakeholders;
- Monitor and review progress
- Review the scheme every three years
- Develop, publish and regularly review an equal pay policy, including measures to address promotion, development and occupational segregation
- Conduct and publish gender impact assessments of all legislation and major policy developments, and publish criteria for conducting such impact assessments

WHAT WILL PUBLIC BODIES NEED TO DO?

Public service providers will need to look at who uses their services and ask:-

- What are the priority issues for women and men in the services we provide?
- Do they have different needs within some services?
- Will women and men be put off using a service because of lack of childcare or an unsafe and inaccessible environment?
- Are there some services which are more effectively delivered as women-only or men-only?

One example, given by the Equal Opportunities Commission, is that women use public transport in different ways and for different reasons than men - both to get to work and to access services, childcare and shopping. However, transport services and town planning rarely recognise this. They often don't provide easy access to transport for those carrying children or pushchairs, or recognise that women have a greater fear of travelling at night. Public sector employers will also need to look at their current employment practices and consider the needs of all their staff, including those that identify as transgender or transsexual.



UNISON's POSITION

Unison submitted a detailed response to the consultation, which can be found on the main website under women (www.unison.org.uk/women). The main points we made and the changes we wish to have included are :-

- Adequate resources and funding
- Appropriate guidance, education and training
- The duty must apply to the private and voluntary sectors.

ACTION FOR UNISON

The implications for UNISON members are considerable. Although we welcome any change in the legislation which aims to eliminate anti-discriminatory practices, we need to ensure that any significant changes do not impact negatively on our members and the crucial work they undertake.

The new duty will come into legal force on 6 April 2007, and on that date, all listed public authorities will be expected to have ready their gender equality schemes, containing clear goals for action, based on solid evidence and decided in consultation with stakeholders.

That is an extremely tight timescale and it means, that branches need to start the process of discussion with employers at the earliest opportunity. Over the coming months, we hope to provide a detailed plan of action, which will assist branches. Work by the Scottish Equalities Officer and the National Women's Officer on a toolkit will start shortly. Discussions with the EOC will also take place soon. In the meantime, branches should:-

- Make the Gender Equality Duty a key priority in the current bargaining agenda
- Initiate discussions with employers at the relevant joint level
- Publicise the implications of the Duty to the membership.

The next briefing will deal specifically with the Equal Pay Section of the Gender Equality Duty.

For further information: www.unison.org.uk/women www.eoc.org.uk
www.dti.gov.uk/womenandequalityunit



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Model Press Release – Rejecting Compensation Offer

Embargo: **For Immediate Release/or other embargo** Date: **?? Dec 2006**

UNISON rejects 'inadequate' council equal pay offer

UNISON, the union that represents **[Somewhere]** Council staff, today urged its members to reject the offer of compensation for past discrimination being made by the council to some sections of staff. The union says that the offer ignores many members of staff who may have a claim, only deals with bonus payments yet asks staff to sign away their right to make future claims on basic pay or other payments, and fails to address the full value of potential equal pay claims.

[Ann Other UNISON's Branch Secretary for Somewhere] said

“Despite constant reminders by UNISON that there are more than **catering, cleaning and home care staff** who have been discriminated against in the past, the council has chosen to ignore anyone other than those staff. When you add to this major omission the fact that the value of the offer is poor in comparison to the likely entitlement, and it is accompanied by a rider asking staff to sign away their employment rights, we cannot do anything other than let members know that they are worth more.”

UNISON also points out that – until job evaluation is completed – the full extent of the pay discrimination that has been suffered by many women is impossible to quantify. **The union has constantly asked for the result of this evaluation, but the information is still being withheld.**

In addition, UNISON says that the Council's action means they are failing in providing Best Value, as that legislation clearly includes a duty on councils to deliver equal pay audits, comparisons and equal pay reviews, and demonstrate that they are doing so.

Ann said “The council is failing to address two major issues. UNISON has always wanted to come to a negotiated agreement that addresses all the important aspects to counter unequal pay. To have the council try to pull them all apart again runs contrary to good practice, contrary to fair play and contrary to the aims of the agreement that unions and CoSLA have come to implement equal Pay and single status.

“In addition to that agreement, the Council is legally bound under BOTH equal pay law AND the best value provisions of the local govt act to demonstrate that they are delivering equality. Currently it is not.”

