

Part 5

Best Value Code for Quality Employment

Introduction

The Best Value Code for Quality Employment has been prepared because the way in which staff are valued, the quality of this employment and the level of workforce and trade union involvement are fundamental to Best Value. The Code can be used to make the case for genuine employee and trade union involvement in Best Value and to highlight how quality of service and quality of employment are irrevocably linked. The Code is equally applicable for Best Practice projects in the health service.

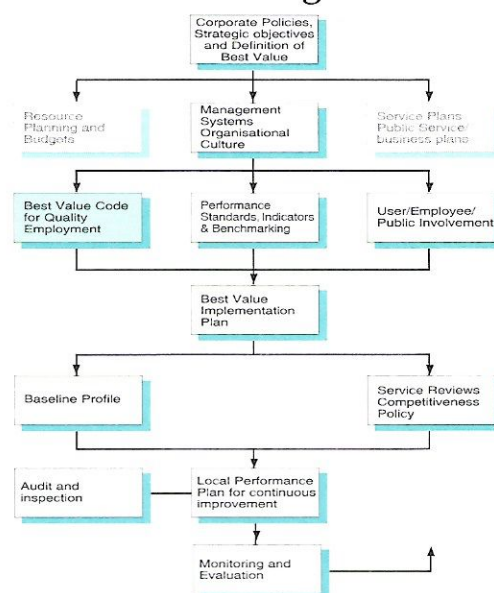
This Code incorporates UNISON's Best Employment Code which is essentially focused on contract compliance. A more comprehensive **Best Value Code for Quality Employment** is required to cover the full scope of the Best Value regime which will affect all services.

The Code is divided into twelve sections:

- * Consultation and involvement in Best Value
- * Commitment to in-house services
- * Information disclosure
- * Continuous workplace improvement
- * Best Value management
- * Changes to working practices
- * Application of new technology and new equipment and assessing impact:
- * Training and development
- * Redeployment
- * Equalities
- * Contract Compliance
- * Single Status

The Code is a core part of the preparation for Best Value alongside the performance

Best Value Strategic Framework



standards, indicators and benchmarking and the strategy for involving users, employees and the public. It is an opportunity to establish a new culture for industrial relations. If the government and authorities are genuine in their statements concerning the need for staff involvement, then the principles and specific clauses contained in the Code will have to be put into practice. The Code brings together a range matters which are central to improving working conditions, job satisfaction and how staff are valued and treated.

The fact that so few managers have engaged in dialogue with frontline staff and trade unions to examine operational, organisational and management issues is an indication of the scale of the change of culture required in authorities. Yet this is one of the most effective ways of starting the process of Best Value and could be an indicator of an authority's commitment to improve performance for users. The Code can be used as a means of improving or establishing trust between the authority and staff and trade unions and vice versa. It can be used to address three key concerns:

- * Many employees and trade union branches are extremely cautious in their approach to Best Value because they believe that the price of continuous performance improvement will be extracted by changes to their jobs, pay and conditions rather than fundamental improvement in operational and managerial effectiveness.

* Many middle managers are frustrated because of constraints imposed by senior managers and an organisational culture which makes change and innovation extremely difficult to negotiate.

* Many senior managers are concerned that operational managers and supervisors lack the confidence and skills to effectively engage frontline staff in a continuing joint dialogue.

The Code can be used to establish the ground rules for a new agenda.

Each section has a series of requirements and clauses which need to be agreed (or amended to take account of local circumstances) by trade union branches before seeking corporate support and approval of the Code.

Consultation and involvement in Best Value

- Trade union representation in Best Value and related area/community planning policy-making and the coordination of these policies at corporate and department levels.
- Staff and trade union involvement in defining Best Value and the selection and application of service reviews, audits and other Best Value processes.
- Staff and trade union involvement in assessing performance and benchmarking of services and activities.
- Trade union agreement on content and scope of baseline profiles and Local Performance Plan.
- Trade union representation in forums, meetings and consultation processes with user organisations and other stakeholders.

Commitment to in-house services

- No externalisation or transfer of services unless it can be demonstrated that a rigorous and comprehensive effort has failed to adequately improve the quality and cost effectiveness of the in-house service. The tendering process and evaluation of bids must include quality of service, cost effectiveness, social equity, equalities and employment criteria (see Contract Compliance section below).

- Consultation on competitiveness assessment and any proposal to submit a service to competitive tendering.
- Consultation on any proposed use of consultants in connection with Best Value including the reason for use, proposed terms of reference and timetable.
- A commitment to seek public investment in the service as a priority over privately financed projects.
- The planned purpose, scope and formation of partnerships with other public sector organisations, private firms and/or voluntary organisations be open to disclosure and negotiation.

Information disclosure

- Staff and trade unions have the right to up-to-date and accurate management information on the performance of their work at section, service and department level.
- Consultation on the selection of benchmarking partners and best practice authorities for quality audits and other reviews.
- Trade unions and Council to enter agreement on information disclosure to ensure availability and ensure confidentiality where necessary.

