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Trade unionism and social partnership: does Wales provide a way forward?

Howard Marshall
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Howard has been an active trade unionist since 1976 when he was a psychiatric nurse in the health service. He was a lecturer in trade union education and industrial relations at Bradford College until 1985 when he was appointed as a regional official with NUPE, a predecessor to UNISON.

In 1994 he was promoted to a senior management role within UNISON. In 1997 he was appointed a member of the National Assembly Advisory Group which made recommendations on the first Government of Wales Act. In 2006 he was seconded to Public Sector Management Wales to work on the Assembly Government's public service transformation agenda. He has recently been appointed by the Welsh Assembly Government to develop the concept of a social partnership for Wales.

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Introduction

As we enter the latter part of the current decade it is apparent that trade unionism is trying to find a place in a world of work and society which has changed beyond recognition from its heyday of the 1970s. The loss of traditional industries, which provided a private sector bedrock to trade union membership, and the irreversible changes to society brought about in the Thatcher years, with rampant individualism and a loss of confidence in the workplace role of trade unions, have all contributed to a sense of decline.

The emergence of new sectors of employment and an increasing diversification of the workforce, particularly the inclusion of women workers, have changed the character of the world of work. These changes have of course been welcome and are part of the progressive equality agenda, which the trade unions have been pursuing with others over a number of decades. However trade unions have been slow to recognise these fundamental shifts and to plan ahead. Whilst some excellent recruitment initiatives have been attempted in these new sectors, the level of sustainable membership growth is disappointing.

There is a view in some quarters that trade unions are all but finished as a institution, not just in the workplace but in their wider role as a force for social progress and as a bulwark against the excesses of market forces. If the unions are in terminal decline, then this is not just a cause for concern for citizens in work but for centre-left politics in general. There is of course the obvious and often controversial relationship between Labour and the unions, through the “link” or affiliation which is not just a financial transaction but a more complex set of relationships which are apparent through local representation at Constituency Labour Parties, and involvement in policy forums and national conferences.

Trade union involvement in the political and civic process is an underestimated yet significant factor in shaping public policy and holds an important role in checking the power of the state and employers. As suggested in the opening paragraph, the balance of power between employers, globalised capital and working people is worryingly weighted in the employer’s favour. There will always be a debate about the relative balance of power and how it should be



“managed”, if at all. There will be those who advocate that modern management and HR best practice are bringing in a new era of workplace culture, which celebrates dignity and respect and which values the workforce. It is certainly the case that many business and public sector employers are recognising the benefit of this approach and the moral and commercial advantages it brings. It may also be correct to suggest that this trend towards workforce engagement will bring its own momentum and drag more sceptical employers to a more enlightened path.

This is of course only half the picture. Many employers are still operating in a time-warp and view their workforce at best as a necessary overhead and at worst as an expendable unit on the balance sheet. We also have to recognise that beyond the two groups above there is a vast world of work, which is casual, unregulated and often dangerous. It is this group of workers who are the most vulnerable to abuse by unscrupulous and criminally negligent employers.

So the world of work is still imperfect and the ability of working people to have some influence over their skills, talents and well being should be a pre-requisite to a civilised approach to our lives both as citizens and workers.

The problem of trade union decline is not unique to the UK, it is a feature of most developed economies to some degree. This booklet offers some analysis and thinking and indeed hope for the future. As its title suggests, there is some interesting learning about the way in which Wales — its devolved governance, its new politics and its emerging social partnership — could revive trade union fortunes.

The opening paragraph identified one of the fundamental paradoxes in this whole subject, namely how do we square the desire for strong and effective trade unions using collective action to advocate on behalf of working people, at the same time as recognising the aspirations of individuals and their families?

The reality of where we are in this paradox has to be a starting point. Trade union membership now stands at just over 6 million and represents less than 30% of the entire workforce. There is still relative high density of membership in the public sector with membership holding steady at about 58%. When we



examine the private sector the true extent of the problem becomes apparent. Membership now stands at 17% in this sector and reflects the changes to the make up of industry and commerce.

