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Union representation under restructuring and austerity: The case of Unite in the Ministry of Defence

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Abstract.

This doctoral thesis seeks to answer the question *what factors influence Trade Union representation*? Using a case study design, the researcher uses documentary analysis and elite, semi-structured interviews, to evaluate the knowledge and experiences of union representatives, both nationally and workplace based, working in the MoD sector of Unite.

This study of a relatively under-researched part of the public sector, demonstrates that for union representation to be effective: the union needs to be recognised for the purpose of collective bargaining; members need access to shop stewards and full time officials; clear structures need to be in place, demonstrating how the union should function; and the union needs to be able to protect and further the interests of its members. It is concluded that in the MoD sector of Unite this does not happen, meaning that representation is not effective.

This research highlights a need for greater appreciation of the complexities of the super or conglomerate type unions that have emerged in response to union decline. It demonstrates, in particular, the need for the seminal work of Turner (1962) to be systematically updated and for further research to be carried out into the influence of factions on union government.

The contemporary relevance of this research relates to the dramatic cuts to facility time that it analyses, alongside the government's privatisation policies, providing empirical evidence of the difficulties that could be faced by British trade unions, if the Trade Union Reform Bill, going through parliament at the time of writing, is passed into law. The MoD Employee Relations review can be seen as a test bed for the Bill's components on the restriction of trade union facility time in the public sector, and this thesis is, therefore, timely.

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Acronyms and Abbreviations.

ABRO	Army Base Repair Organisation
AEEU	Amalgamated Electrical and Engineering Union
AEU	Amalgamated Engineering Union
APC	Armoured Personnel Carrier
ASE	Amalgamated Society of Engineering
ASTMS	Association of Scientific, Technical and Managerial Staffs
AUEW	Amalgamated Union of Engineering Workers
AUEW(E)	Amalgamated Union of Engineering Workers (Engineering Sector)
AUFW	Amalgamated Union of Foundry Workers.
AUT	Association of University Teachers
BA	British Airways
BALPA	British Airline Pilots Association
BDC	Biannual Delegate Conference.
BIFU	Bank, Insurance and Finance Union
CEU	Constructional Engineering Union
CSEU	Confederation of Shipbuilding and Engineering Unions
CVRT	Combat /Vehicle Recognisance Tracked
DARA	Defence Aviation Repair Agency
DATA	Draftsman and Allied Trades Association
DSDC	Defence, Storage and Distribution Centre
DSG	Defence Support Group
DWRGWU	Dock, Wharf, Riverside and General Workers Union
EETPU	Electrical, Electronic, Telecommunication and Plumbing Union
ERR	Employee Relations Review
ETU	Electrical Trade Union
EHRC	Equality and Human Rights Commission
ER	Environmental Representative
EFEA	Employers Federation of Engineering Associations
EU	European Union
EIS	Educational Institute of Scotland
FDA	First Division Association
GPMU	Graphical Paper and Media Union
GR	Green Representative
HRM	Human Resource Management
IPMS	Institute of Professionals Managers and Specialists
IRA	Industrial Relations Act
JSSC	Joint Shop Stewards Committee
LGBT	Lesbian, Gay, Bisexual and Transsexual
MCSU	MoD Civil Service Unions
MDHC	Mersey Docks and Harbour Company
MoD	Ministry of Defence.
MP	Member of Parliament
MSF	Manufacturing, Science and Finance Union

NASUWT	National Association of Schoolmasters Union of Woman Teachers
NATFHE	National Association of Teachers in Further and Higher Education
NGA	National Graphical Association
NISC	National Industrial Sector Committee
NUGMW	National Union of General Municipal Workers
NUM	National Union of Mineworkers
PCS	Public and Commercial Services Union
POA	Prison Officers Association
RISC	Regional Industrial Sector Committee
SDSR	Strategic Defence and Security Review
SOGAT	Society of Graphical and Allied Trades
TGWU	Transport and General Workers Union
TASS	Technical, Administrative and Supervisory Section
TUC	Trade Union Congress
TWF	Transport Workers Federation
ULR	Union Learning Representatives
UMF	Union Modernisation Fund
WERS	Workplace Employment Relations Survey

Chapter one: Introduction.

Unite the Union was formed in 2007 from a merger of Amicus, the UK's largest private sector union and the third largest, Transport and General Workers Union (TGWU). These unions had very different backgrounds, Amicus being able to trace its history back to the craft unions of the early eighteenth century, whilst the TGWU was rooted in the new unionism of the 1890s. This thesis will attempt to explore the complexities of a super or conglomerate union, such as Unite, in relation to structures, internal governance and representation.

Responding to the decline faced by trade unions, which started in 1979 with the election of a Conservative government, and which has continued unabated to the current time, unions have adopted a number of strategies, designed as methods to try to end the decay in the their fortunes. 'New' strategies have been introduced, such as partnership, servicing and organising, linked with a merger market which has seen an immense number of transfers and amalgamations, culminating in the creation of Unite, as the UK's largest trade union.