ENDS



Model Press release – threats of imposition

Embargo: **For Immediate Release/or other embargo** Date: **?? Dec 2006**

Council's threat to sack staff and refusal to release information is condemned by UNISON

A **threat/proposal** by **Somewhere** Council to force cuts in pay and conditions on their staff has been strongly rejected by UNISON, the staff trade union.

The council has recently (**Date**) sent letters **to staff/the union** advising them of their new proposed pay and grading, and details of proposed changes to their terms and conditions. The letter also contained a threat to implement these by force if an agreement is not reached within a reasonable timescale.

Anne Other Secretary of UNISON's Somewhere Branch said: "Given that the council has taken six years to reach this stage, it is totally unacceptable that they now want to railroad this through."

UNISON has consistently asked for all of the information relating to single status job evaluation. The council has refused to release some key pieces of this information - such as **the individual job scores/or whatever**. In addition the union is demanding that the council implement an independent equality impact assessment.

Anne continued "The council is refusing to release **these scores** and members are asking themselves why? If the council are so confident that the whole exercise has been done correctly, why are they hiding crucial information?"

"It would also appear that the equalities audit has been carried out internally by managers involved in the single status project. We believe this should have been done by an agreed independent body.

"Given that the council has spent in excess of X million pounds in the past 5 years on outside consultants basically to tell people on extremely high salaries how to do their jobs, we don't feel that a transparent equality assessment is an unreasonable request.

The Council has made it clear that their next move **is to consult individually with employees by sending out a survey/individual letters for staff to sign accepting the new proposals**. Depending on the feedback they may decide to ignore collective bargaining and dismiss and re-engage staff on totally different pay and conditions.

Anne Other said: "Should the council decide to tear up the collective bargaining agreement that we have in place, then the branch will be left with no options except to seek legal advice, and to take action accordingly".

"UNISON members strongly support equal pay; however, in this case our rights as trade union members are being disregarded."

ENDS



Model FAQ – Background for members

Equal Pay - Some FAQs for members.

What is Equal Pay?

The Equal Pay Act 1970 (EPA) gives an individual a right to the same contractual pay and benefits as a person of the opposite sex in the same employment. The comparators must be doing like work; or work rated as equivalent under an analytical job evaluation study; or Work that is proved to be of equal value.

In local government this usually means comparing jobs done mainly by women (eg home carers) with jobs done mainly by men (eg roadworkers) - and the first difference noticed is usually bonus.

What is UNISON doing to get equal pay?

Job evaluation and Single Status (see below) should help ensure equal pay in the future and that is why branches across Scotland are working hard to push employers to get fair job evaluation schemes in place as soon as possible. But it will not repair the damage of pay inequality in the past.

That is why UNISON is lodging equal pay claims with employers all round the country - and if needed UNISON will take claims to tribunal.

What is Job Evaluation and Single Status?

In 1999 members voted in a ballot for a new deal with councils across Scotland called 'Single Status'. The aim was to address pay inequality and get a fairer single pay structure for all staff. Every job in local government is being evaluated through a job evaluation scheme. The scheme should assess jobs equally and fairly on agreed and transparent criteria. You should know why your grade is what it is. It will create one pay scale for all staff, doing away with historic differences between manual and APT&C.

Job evaluation is designed to ensure equal rates of pay.

How do I get compensation?

If you think that you are in a job that may have an equal pay case you should contact your branch. Remember that it is not just 'manual jobs', many APT & C jobs may also have claims. A claim is based on the fact that you are in a job done mainly by women that compares with a similar job done mainly by men, but the man's job currently attracts a higher rate of pay.

Your branch will lodge your claim with the employer. In response, many employers are making 'compromise offers', your branch may advise you on whether this is a fair offer or not.

If a fair offer cannot be achieved, UNISON will go to law. You may seek branch advice on taking your claim to a tribunal.

How much compensation will I get?

This happens when your employer makes you an offer of compensation that does not fully meet your possible claim, in return, you must sign away the right to make a claim against your employer.

Sometimes these offers are worth thinking about when you take into account the time a tribunal may take and the fact that you can never be absolutely sure of winning a case at tribunal. Often, many tribunal cases do come to a compromise settlement before the tribunal is actually heard.

What should I be wary of in a Compromise Agreement?

Sometimes, an employer may ask you to sign away more rights than the compensation covers. You may be signing away the right claim on grade or equal value, if in doubt, contact UNISON before signing anything.



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Many employers are making an independent legal advisor available to staff, if you have access to such a person, ask them:

- What the payment is based on (e.g. many are based only on bonus)
- What you might get at a tribunal
- Are you signing away any additional rights

What if I have left or changed my job in the last 6 months?