There is a whole generation of workers - young people, part time workers and women - who have never been a trade union member and who have little or no experience of trade unionism. This sadly is a law of diminishing returns as older workers retire or leave from organised workplaces there is no “tradition” of membership and the ability to refresh the membership base is lost.

The relationship between the UK government and the national trade unions is one which is often fractious, and is bedevilled with poor communication and a lack of clarity about how to achieve often shared objectives and values. It is clearly a puzzle to the outside observer and in particular to the electorate at large. How to manage relationships and resolve difference seems beyond the two players. This dysfunctional relationship saps energy and highlights dispute at the expense of some very positive developments. Most significantly for both parties it creates “internal” damage. For the trade unions, they operate in a climate of unfulfilled promise and in a legislative framework which is less than optimum for growth and development. For the Government, it corrodes one of its core areas of support and undermines the longer-term value of the trade union — Labour link. The government may dismiss this perceived loss of support but I believe it is significant and has a multiplier effect in the press and the minds of the electorate. These are the challenges facing the trade union and wider labour movement.

In Wales we have cause to be far more optimistic about the Labour link. The working relationships typically reflect the broader features of Welsh civic life, which are based on more compact networks of players and long established experience of achieving progress by collaboration.

Social Dialogue and Partnership

Wales is arguably one of the world’s oldest industrial nations. The 4,000 year old, extensive bronze mines at the Great Orme seem to have been an international source of the defining element of the age, the Bronze Age, and it is impossible to imagine the British Empire without the power of the finest steam coal on the planet. Now, as we begin to define Wales as a 21st century nation, the relationship between our contribution to global success and our people who have worked to secure that contribution must form a key part of what we mean as “Wales”, its matter and its substance.

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There is a growing body of evidence that how people in organisations are engaged, developed and rewarded in work is a key factor in improved productivity and performance. This booklet explores the development of partnership at work and sets this in a context of successful partnerships through the European model of social dialogue. It also offers some insights into moving beyond a negotiating model to create a sustainable partnership which can be applied in different operating contexts.

The Welsh Assembly Government's emphasis on social justice and collaborative working in the public services, for example, sets a different approach. The Assembly Government's flagship work on partnership and the barriers to partnership is, in this sense, about the same issues. The relationship between those who commission and manage work and those who carry it out is a pivotal part of modern Wales and, we contend, needs a fresh Wales-centred look in the light of the wider changes in the UK, in Europe – and at home.

The European Model of Partnership

We can trace the history of social dialogue and partnership in Europe back to institutions established with the Treaties of Paris in 1951 and Rome in 1957. These signalled a new drive for European integration and formalised a concept of co-operation into various elements of political, social and economic decision making.

This integration took a further step with the Single European Act, which was signed in Luxembourg and The Hague and came into force on the 1st July 1987. The significance of the Single European Act for EU policy on employment and industrial relations was soon evident. The Commission's 1989 Social Action Programme took this a stage further with qualified majority voting around improvements in the working environment as regards health and safety of workers. The Treaty of Maastricht 1992 gave a broader legal framework and expanded the competencies in the fields of employment and industrial relations (Article 137 EC). Social Action Programmes (SAPs) are launched periodically by the Commission to promote the EU's social objectives. SAPs identify areas for EU initiatives, which may take the form of legislative proposals and, often, non-legislative activities.

Despite a history of complexity and, on occasions, controversy the SAPs have provided an important driver in developing the



concept of partnership and co-operation at work. The SAP of January 1974 was approved by the Council of Ministers and set out objectives which still inform our thinking on partnership today. These objectives were: the attainment of full and better employment in the community; the improvement of living and working conditions; and the increased involvement of management and labour in the economic and social decisions of the community and of workers in companies. It was this SAP and the agreed objectives, which led to the Community Charter of the Fundamental Social Rights of Workers, which is now commonly known as the “social charter”.

The process of EU Social Dialogue is now entering a new phase as a result of EU enlargement and increasing globalisation. This presents new challenges for EU social partners. The Republic of Ireland has a long and successful history of embracing social partnership and the Republic offers a valid comparator for Wales particularly as it develops its social partnership arrangements in a devolved Wales. This booklet examines in a little more detail the position in Wales vis-a-vis industrial relations and partnership working.