Whilst research has been carried out into union structure, democracy and representation, the majority of the robust literature that has been written is now quite old, with the seminal work being that of Turner, (1962) and Cole (1939) in terms of structure, Turner (1962) and Hughes (1968) on internal governance and Batstone et al, (1979) on representation. Whilst some of this is still very valid, other parts are notably dated and predominantly based on the private sector rather than the public sector, where the majority of union members are now found, and which has been profoundly influence by the Whitely system of industrial relations. The contemporary research that exists has a tendency to be fragmented, focused narrowly upon the 'new' strategies, pursued by unions, in reference to trying to halt their decline. While

much has been written about merger, organising, partnership and servicing (Waddington 2005, Undy 2008, Daniels 2009, Heery *et al* 2003), and there has been a nascent literature around the growth of new representative roles (such as union learning representatives and equality representatives) (Moore 2011, Daniels and McIlroy 2009), it can be argued that this literature does not address how these strategies or representative roles are linked to union governance or structure. Frequently there is a narrow focus upon what is being done and how this affects the union externally, rather than on how the strategies are integrated, or not, into the existing structures and governance of the union.

It is the aim of this thesis to address some of these gaps and the fragmented nature of industrial relations research by conducting a case study of the MoD and Government Establishment sector (MoD sector) of Unite the Union. The MoD sector of Unite is one of the smaller sections within the union's federal structure. However, it is also an interesting one, due to the fact that it has a mainly public sector membership, within a union organising primarily in the private sector. This brings with it some interesting research issues, as the size and low profile of the sector sometimes means that it is not resourced as well as its activists would like. It also means that industrial relations in the sector have been relatively stable, due to the Whitley system of industrial relations. In addition to this, the nature of the sector, the role of which is to support the British armed forces, has meant that stability has been required due to the recent deployments.

This stability has come under increased pressure in recent years, notably after the gradual withdrawal of the armed forces from conflict areas such as Iraq and Afghanistan, and notably since the attempts by the Coalition government to pursue (further) privatisation in the sector as part of its austerity programme, the

implementation of a review of employee relations which, under the aegis of saving public expenditure, has massively reduced facility time and introduced restrictions on the unions. This latter government policy reflects some of those components of the Trade Union Reform Bill on public sector facilities time for lay union representatives, which is currently making its way through parliament, with the Civil Service being used as a test bed.

The thesis, therefore, aims to try and bridge the research gap between traditional and theoretical literature on union structures and representation and the largely atheortical or mid-range theoretical research into contemporary trade unionism, using the complexities of industrial relations in the MoD Sector. This requires an inductive, exploratory approach to the subject, to try to provide insights from which a more robust theoretical approach to trade union structure, governance and representation can be developed.

Therefore, the research focuses upon a principle research question that will be addressed using empirical data collected through the fieldwork outlined above, and related to four research sub-questions that were constructed out of the review of literature. These are: at what levels of the organisation and union structure does representation take place?; to what extent does this require effective interactions between different levels of representative?; to what extent has the UNITE merger effected representation within the case study research sites, in terms of national, regional, industry and workplace representation?; and what has been the impact of structural changes and the proposed/actual privatisation policies upon representation? By addressing these sub-questions, the principle research question can be answered: What factors influence effective trade union representation?

Thesis Structure.

This thesis consists of eight chapters, six of which are designed to give a rich context to the research, explaining the key issues, highlighting the main literature and setting out how the research was designed and conducted.

After his chapter (chapter one), which introduces the thesis, chapter two then examines the main developments in industrial relations since 1979 and how they have had a detrimental impact on trade union membership and influence. This chapter is split into two separate parts. Part one examines the decline in trade union power that has taken place post 1979, in terms of political voice, membership, density and collective bargaining, and looks at the strategies adopted by trade unions and the changes that have been made to structures in an attempt to arrest the decline that continues to this day. Beginning with a detailed discussion of union decline in the UK, and using Metcalf's (1991) argument that there are five key factors that can help to explain why this happened, the chapter then turns to look at the responses that unions made to these factors, including renewal strategies, such as organising and servicing, merger strategies and the creation of a number of representational roles designed to make activism more appealing to people outside of the traditional profiles. The second part of the chapter then deals with the implications of this changing environment for research, examining the arguments that have been traditionally made about the links that exist between union structures, strategies, government and democracy. The chapter then links these issues back to arguments made in part one, in order to explain how these traditional arguments have been affected by the union's attempts to arrest decline. The chapter concludes with an examination of the limitations that exist in reference to the

contemporary research, demonstrating the difficulties in linking these contemporary arguments with those of the traditional literature.

Chapter three follows on by explaining the difficulties that are associated with trying to examine the structures and strategies of a contemporary trade union through a detailed analysis of the history and internal unions of Unite. As with chapter two this chapter is split into two halves. The first part explains how the merger of Unite came to be, plotting the histories of Amicus and the TGWU, through a considerable number of mergers to the forming of the new super union in 2007. It focuses particularly on the events that have caused structures to change so as to be able to understand the reasons for the union's structure and governance. This is done whilst explaining the difficulties of applying theories on union structures to the complexities of the merged unions. Part two then analyses the key policies of Unite, identifying the tensions that exist between these policies and the realities of the activities undertaken at different levels and in different parts of the union. The chapter is important as it sets the scene for the remainder of the thesis. Before being able to conduct research on Unite, it is vital to understand how the union has come to be built in the way that it is.