Continuous workplace improvement

- Recognition that the involvement of staff and trade unions is essential to achieve continuous improvement in the effectiveness and quality of services and jobs.
- Staff and trade unions to be involved in the design, planning and implementation of all workplace involvement projects.
- Trade unions have the right to engage their own advisers as part of continuous workplace improvement projects.

Best Value management

- A commitment to developing a new organisational culture, not constrained by the narrow client/contractor relationship, which is responsive and based on achieving continuous improvement.

- The implementation of new management systems and re-engineering of any services will be fully discussed and assessed with trade union representatives.
- The implementation of proposals for changing working practices and procedures are properly planned, monitored and evaluated.

Changes to working practices

- Changes to working practices required to improve the coordination and integration of services to be subject to negotiation through established machinery.
- Opening times, timing of service delivery, rotas and work schedules be subject to consultation through established machinery.
- The health and safety implications of changes to working practices and use of new equipment will be fully assessed.

Application of new technology and new equipment and assessing impact

- Skills audits to be carried out as part of the planning for change in consultation with trade unions.
- Job satisfaction assessment of work content and job enhancement proposals - trade union/staff consultation on type of equipment.
- Any new health and safety arrangements must be coordinated with the introduction of new equipment.
- The knock on effects in other departments must be fully assessed.

Training and development

- Training for officers, staff and trade union representatives involved in the Best Value process.
- Preparation of a training plan and budget for staff development (including Investors in People) which will demonstrate a commitment to valuing staff.
- Retraining where changes to working practices in connection with new technology and equipment are introduced.
- Access to other training schemes including

the TUC, UNISON's Open College, Further Education schemes run by other recognised trade unions, professional training and further education bodies.

- Community education and training (capacity building) for user and community organisation representatives to facilitate their involvement and joint working with other stakeholders in the Best Value process.

Redeployment

- Any staff either displaced or confronted with substantial change to their job be offered redeployment and, if necessary, retraining.
- All staff redeployed to have full protection to terms and conditions.

Equalities

- Equal pay for work of equal value.
- Implementation of Commission for Racial Equality Race Equality Standards throughout the organisation.
- Equality impact assessments to be carried out in all Best Value service reviews.
- Equality performance targets included in all relevant sections of the Local Performance Plan.
- Assess impact of changes in working practices, multi-skilling and staffing rotas for staff in terms of race, gender and disability.
- Implementation of equalities policies to be fully monitored, evaluated and reported.
- Ensure staff representation from all sections, grades/occupations, full/part time staff, permanent/temporary in reviews and staff involvement in the Best Value process.
- Staff training and management development programmes to be available and accessible to all staff (see also section on Staff Training and Development).
- Equalities indicators and policies to be an integral part of all internal and external benchmarking.

Contract Compliance

- Equal opportunities should be a key measure in the selection of contractors and the evaluation of bids.

- Full monitoring and evaluation of all contracts to include service performance, implementation of corporate policies, health and safety, equal opportunities and employment policies.
- Protection of terms and conditions, including pension rights, for the life of any contract.
- Equity for part-time and temporary or fixed-term workers.
- Adherence to all anti-discrimination legislation including codes of practice, by all service providers, including European and UK equal pay, sex discrimination, race equality and disability rights laws.
- Adoption of Code of Practice for TUPE including technical assessment of contractors proposals for transferred staff. A useful model is that drawn up by the Ministry of Defence in conjunction with trade unions and trade associations. It requires tenderers technical proposals to be assessed for any impact on transferred staff with respect to management structures, changes to working practices, relocation, equal opportunities and environmental considerations.
- Trade union recognition and collective bargaining rights on all contracts.

Future repeal of 'non-commercial' matters

On repeal of Part 11 of the Local Government Act 1988 concerning 'non-commercial' matters, the following criteria should be used in the selection of contractors and award of contracts to ensure Best Value:

- * Terms and conditions of employment, including sub-contractors
- * Employer's equal opportunities policies, composition of the workforce and track record on race, gender and disabilities
- * Training and staff development
- * Transaction and contracting out costs
- * Social and economic impact of the contract.

Single Status

- Commitment to implement Single Status agreement as an integral part of Best Value process.
- Job evaluation to be integrated with the review of services under Best Value.

How to use the Code

Negotiating Best Value projects: The Code forms an important building block in the Best Value performance management framework and should be submitted for approval at corporate and departmental Best Value committees or working groups. Trade unions and authorities may wish to vary particular clauses through local negotiation.

Performance indicators and annual targets can be developed for the Code to enable authorities, trade unions and users to assess implementation of particular sections and clauses (see Part 3).

Competitive tendering, transfers and externalisation: The Code should be submitted to potential contractors seeking their commitment to adopt and implement the Code if they are awarded a contract. This will assist both management and trade unions in determining the commitment of contractors and voluntary organisations to Best Value and valuing staff in addition to the legal requirements of the TUPE regulations.

Design performance indicators and targets: Performance indicators can be designed for many clauses in the Code and linked into the performance measurement system described in Parts 1 and 3. However, they should be prioritised, identifying those which are important but are more subjective or where monitoring and assessment will be difficult and/or costly. They should be mainstreamed in the Best Value process in the same way as equalities (see Part 2).