The Republic of Ireland has been conducting an important experiment in policy making since 1987. Their approach to partnership stems from multiple crises with almost continuous recession through the 1970s, adjustment to membership of the EU and a lack of political leadership. With economic stagnation, high unemployment and political instability it was apparent that an urgent re-think was necessary. The National Economic and Social Council (NESCC) was created which included Government, trade unions, business and farmers. NESCC agreed a package, which eventually became the three-year social partnership agreement known as the Programme for National Recovery (PNR). In essence, the PNR determined wage evolution in both private and public sectors and the state’s role in relation to taxation and government spending (often referred to as the social wage). There have been successive agreements, with the latest version being “Towards 2016”. These agreements differ from the usual wage agreements in that they create a shared analysis and understanding of the economic and social challenges facing a small country.

Most commentators generally agree that this erstwhile experiment has been enormously successful in developing a collaborative solution to a seemingly intractable problem.

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The Emergence of Partnership within the UK

The model of industrial relations in the UK is one which in many ways is non European and still tied to our history of the industrial revolution and the development and growth of British trade unionism. This booklet is not the place for a detailed history of our industrial and economic past but it is important to understand the cultural context.

Essentially our system of industrial relations is rooted in an adversarial model built around pay and conditions setting and the regulation of policies and procedures in traditional areas such as discipline and grievance. The legal framework drives and affirms this approach which has been the norm, in reality, since the 1960s. New thinking from Europe has gradually moved our approach and many employers and trade unions are willing to embrace and experiment with partnership working. Partnership working should be viewed as a form of governance, which requires a different pattern of working and a new set of skills. The experience of partnership working is still patchy and not always understood, sustained or consistent with a European model of social dialogue. Despite some progress at an UK Government level and within some sectors it remains under-used and under developed.



The Welsh Experience

The historical experience in Wales is one which broadly tracks the UK as described above. However its heavy industrial past and strong community networks make it worthy of deeper analysis. One of the defining sights of industrial Wales, along with the architecture of industry and the chapels, was the “workman’s hall”, “welfare hall” or “institute”, dependent on the varied, localised history. These fine buildings all had one thing in common. They represented the hopes and aspirations of working people who worked in the mines and factories and experienced chronic poverty, ill health and lack of educational opportunity.

These halls were built and run by communities and trace their origins to the 1920s whereby weekly contributions - the “magic penny” was deducted from wages. These were the early stirrings of community action and the universality of local collective provision. Indeed it was this early life experience which influenced Aneurin Bevan and his thinking which even-

tually led to the creation of the National Health Service, which is still regarded as the great civilising achievement of the post-war Labour government. It is this concept of “partnership” which perhaps allows Wales to tap into its past in order to create a climate where partnerships at various levels can work and seem to be much more in tune with our industrial and economic history.

Devolution also brought a partnership approach to Wales. The first Government of Wales Act introduced the concept of involving outside stakeholder interests, or inclusive politics, as it became known. The Act placed duties on the Assembly to have statutory partnerships with local government, the voluntary sector and business, which include the trade unions. Without unpacking the history and later evolution of the devolved institutions of Wales, it is the case that partnership working is well established and the new Government of Wales Act, if anything, has cemented that position.

There are other initiatives, which have given the partnership approach added momentum. The Welsh Assembly Government published its national economic development strategy, “A Winning Wales”, which included a commitment to workplace partnerships. In September 2002 the Welsh Assembly Government established a task and finish group to develop an action plan to meet this commitment. The task and finish group published their report in March 2003. An additional report was produced in October 2006 entitled “Partnership at Work Studies in Employee Involvement”. This report widened the database of knowledge and included case studies, where available. It also placed Wales at the forefront of developing the concept of partnership in work.