Chapter four analyses the MoD sector of Unite, in which the case study research takes place. Highlighting a number of the issues that can arise from researching the links that exist between representation, governance and democracy, this chapter will look at how Unite operates in the sector, looking at the dramatic changes that have taken place in terms of privatisation, reductions in facility time and restructuring. This will introduce the MoD sector of unite, moving the thesis from the discussion of structure and governance, highlighted in chapters two and three, to a more focused discussion of representation.

Following on from chapter four, chapter five discusses the often complicated area of trade union representation. Central to the thesis, this chapter explains the key issues in relation to union representation that will be examined in this study, along with the issues raised by the previous chapters. The literature will be examined to highlight the issues that exist in relation to different levels of representation. The key arguments and theories from the literature will be examined to demonstrate how representation, as a research subject, has become marginalised and fragmented in much the same way as research into structure and democracy. This will exhibit the key difficulties in addressing the central research themes of the thesis, in terms of the way that representation has been effected by contemporary issues, including internal factors such as the ways that unions have responded to decline and the impact of merger outlined in chapters two and three and external factors that have influenced representation, such as those that have taken place in the MoD, explained in chapter four.

Chapter six highlights the methodological considerations taken which underpin the research. Split into three sections, the first part will explain the approach taken and the justification for these choices, including why an inductive, rather than deductive approach was taken. The second part of the chapter deals with the research design, explaining the rationale behind the choice of research methods, such as case study and elite semi-structured interviews. Finally, the third part of the chapter, explains how the research was conducted, outlining interview participants and dealing with issues encountered during the research, before finally explaining how validity and reliability will be established.

Chapter seven sets out the main findings from this research, beginning by defining who the sample is, highlighting some of the key characteristics of the interviewees,

such as length of membership, and their perception of the representative role and duties. The chapter then splits into five sections. The first four of these deal with the research sub questions highlighted in the review of literature, before the final section, using the data from the other four questions, answers the principle research question, namely what factors influence effective trade union representation. Representation in the sector will be evaluated against four key conditions, covering recognition, access to representation, clarity of structures and the ability to protect and enhance the terms and conditions of members. An argument will then be strongly made that trade union representation in the MoD is not effective.

Finally, chapter eight will bring the thesis to a close by explaining the key findings and the contribution to knowledge that has been made. This chapter will reflect on the limitations and generalisations that have been made, linking the research to the wider context and explaining how it can be used as a springboard to further research.

Chapter 2: Contemporary issues of trade union government, democracy and representation.

The aim of this chapter is to provide a foundation for the thesis by looking at what the key developments have been for trade unions since 1979. The chapter will evaluate these developments to examine how they have impacted on unions in terms of internal government, democracy and representation, highlighting the limitations of the traditional approaches to these issues and the lack of satisfactory contemporary research.

In order to achieve this, the chapter will be split into two parts. Part one will examine the decline in trade union power and size, post 1979, in terms of political voice, membership, density and collective bargaining. It will then examine the strategies that have been adopted by the unions, as well as changes to structures, to try and arrest this decline. Part two will then discuss the implications of this changing environment for research, first examining the traditional arguments made around the links between structures, strategies, government and democracy before examining the implications for these traditional arguments on the changing strategies and structures outlined in part one. The chapter will come to a close with a discussion of the limitations of contemporary research, highlighting the lack of debate linking the new strategies to structure and structures to merger.

Part one.

Trade Union Decline.

As stated by Willman *et al* (1993) “it would be hard to argue that the 1980s was a successful decade for British trade unions”. Whilst the electoral success of the Conservative party in 1979 cannot be seen as the sole cause of the subsequent

decline in union density and membership, it was of enormous significance. With a majority of 43 Members of Parliament (MPs) and the support of 44% of those that voted, the victorious Conservatives believed that they had a mandate to push through parliament, over the following 16 years, a raft of changes to industrial relations legislation, with particular emphasis placed on curbing the power of the trade union movement (Kessler and Bayliss 1998:52). The response of the trade union movement to the onslaught that was to come differed from one trade union to another, with no united action taking place, as had been the case in 1970, following the publication of the Industrial Relations Act.

The lack of a unified response by the unions and the continued success of the Conservatives in the 1983, 1987 and 1992 elections, with the ongoing support of 42% of votes cast and large working majorities, forced change upon the unions both externally in terms of legislation and internally in terms of strategy. By 2000, trade union membership had fallen by 40%, from its peak in 1979 of 13.2 million (Undy 2008), whilst union membership density, in terms of those employed, fell from 54% in 1979 to 29% in 2004. Waddington (2003:219) states that the period lasting from 1980 to 1998 saw the longest period of continuous, year upon year, contraction in membership numbers since records began in 1892. The gains that had been made between 1965 and 1979 were wiped out in half the time it had took to make them (2003:219). However, these are aggregate figures, which combine the density of unions operating in both the public and private sectors. When the public sector, which survived comparatively better with density still running at 59%, is removed from the figures, it can be seen that private sector trade unionism density, at just 17%, was significantly damaged over the period. Also, it is worth noting that one of the peculiarities of the structure of British trade unionism, being that they have

tended to recruit in either the public or private sectors, meant that the decline in membership did more harm to some unions than it did to others (*ibid* :33).