You must contact UNISON immediately. You can only make a claim within 6 months of either of the above taking place. Changes to your conditions can go unnoticed, so make sure you contact the branch.

What about lawyers or action groups like Action 4 Equality?

Lawyers are only involved in this business to make money. Unlike UNISON, they may not be fighting for equal pay for everyone. In some parts of the country, Action 4 Equality have made claims about UNISON which are completely inaccurate, so take great care.

Different lawyers may vary in what they charge you and most will only be interested in areas where they can get lots of high value claims to make it worth their while. They will all charge you (typically 10%) a share of what you win in your claim. Some will charge you a fee if you decide not to proceed with your case, you must make sure you check this out.

As mentioned above, UNISON are fighting for fair offers from employers, but if this cannot be achieved, the union will closely examine your case, and if appropriate, our legal team will take the case to a tribunal. This is a service we provide to you as a member of our union.

If you decide to sign up with a lawyer or some other action group, UNISON can no longer act on your behalf.

For more information on Equal Pay please contact UNISON Tel: XXXXXXXXXXXX or Email: unison@XXXXXXXXX.gov.uk



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Model article: why UNISON gives you the best deal for equal pay claims

 [Download full-colour leaflet in PDF form](#)

UNISON aims to achieve equal pay for all our members.

Our goal is to negotiate fair pay and grading systems that guarantee equal treatment. But where employers won't negotiate, we are prepared to take legal action. Some of our members are being approached by no-win, no-fee lawyers, but if you need to make a legal claim, there's no-one better placed to represent you than UNISON.

We don't only take the easy cases

Each claim will be assessed on its own merits by our Equal Pay team. If your employer is not prepared to agree an acceptable settlement and we believe that your case has a reasonable chance of success, we will take it up on your behalf.

No win no fee lawyers only get paid if they win. They won't take your case if it is too challenging or they won't make much profit.

It costs you less

We can arrange to lodge a grievance and tribunal application on your behalf and investigate the merits of your claim - all as part of the benefits of UNISON membership.

No win no fee lawyers can take a big percentage - between 10 and 25 per cent of your back pay.

We don't charge you if you change your mind

As a UNISON member you have the right to decide at any stage whether you wish to continue once we have agreed to take your case.

There are no win no fee lawyers who charge £160 per hour, plus phone bills and other costs if you withdraw.

We have a team of experts dedicated to equal pay

UNISON has a network of staff, all committed to winning equal pay for our members.

We employ specialist legal advisers and train all our representatives to handle equal pay cases. We also work with leading employment law firm, Thompsons Solicitors.

We are the biggest trade union negotiating with employers and the government in local government, education and the NHS.

We have represented UNISON members in most of the landmark equal pay cases taken in the UK and the European Court of Justice.

No win no fee lawyers get paid by the individual claimant if they succeed. They have no interest in your future job security or how services are affected.

Their actions undermine trade unions' negotiations with employers for fair deals on equal pay.

UNISON doesn't make a profit out of your equal pay cases. All our efforts go into supporting you and our public services. Call us now on **0845 355 0845**



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Model Article re current Scottish position

Equal Pay must be funded and the implementation agreed

UNISON Scotland has said today that lack of government funding was an important factor causing the slow rate of progress towards reaching agreements on Single Status, in Scotland's local authorities. The union also condemned the unilateral imposition of proposals being attempted by a number of councils, and the refusal of some councils to develop proposals and divulge job evaluation details.

Currently

- Only three councils have concluded an agreement (South Lanarkshire, Renfrewshire and Moray).
- A significant number of councils have made very little progress in developing proposals.
- Several authorities have presented final proposals. In these areas there are active negotiations, or the proposals have been the subject of membership ballots.
- Falkirk Council has issued notices of dismissal and re-engagement to staff. The branch is currently balloting for Industrial Action. North Lanarkshire has imposed their pay and grading scheme. Others have intimated that they will do the same.
- A large group of authorities are still developing proposals. This includes detailed discussions with the trade unions, mainly around the structure of the job evaluation scheme.

XXXX XXXXX (UNISON's ???????? Branch Secretary) said

"Whilst local authorities are responsible for the detailed pay and grading proposals of their staff, government is responsible for delivering equal pay in the public sector and has accepted those responsibilities in health, education and other public services. We need a local government financial settlement that recognises these costs and for local authorities to recognise their responsibilities. It is time to deliver this long standing obligation and to ensure justice for low paid women.