A key paragraph in the report has a resonance with the wider debate about leadership, management and quality employment, one that the Assembly government is striving to address:

Fundamentally therefore, what this booklet tries to demonstrate and reinforce is that by a well-thought-out and developed process of greater employee involvement and engagement, organisations in Wales will have much to gain and very little to lose. Given that technology and information systems, together with raw material sources, will be common to all participants in the world wide market place, the key differentiating factor between organisations will be their people and how they are managed, lead, involved, engaged, trained and developed. As in the sporting analogy, those with the greatest skills, but also the best organisation, the greatest involvement, openness and trust will be the ones to ultimately succeed.

ACAS 2006 p.5

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Whilst there has been ongoing interest in the partnership approach articulated in the report, trade unions need to seek strategic alliances with employers and their organisations to promote the benefits of partnership particularly in the private and third sectors. If we accept the working premise that partnership working is a model which should be promoted and developed, it follows that trade unions should have a clever, creative and effective strategy towards organising and recruitment using the partnership as a tool.

Finally in this section it is worth drawing on the experience of the Republic of Ireland who have emphasised the critical issue of leadership. Social partnership will require sustained commitment, often against the odds, for it to be successful. The role that the senior civil service played in Ireland in providing leadership is one of the enduring pieces of learning emerging from the experience.

Public Services in Wales

The Assembly Government's approach to public services is set out in their document "Making the Connections" and supplemented by regular policy announcements. This approach has achieved a high level of consensus and has co-operation and collaboration at its core. This has de-facto driven stakeholders into a mindset of partnership working which has brought a raft of helpful examples to draw from.

One such example is the creation of the Wales Public Service Workforce Forum. This is an all Wales cross sector body, which brings together stakeholders from the NHS, local government, further education, higher education, Assembly and the Wales TUC and is Chaired by a Minister. It has proved to be a very successful body and has already begun work on managing change, pensions, equalities and learning.

Its most recent success was the creation of a partnership for change agreement between all the stakeholders, which now sets the tone for future working around the public service transformation agenda. The agreement has all the classic elements of a social partnership i.e. between Government, employers and the trade unions. However it is concerned with public services and the change process which flows from reform. The stakeholders recognised an ambition of addressing issues beyond reform and in the longer term opens a window into the possibility of creating a social partnership which would capture all aspects of Welsh



civic life and its economy.

This broader ambition is alluded to both in the agreement and the foreword by the First Minister when he says:

This agreement between WAG, WTUC, RCN, WLGA, NHS and the wider devolved Public Services is the genesis of developing the concept of social partnership in Wales. It is intended that the applicability of this agreement will evolve over time.

p. 2

All the stakeholders are committed to the agreement and are confident that this approach will yield sustained added value outcomes to our shared goal of excellence in public service delivery and employment.

Social Dialogue and Partnership

There are numerous mechanisms for social dialogue from government to employer level but all feature a broader agenda than the usual fare of pay and conditions. Social dialogue is regarded as central to good governance, comprising notions of exchange of information, consultation and negotiation between representatives of governments / employers and workers. Social dialogue has been defined as a process by which the representatives of employers, workers and government exchange information and views, consult, negotiate and reach agreements on issues of concern to them (Kenworthy and Kittel, 2003).

Many individuals involved in partnerships will enter the process with a well-established skill set. Within most sectors a high premium will be placed on negotiating skills: industrial relations practitioners, by way of example, will have a well-honed approach, developed and learned over many years. This approach will follow a classic model including various side meetings. The side meetings will formulate claims, rebuttals, tactics and counter proposals dependent on circumstances. At some point both sides will meet for across-the-table discussion. This approach will proceed along well-established lines until a settlement or compromise is reached or negotiations break down.

Moving beyond these rituals and developing a new kind of working based on shared objectives and ownership of problem solving is the challenge. New skills and a different mindset to fit

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partnership working is the rubicon which needs to be crossed.

All the evidence suggests that partnership working is “harder” than more traditional ways of working. It requires new skills a change of culture, trust, openness and commitment. In other words it is often too high maintenance in the short term before the longer-term benefits kick-in. Below are listed the key features for successful partnership working:

- Everyone understanding the parameters of the partnership.
- Moving beyond a negotiating model to shared ownership.
- A shared commitment to the success of the organisation/ project, enterprise based on co-operation, commitment and trust.
- A recognition of legitimate interests, accountabilities and parameters of all the various stakeholders.
- A need to build team dynamic and capacity.
- Encourage creative thinking and safe space for all participants.
- A commitment to employment continuity and effective workforce planning.
- A focus on the quality of working life, which includes a move towards increased flexibility for staff and the employer.
- The development of partnership on the basis of ownership involving honesty and trust.
- A pledge to add value to the organisation, relating developments in partnership to the business objectives.