It is also worth noting at this point that not all trade unions suffered decline in this period. Thirty four trade unions made aggregate gains in their membership between 1979 and 2003 and whilst much of this growth can be explained by mergers and amalgamations, eight of these unions grew without going through the aforementioned processes (*ibid*). Whilst unions, such as the First Division Association (FDA), Equity and the British Air Line Pilots Association (BALPA) can be seen as niche unions, with those areas of the labour market in which they operate lacking competition from other unions, they still had to operate within the same unsupportive political atmosphere as those unions which experienced membership decline. This indicates that whist the political environment was of considerable importance it is not the only consideration to be made when explaining why aggregate union membership declined so sharply after 1979.

Metcalf (1991:22) cited in Kessler and Bayliss (1998:162) states that there are five factors which came together in the 1980s to cause the decline of trade unions in the United Kingdom (UK). These are “the macro economic climate, the composition of the workforce, the policy of the state, the attitudes and conduct of employers and the stance taken by unions themselves” (*ibid*). In reference to the first of Metcalf’s factors, the macro economic climate, the effect of unemployment and recession on the UK labour market had a huge effect on union membership. Between 1979 and 1981 Britain experienced what at the time was seen as the worst recession since the end of the Second World War (Kessler and Bayliss 1998:39). Seeking to reduce an inflation rate of 10% the Conservative government, abandoned incomes policy in favour of a tight monetary policy (Waddington 2003:222). This shift in policy saw

the raising of interest rates and taxes, cuts in spending and attempts to control the money supply and reduce inflation. However, this had the effect of reducing aggregate demand and economic growth which in turn saw unemployment rise to 3.2 million by 1984 (Undy, 2008:23-24). Whilst this total fell below two million between 1987 and 1990 there was a second recession between 1989 and 1992 which saw the rate rise once more to a reported three million. Between 1983 and 1988 the figure did not fall below 10% (Waddington, 2003:222). It is worth noting, at this point, that Lindsay (2003, cited in Undy, 2009:24) states, the way that this figure was worked out "changed some 30 times in ways that largely reduced the headcount" indicating that the real figure was higher than that reported.

Whilst union membership indeed fell during these periods of labour market contraction it also fell significantly during times of expansion. There was no recession between 1993 and 2003 with employment rising to 27.9 million by 2002, three hundred thousand more than it had been in 1979. However, membership of trade unions fell year on year from 13 million to 7.8 million by 1998. Mason and Bain explain that high and rapidly rising unemployment, such as that experienced at the beginning of the 1980's, is likely to have a big effect on union membership, however, when levels are low and more stable the consequences are negligible (1993:334). It is, therefore, important to look at what was actually happening during this period in terms of the composition of jobs and the workforce. Kessler and Bayliss state that "major declines in manufacturing and manual male employment and major increases in service sector, female part-time employment and in professional, managerial and highly skilled work – unquestionably contributed to the decline in union membership and density" (1998:162). Undy (2008:24-25), Nolan and Slater (2003:61) and Mason and Bain (1993:332) expand on this, explaining that the rise in unemployment that happened in the early 1980s disproportionately affected male

dominated industries with an emphasis on manufacturing, which whilst common to most advanced countries was particularly pronounced in Britain. As these industries were the most highly unionised sections of the private sector it is unsurprising that union membership was affected negatively. However, why did this not turn positive as employment returned to growth? The answer is that whilst employment growth returned the long-term trend in the manufacturing sector was one of contraction. Between 1981 and the early 1990s the sector experienced an average 3% reduction in employment year on year, with employment in skilled trades falling from 4.3 million in 1981 to 3.7 million in 1999. Against this picture of decline in manufacturing and skilled trades is an expansion in areas such as management and technical professions as well as long established private sector occupations such as retail.

Accompanying these structural adjustments were changes in gender composition and work patterns. Even at their peak and at a time that the labour market participation of woman was increasing, it is notable that trade unions had only limited success in attracting woman into membership. In 1978 38% of woman employed in the UK were in trade unions as opposed to 63% of men and by 1990 the percentage had fallen to 30%, (*ibid*). This is taken against a backdrop of declining numbers of men (just 36% by 1990) in membership and a significant rise in the number of woman in employment from 10 million in 1978 to 12.9 million in 2002. Whilst the economic activity of woman has increased the sectors which they are employed in are predominantly areas that the unions have found difficult to organise with the employment of woman in the service sector growing by 1.2 million between 1990 and 2000. Whilst around a third of woman working in this sector are employed in health, education and public administration and are, therefore, likely to be in occupations where unions are present, of the two thirds that work outside of these areas many will not have easy access to union representation. Combined with the

changes to the workforce gender balance outlined above is the proliferation of non-standard patterns of employment. By 1998 part time workers were the majority in 40% to 55% of workplaces within the retail, hospitality, education and health sectors. 81% of these workers were woman doing work that was in the main low skilled. Cully et al (1999:86) reflects that “such woman employees may appear to be in need of union representation, but they remained generally unorganised”.