"UNISON is focused on progressing agreements but it is the responsibility of local authorities to develop proposals.

"Here, our council is withholding vital job evaluation details – information which is essential for the trade unions if we are to negotiate the implementation of equal pay and build staff confidence. What have they got to hide? / Our authority has simply given up any pretence of negotiation and is rushing headlong to impose new pay and conditions on their staff. Sacking staff is never the appropriate response. We call on the council to return to the negotiating table to resolve the outstanding issues."[Two alternatives – or substitute your own situation]

UNISON is also concerned that recent Best Value reports by Audit Scotland do not reflect the seriousness of the problems identified by the 2006 Finance Committee report into Single Status. We've told Audit Scotland that it should be more prominent in rectifying these problems.

XXXXX said

"No-one wants lengthy disputes or to divert public resources to lawyers through litigation. The UK government's failure to put Equal Pay law on a sound statutory footing at the time of the Department of Employment 1993 review seriously undermined the ability of local government employers to accurately project the costs of equal pay during single status negotiations in 1999. Government must recognise this and local councils should stop macho posturing and sit down with unions to negotiate fair agreements that deliver equal pay to low paid women."



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Model Letter to members – No Win, No fee Lawyers

Dear UNISON member,

You may have heard that firms of “no-win, no-fee” lawyers have been writing to UNISON members encouraging them to sue their own union over equal pay claims. Potentially, this could cost UNISON large sums of your money to defend, and tie up our activists and officers when they could be representing our members.

This firm’s letter is misleading, as it gives the impression that UNISON has not pursued equal pay for our members. It also fails to point out that these same firms are seeking to make huge profits from taking on large numbers of individual claims for equal pay. Members who have signed up with such firms can find themselves then liable for all sorts of extra costs.

I am writing to you to make it clear that UNISON has a proud history of fighting to achieve equal pay for our members. Our record is second to none.

Our overall goal is to negotiate fair and sustainable pay and grading structures that will deliver equal pay for all our members. But where that has proved impossible to achieve through negotiation, we have always been prepared to take legal action to deliver justice for our women members.

Most of the groundbreaking equal pay cases were taken by UNISON on behalf of our members — in North Yorkshire school meals service, for ancillary members in Northern Ireland and in the part-time pensions case fought by UNISON on behalf of over 20,000 members.

Working through your union – using the full range of tools at our disposal: negotiating, bargaining, industrial action and legal action — is the only way to achieve equal pay for all our members. I am asking you to support your union and your fellow union members by working together.

Suing the union can only detract from the important work we aim to do on behalf of our members. Together – in UNISON – we can achieve a fair deal for all our members.

If you want to know more about equal pay or how to get help from UNISON, please contact UNISONdirect on 0845 355 0845. Lines are open from 6 am to midnight, Monday to Friday and 9 am to 4 pm on Saturdays.

Yours sincerely

XXXX XXXXXXXX

UNISON **Branch** Secretary (or use the original from Dave Prentis on the unison.org.uk website)



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Model Letter for member losing money to send to their Councillor

Dear Councillor

I would like to draw your attention to certain aspects of the *Job Evaluation Exercise which Officers of the Council have presented to my trade union, and on which I was recently briefed by my line manager.*

The Council has given us various assurances over the past years that the council will do its best to avoid major losses of pay amongst staff. This does not now appear to being held to.

However I have been informed by my line manager that as a *????? in ??? Department/section, I stand to lose ??? from my regular take home pay.*

The Council has said that my *current take home pay will be 'protected' for three years*, however I understand that the transitional payments that will be made during this period to 'protect' my pay will not attract cost of living increases, further detracting from my regular take home pay.

Additionally it appears that the staff who are principally affected in my section are mostly female, which would appear to contradict the principle underpinning the Review that Council would address issues of pay inequality for women.

I have been given *little or no information by my line manager on the mechanism the Council adopted to assess my post and grade or the results*, which contradicts the principle of an open and transparent process.

The appeals process the Council has put in place does not seem fair to me, as one of the two persons hearing the appeal will be the person who made the decision on my grade in the first place.

As a member of staff committed to providing public services, I am distressed and concerned at the serious financial impact these proposals will have on me and my family, and I feel that this Review is unjust, unfair and unsound both to myself and to the public services I and my colleagues provide, and request that you make representations in order that these issues can be addressed and changed.

Yours sincerely