What positive outcomes would we expect to see?

- A better place to work
- Improved job satisfaction, engagement and motivation
- Improved climate for managing conflict, challenge and change
- Improved training and development
- A flow of information, energy and creativity
- Improved climate for caring, support, respect and integrity
- Lower absenteeism

The vision articulated in this pamphlet is one which is entirely consistent with our history and traditions but sits comfortably with our aspirations for excellence in small country governance. It is a model of working which looks to Europe and the Republic of Ireland, and one which offers, in our view, an improved way of conducting our affairs.



As stated earlier the experience of partnership working is patchy and under-developed - it requires investment in time and energy to stand any chance of success. Notwithstanding this sober analysis there are encouraging signs both in the private and public sector in Wales that partnership coupled with strong workplace organisation can offer a way forward. Can we rebuild trade union organisation and secure its future role particularly in Wales on the back of a developing agenda around social partnership?

This is an ideal time to be making progress with such a project. New powers and a refreshed Assembly should all provide the necessary momentum to move into a phase of creating excellence at all levels of Welsh civic and business life.

The political context

Wales has a rich history of being at the forefront of social progress with a proud tradition of collective trade union and community action. This spirit is still very much in evidence today almost against the trend of neo liberal thinking and globalisation. It is often forgotten but remains a feature which sustains an approach in Wales which has almost disappeared in England. Current political and policy development in Wales is proving to be a fascinating process to observe and work within. The devolution settlement of 1999 was a major shift for Wales and the latest settlement the Government of Wales Act 2006 will give a further push to the devolution process. This policy divergence will continue and become increasingly significant as time goes on.

The role of the public sector not just as a deliverer of services but as an institution for change and social progress is of particular interest. The role of the private and third sectors as employers and key stakeholders all form part of the new Wales political dynamic. "Making the Connections", "Beyond Boundaries" and a raft of other Assembly Government reports are creating a new narrative over the full range of policy areas. This growing confidence and maturity with our new political institutions augurs well for the future of devolution in Wales.

This has not been lost on the trade unions, and the Wales TUC have devoted energy and resources to engaging with these developments. The creation of the social partners unit and considerable commitment to developing structures around the government's public service transformation are all testament to these new inclusive politics.



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The Assembly elections of May 2007 produced a result which led all the political parties to seek coalition partners to form the new Assembly government. Eventually Welsh Labour and Plaid Cymru were able to form a government based on an agreement, which became “*One Wales: a progressive agenda for the government of Wales*”. The outcome of this election demonstrated that coalition government would be a normal feature of Welsh political life. It also was a further, perhaps for the political parties concerned, unwelcome sign of a more pluralist approach to politics and governance. The trade unions will need to respond to this changed landscape and ensure that they read often subtle changes in policy and process.

The opening paragraph of the “One Wales” agreement sums up the entire approach when it says:

“ Shared values, common goals and joint aspirations for the people of Wales will drive this four-year programme for government. It offers a progressive agenda for improving the quality of life of people in all walks of life, and especially the most vulnerable and disadvantaged.”

Welsh Assembly Government 2007 p.10

The “One Wales” agreement covers a vast range of policy areas from health through to culture and represents a socially progressive and ambitious programme with which the trade unions should have little difficulty engaging.