The third of Metcalf’s factors is the policy of the state, in particular that of the successive Conservative governments and the anti-trade union legislation introduced throughout the 1980s and early 1990s (Freeman and Pelletier, cited in Mason and Bain, 1993:338). Driven by the neoliberal belief that trade union power needed to be reduced in order to protect the individual and promote the role of the free market the newly elected government, led by Margaret Thatcher, acted almost immediately to start an attempt to curtail the unions (Dickens and Hall 2003:127). Curbs on the unions’ powers had been attempted in 1971 when the then Conservative government, led by Edward Heath, had imposed the Industrial Relations Act (IRA) (Kessler and Bayliss 1998:24). Based upon American law the act attempted “to control by legislation the status of collective agreements, the rights of individuals vis-à-vis trade unions, and the closed shop, picketing, industrial disputes in essential services and the registration of unions eligible for immunity from legal action” (Kessler and Bayliss 1998:24). The IRA was bitterly opposed by the trade unions. The TUC advised all of its member unions to boycott and not cooperate with the Act’s major provisions and this, along with a failure of all but a small number of employers to make use of the legislation, led to the Act being repealed by the incoming Labour Government in 1974 (Dickens and Hall 2003:127).

Taking heed of the Heath government's failure to introduce industrial relations legislation in one fell swoop, the Thatcher led administrations introduced change in a more piecemeal fashion. Beginning almost immediately with the 1980 Employment Act, which introduced restrictions on picketing and the closed shop, along with reducing the burden of proof for employers to show that they have acted reasonably in unfair dismissal cases, no fewer than 10 pieces of legislation were introduced between 1980 and 1993 within the sphere of employee relations, the end result being a legislative framework far more restrictive than the one dreamt up by Geoffrey Howe in 1970-71 (Kessler and Bayliss 1998). Initially, the trade unions and the TUC reacted strongly, as they had in 1971. Complete opposition to 1980 Employment Act was proclaimed by the TUC and public demonstrations were organised. Further opposition to the 1982 Employment Act was also organised. However, the support that the TUC had enjoyed for its protests against the 1971 IRA was not there in the early 1980s. The economic recession that coincided with the 1979 Conservative party election victory had bought with it huge redundancies and job insecurity. Many union members agreed that the unions had become too powerful, that change was needed and indeed many union members had voted for the Conservatives (Kessler and Bayliss 1998).

As mentioned previously, no fewer than ten separate pieces of legislation were introduced between 1980 and 1993, with the intention of reducing the power that unions were perceived to have over their members and industry. Prior to 1979, with the exception of the very brief period, highlighted above, between 1971 and 1974, unions were accepted as voluntary associations. This meant that they were left to run their own internal affairs, including elections and the calling and ending of industrial action, with little to no interference from outside of the organisation (Undy et al 1996:70). This as stated did change, briefly between 1971 and 1974 with the

Industrial Relations Act 1971, when there was an attempt by the government to impose a significant amount of state control over union affairs.

Undy et al (1996:73-74) state that “conservative policy during the 1980s and 1990s can be best understood if we view it as related to two deep-seated strands of political ideology, both with a long history within the party: economic liberalism and authoritarian social-political policy”. Economic liberalism is based on the belief that the market will determine effective production and distribution whilst authoritarian social-political policy “draws on traditional Tory moral absolutism to outline what individuals should do” (*ibid*). In terms of trade unions these dual strands of ideology can be seen through the attempts made to restrict and regulate their activities. Waddington adds to this stating that “the three principle objectives of (the) Conservative Governments where the exclusion of unions from any role in national policy making; to change the character of internal union democracy by compelling unions to adopt representative forms of democracy at the expense of participatory forms; and to encourage management to assume greater control within the workplace” (2003:216).

Keen not to repeat the failure of the Heath Government, as outlined above, in reference to the IRA 1971, the Conservative approach to the unions, after their 1979 electoral victory, was initially a careful one, with a logical step by step approach taken in terms of the introduction of reforms. This changed after 1984 as it changed into a “haphazard insertion of neo-Hayekian anti-union ideology” (Undy et al 1996:75), with Thatcher and her successor, John Major, becoming less carful, in the late 1890s and early 1990s, as union power was much diminished (*ibid*).

Based upon the 1979 Conservative Party general election manifesto, the first salvo launched on the trade unions was the 1980 Employment Act. Guided through

parliament by Jim Prior, chosen by Thatcher over the more hard-line Geoffrey Howe, again indicating her caution at this time, the 1980 EA was still based on the conclusion that reform of trade unions should be voluntary. Undy *et al* state that "Conservatives at this point accepted that unions had an important role to play in economic growth, but felt that they should be less involved in formulating economic policy than they had been in the 1970s: unions should not be regarded as any different from other private voluntary organisations" (1996:77). Much of what was in the 1980 Act therefore was in line with these beliefs with unions having a choice whether to comply or not, with incentives if they did. This philosophy was demonstrated by the EA's provisions in terms of balloting, with the encouragement of ballots for calling and ending industrial action and in elections backed with the offer of government money to re-reimburse unions the cost of such. To qualify, ballots had to be secret and this was also backed by allowing ballots to take place on the employer's premises, which was seen as a way to reduce the pressures that may be present at a mass meeting (*ibid*).

In addition to these voluntary changes were legislative changes around picketing and the closed shop. In reference to picketing, this was made unlawful if not at the striking workers place of work, effectively outlawing secondary picketing in all but a minority of cases. In terms of the closed shop the EA 1980 firstly included provisions to strengthen the rights of trade union member against unions in relation to being unfairly excluded or expelled. Secondly the Act extended the grounds on which a worker could refuse to join a trade union, where there was a Union Membership Agreement (closed shop) in place, from religious grounds to also include the situation where a worker had a deep objection to joining a union on grounds of conscience or personal convictions (Kessler and Bayliss 1998:71-72). Any new UMA would require 80% of those eligible to vote, to vote in favour of it being set up.

Whilst the TUC did attempt to resist the provisions of the EA 1980, this opposition was muted in comparison with the 1971 campaign, the main success being a boycott by TUC affiliated unions in reference to balloting refunds. This failure of the 1980 Act to encourage voluntary reform of union balloting led to a shift in Conservative attitudes, with the more hawkish Norman Tebbit taking over from Jim Prior, as the minister of state. Tebbit, who was closer, ideologically, to Thatcher, was bolder than Prior, in terms of legislation, stating that "further legislation to reform unions was politically desirable, industrially beneficial and practically possible…if union leaders did not introduce greater controls for union democracy, he would have to legislate on the subject" (Undy 1996:84). The 1982 Employment Act, therefore, included a number of further restrictions on the activities of unions. These included a continued attack on the closed shop with the law around UMAs being extended from the 1980 provisions (that a ballot must take place for one to be set up) to include those already in existence, stating that ballots would need to take place where one had not been carried out in the five years previous. In addition to this any term in a commercial contract which made union (or non-union) membership a condition was declared void as was any condition stating that a contract or tender list could only be awarded to a firm if union labour was used. Any industrial action, taken to pressure a company to only use union labour was also made unlawful. Another significant change, made by the 1982 EA was the abolition of some, and the narrowing of other, immunities in tort, abolishing some of the special immunities given to trade unions, to bring them in line with individuals and union officials, in a Hayek like manner (Undy et al 1996:84 Kessler and Bayliss 1998:73). The all-important definition of what a trade dispute is, on which much of the immunities from tort enjoyed by trade unions, is based upon was also narrowed. The wording of this definition was changed to read as "a trade dispute means a dispute between

workers and their employer which relates wholly to…instead of a dispute between employers and workers or between workers and workers, which is connected with" (Kessler and Bayliss 1998:73-74).

After 1982 Conservative policy continued to make attempts to restrict the activities and influence of trade unions, although it stopped short of fully embracing Hayek. However the failure by unions to embrace the provisions made in the 1980 EA, in relation to balloting led to calls for these to be made mandatory (Undy *et al* 1996:84). Therefore, the 1984 Trade Union Act was set out with three main aims. Firstly, all union executive members needed to seek re-election every five years. Voting would need to be "secret, without interference, by the marking of a voting paper and where possible postal" (Kessler and Bayliss 1998:7. The postal rule could be passed over if a union could show that a workplace ballot complied with the first three provisions. In addition to this under the 1984 Act unions were expected to keep a register of their members' names and addresses, for use in postal ballots. In line with the Act's second aim, ballots were now required before industrial action could take place. The ballot would need to take place a minimum of four weeks prior to the strike, only those expected to take part in the strike should be included and the paper should ask a yes no question. The third aim of the Act was in reference to the political activities of unions. Many unions had political funds, from which a proportion went to the Labour Party, in way of subscriptions. The 1984 Act introduced the need for a secret ballot to take place every ten years, with members asked if they wished to continue with the fund. Any unions that had not balloted in the previous nine years were directed to carry one out as soon as was practical. This provision had the unattended effect that some unions were so alarmed by it, that they established funds for the first time (Kessler and Bayliss 1998:74-75).

The 1984 Act fulfilled many of the Conservative's 1983 Manifesto promises, after which there was a lull in legislative change, in terms of trade unions. However, by 1988, when the next major changes to legislation took place, the landscape had changed again. In particular, the TUC had ended its boycott of government ballot refunds. The boycott had long been a bone of contention for some union within the TUC. The AUEW(E) and EEPTU, in particular, had always been partially in favour of the refund scheme, mainly due to the fact that both these unions already made use of balloting, particularly postal, and saw the scheme as a way to recuperate money (Undy et al 1996:103).

The Employment Act 1988 contained a number of provisions, many of which made attempts to tighten up on previous ones. In terms of strengthening the hand of individual members, rights were given to individual members to apply for a court order in a case where industrial action had been called or taken without a ballot. Unions could no longer discipline members who decided to not take part in strike action, even if a majority had voted in favour. Protections from actions in tort were removed where a union was striking to enforce a UMA. A number of amendments were made to previous Acts in reference to balloting. In addition to executive members with voting rights, non-voting members also needed to seek election as did Presidents and General Secretaries (Kessler and Bayliss 1998:77-78) The Act stated that all ballots, for such positions and to call industrial action, would need to be postal, rejecting the argument that workplace ballots gained higher turnouts, whilst stating that the participation came secondary in importance against the benefit that postal votes gave in terms of reducing electoral malpractice (Undy *et al* 1998:107).