Trade union organisation

What are the implications for trade union organisation? This question is critical if we are to rebuild and refresh this important institution. A proper understanding of what trade unions do is needed, and of what role they perform which is relevant to today’s workers. This may sound far too simplistic and obvious, but we contend that we do need to examine and define what we are. Is it a restatement of traditional values or a new narrative, which captures contemporary thinking? Can we rely on traditional recruitment methods built around workplace activity, campaigns and collective bargaining or do we also need to examine an expansion of the trade union offering? Given that trade unions operate very much as integral parts of society, do we reflect the reality of expectation of members and potential members? These are all the issues, which need an honest assessment



Many will recall the drive for new unionism which became popular in the 1980s as a response to successive Tory governments and the decline of industrial power and influence. Moving the trade unions to be providers of “consumer” related services was an understandable and perhaps appropriate response to the environment in which they found themselves. Many current commentators judge this period too harshly and believe it undermined our ability to organise in the workplace. At the other end of this spectrum is a view that if only we rebuilt our stewards network and rejected partnership and cosy arrangements with employers then all would be well.

Of course this is not a continuum with absolutes at either end, it is often a complex set of calculations which need to be adjusted dependent on circumstances, both economic and political, and on the prevailing attitude of employers. Additionally, as we look to rebuild our organisation and membership base, why can we not take the best of what is available, i.e. a strong workplace organisation with effective stewards, quality services and partnership where it is appropriate. The trade union movement across the UK is now investing heavily in the organising approach developed in the US and Australia, which have both seen tangible improvements in their membership. These developments are at various stages of evolution and application, but re-discovering these basic principles is no bad thing.

It is worth spending a few minutes on the issue of quality. This is often a concept both at work and internally within trade unions which is misunderstood. We live in a 24/7 culture where expectation of good service is the norm. Why do we allow others to have a monopoly over this issue? If we are seen only to represent the provider interest we will always be vulnerable to accusations of being uninterested in the customer. By extension should trade unions aspire to provide quality services to their members? The answer of course should be yes - who wants to settle for mediocrity in any walk of life?

We should not ignore a trend which has emerged over the last decade of no fee-no win lawyers and other call centre-based services offering what appear to be comparable services to those facing difficulties in work. This has become particularly acute around the issue of equal pay, ironically an issue that the trade unions have a long and proud history of campaigning for.



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Trade unions need to “factor in” this alternative offering and find ways of marketing the benefits of trade union membership which offer a raft of support and care in work which others can never hope to match.

Internal governance

No examination of contemporary trade unionism can be complete without looking within, as this sets the tone and culture for any response. One of the defining and enduring strengths of trade unions is their strong tradition of democracy, accountability and membership involvement. The importance of committees for determining policy within trade unions cannot be understated - they provide the mandate and legitimacy for action and will be set out in their rulebooks. The more controversial question is what is the proper balance between extensive participative democracy and slimmer structures geared to flexible and timely decisions?

Many trade unions have structures and committee arrangements, which are decades old, and in many cases have been adapted to suit current circumstances. To most members and those not directly involved, these structures are quite impenetrable and distant from the reality of our members working lives. All democratic systems have a cost attached, the question for trade unions is the balance of cost against outcomes. Put simply, is it money well spent?

This is not about distorting or abandoning the benefits of robust trade union democracy but posing the question, is our democracy fit for purpose and resource appropriate? The trade unions in Wales as they track and evolve with devolution have an opportunity to examine and if appropriate refresh their internal structures. Let us not forget that good representative democracy is the cornerstone of the UK parliament and the National Assembly. Could the trade unions use this as a model?

Conclusions

The context in Wales suggests that the conditions for trade union growth and development are reasonably favourable. As argued earlier in this booklet the culture and current political environment offer a real opportunity to make progress both in the workplace and outside in their traditional role as drivers for broader social progress.



The trade union movement in Wales is of course not divorced from the rest of the movement in the UK and all the TUC affiliates to a large extent are firmly part of their parent UK organisations. As devolution has progressed, some policy freedom has emerged with some unions developing policy and operational capacity to meet the new governance arrangements.

There is perhaps still a head office/ national caution about devolution and how this sits with strong accountabilities towards national policies and institutions. Many leaders have not managed this ambiguity well which has resulted in many unions lagging behind in capitalising on the devolution benefit, which many comparable organisations have embraced. This ambiguity needs to be urgently resolved and trade unions in Wales need to define a new relationship with their national parent organisations. This new relationship needs to address not just policy freedom for its external face but also its internal structures to better reflect the realities of operating in Wales.



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