The Employment Act 1990 arrived in the wake of an upsurge of industrial unrest, which had taken place in the summer of 1989. The legislation that had been introduced to frustrate trade union activity in relation to industrial action had led to a surge in unofficial industrial action across rail, the Post Office and mining industry, to name just three. Throughout this summer the government made repeated statements that new laws would be introduced to curb such action and this was carried out in the EA 1990, which substantially extended the liabilities that unions had in terms of unofficial action. Trade unions were made liable for the organisation of unofficial industrial action by any of their officials, including shop stewards, committees or any group that had been set up with the purpose of calling and/or co-ordinating industrial action. The Act included strict procedures for how a union was to repudiate such a strike and stated that any member still striking after repudiation would be stripped of any immunity, in terms of them breaching their contract. In addition to this, whilst EA 1988 had made the post entry closed shop unworkable, the EA 1990 completed the abolition of UMAs through the outlawing of any refusal to employ a worker on the grounds that they were not a union member or would not agree to join, prior to taking up a post. Finally, the Act completed the work started in 1980 by virtually outlawing all forms of secondary action (Kessler and Bayliss 1996:80).

The EA 1990 was the final piece of major legislation, passed by the Tories, in reference to trade union power. The Trade union and Labour Relations (Consolidation) Act was passed in 1992, bring all of the fragmented legislation of the previous decade together and the Trade Union Reform and Employment Rights Act was passed in 1993, giving more rights to individual members to take up grievances against their unions and tightened up further on ballots and elections. However, the major damage to union rights, activities and functions had already

been done. It was, therefore, with a large amount of hope that the union leaders greeted the electoral defeat of the Conservatives, by New Labour in 1997. Mason and Bain (1993:339) state that the changes in UK labour law outlined above can be shown to have reduced union density by 1-1.7% per year between 1980 and 1986. This, when aggregated, shows that almost the total decline in density (9.4%), that took place over this six year period, may be attributed to the introduction of legislation. Without these changes there would only have been a fall of 1-2% (*ibid*).

Elected in 1997 with a majority of 189 and the backing of 44% of those that voted, New Labour would go on to win subsequent elections in 2001 and 2005 (Undy 2008), heralding in an era when "policy on industrial relations was no longer dominated by hostility to the trade unions (Kessler and Bayliss 1998:53). Differing from the previous Labour administrations, New Labour policy was committed to the continuation of a deregulated labour market, with the anti-trade union legislation retained and an attitude towards the trade unions of 'fairness not favours' (Undy 2008:28 and Dickens and Hall 2003:151). The role of trade unions in society had also been reduced by the Tories (Waddington 2003:217). Under the more pluralist leanings of the 1960s and 1970s the promotion of tripartism had seen the unions gain seats on many public bodies and quangos. These institutional frameworks were systematically dismantled during the 1980s and early 1990s for reasons that "were ideologically as well as economically grounded" (Undy 2008:27). Whilst not reintroducing tripartism *per se*, the unions, under New Labour were invited to join a number of bipartite bodies, along with employers, such as the Low Pay Commission. The TUC and prominent trade union leaders had access to ministers and a public service forum was set up after the 2001 election where government ministers could brief relevant union officials on plans for reform prior to publication. Whilst often criticised for not reforming the anti-union legislation introduced by the Tories, twenty

six new and individual rights were listed by the TUC in 1999, as having been gained since the 1997 election (*ibid*). The key gains were those such as the right for employees to be accompanied at grievance and discipline hearings, protection for union members involved in disputes and a statutory recognition procedure, overseen by the CAC (Waddington 2003:230). In tandem with this the New Labour government also signed up to the European Union's (EU) social chapter, ushering in European Community legislation on working time, European Works Councils and information and consultation, although the way that these Directives were transposed into UK law was often criticised by, amongst others, the TUC. However, whilst the environment was indeed more favourable to the trade unions this did not halt membership decline which, although slowed, continued throughout the New Labour period.

Metcalf's fourth factor was the behaviour of employers. Kessler and Bayliss (1998:117) highlight that there was no out and out assault on trade unions by employers in the 1980s. Whilst de-recognition did take place in a number of high profile cases, it was not implemented in the vast majority of cases, with employers instead attempting to reduce union influence through restricting the scope of collective bargaining or bypassing the unions via more direct forms of communication with their workforce. Where unions were already present managers did not see recognition as an issue. Kessler and Bayliss (*ibid*) discuss the attitude of one manager as being that as long as they could implement their policies without the union getting in the way then they did not see it as a problem. However, whilst recognition was not seen as an issue in the majority of cases where it already existed, the occurrences in greenfield sites, new businesses and those areas such as the service industries in the private sector where organisation had always been more difficult for unions, were much rarer (Kessler and Bayliss 1998, Undy 2008).

Where unions were recognised in these cases, management was able to take advantage of the absence of any legal right for unions to be recognised, to exclude or choose the union it wished to deal with often at the expense of collective bargaining.

Between 1980 and 1988 the rise of Human Resource Management (HRM) in parallel with the resurgence of a more unitary approach to industrial relations led to a marked shift in the way that management communicated with their workforce, which impacted upon the status of unions and collective bargaining (Undy, 2008). The Conservative strategy to move away from collective values in favour of individualistic rights empowered employers to reassert their prerogative and to adopt methods by which they and their workforce communicated directly with each other via such things as cascade briefings and employee forums (Ackers *et al,* 1996). Hand in hand with this came the introduction of non-union representatives as a supposedly independent alternative to trade unions. However, Undy (2008) points out that the propagation of such representatives would have been difficult without the active promotion of such policies by management, calling the independence of such representatives into question.

The shift towards individual rights and away from joint regulation led to what Kessler and Bayliss (1998) identify as three key developments for collective bargaining. Firstly, in terms of coverage the percentage of employees covered by some form of collective bargaining fell between 1979 and 1990 from 71% to 54% and by 2011 only 31% of workplaces had collective bargaining coverage. When these percentages are disaggregated in terms of the private and public sectors we can see that bargaining in the public sector fell from 95% to 78%, caused mainly by the replacement of bargaining by pay review bodies for teaching and nurses, whilst in

the private sector it fell from 52% to 41% (*ibid*). The 2011 Workplace Employment Relations Study (WERS) showed that by 2001 57% of public sector workplaces were covered by collective bargaining whilst this was just 7% in the private sector (Wanrooy, 2011). It is worth noting that some academics, such as Burchill (2014:1-2) and (1997:93) argue that the pay review bodies, mentioned above, are included in the definition of collective bargaining and, therefore, should be included in the WERS, but are not.

Secondly, in terms of the level that bargaining takes place, there has been a continuing shift from industry wide to enterprise bargaining and then in a growing number of cases moves to decentralise this even further from corporate to divisional or plant level. As pointed out by Kessler and Bayliss, this is in no way universal with some companies, particularly some large multinationals, still opting for companywide bargaining and often, as stated by Marginson *et al* (1993) guidelines and limits are set at national or company level which plant bargainers then have to operate within.

The third development for collective bargaining is that of scope. What is covered by collective bargaining, where it has remained, has changed considerably between 1980 and 2011 as employers attempted to re-establish their authority over operational issues. The 2011 Workplace Employment Relations Study (WERS), which was the first to be published post the financial crisis of 2008 asked managers whether they negotiated, consulted or Informed the union on seven key issues; pay, hours, pensions, holidays, training, grievance procedures and health and safety. In answer 51% said that they did not negotiate, consult or inform the union on any of those issues, 45% said that they did on some whilst only 4% said all. In 2004 these percentages had been 49%, 47% and 5% demonstrating a small but continuing

trend away from joint regulation. In the private sector the percentage of employers stating they discussed some had reduced from 39% to 36% and all from 5% to 1% whilst those discussing none had increased from 57% to 62%.

The election of New Labour in 1997 did "cause at least some employers to reflect on their industrial relations policies and adjust them in the unions' favour" Undy 2008:31). Taking a less adversarial position, some employers taking heed of the change in the political landscape, turned more towards partnership with their trade unions, including organisations which had previously considered de-recognition. However, whilst the changes in government gave the unions some breathing space in which to recuperate, the above statistics show that whilst decline may have slowed it did not halt and was further exasperated by the financial crisis of 2008.

The final factor discussed by Metcalf is the stance taken by unions themselves. The next section will discuss the strategies adopted by unions to attempt to put a rest on decline, however, before discussing that it important to discuss the state that unions were in post the 1979 election. Kessler and Bayliss argue that "unions needed to extend recognition and avoid de-recognition" (1998:163). Whilst de-recognition, as mentioned above, was relatively limited the changes outlined above in the attitudes of employers and lack of any legal rights, made securing recognition very difficult for unions during the 1980s. Again as mentioned above the political voice of the trade unions went from one of "national prominence and influence (in 1979)……to virtual exclusion in the corridors of power by 1990" (Undy 2008:32) over a very short period of time. As membership levels declined, the fact that many unions had not taken advantage of the growth years prior to 1979 to sure up their financial positions became exposed (Willman *et al*, 1990 and Undy, 2008) with a large number having to fall back on investments to fill the gap between the income generated by

subscriptions and expenditure. A survey conducted by the TUC in 1990 of 60 affiliated trade unions including the two biggest, the AEU and the TGWU; found that expenditure exceeded income by five million pounds (Undy, 2008:37). This was shown to have been marginally reversed by 2005 but only after substantial job cuts had been made. Therefore, here the position of trade unions generally deteriorated between 1979 and 1997 in terms of their political voice, membership numbers and bargaining ability. Over this period a number of responses were devised to change this fall in the unions' fortunes which will be discussed in the next section.

Union responses to decline.

In response to the problems of decline outlined above the unions adopted new strategies in terms of the way they dealt with employers, such as partnership and with members, such as organising and servicing. They also undertook changes to their structures such as those imposed by merger and the invention of a 'plethora' of representative roles. This section will now critically discuss these issues, first looking at strategy and then looking at structure to explain the varied, and often ineffectual, approaches taken by unions.

The varied reaction to the change in the unions fortunes, ushered in by the election of the Tories in 1979 can be characterised as the tension between militancy and moderation (Kelly, 1996:77). The initial reaction of the unions to Thatcher's election in 1979 was one of disbelief, coupled with the faith that the rise of the Conservatives would be short lived and that defeat, such as that as had befallen the Heath Government in the 1970s would soon follow (Ackers *et al* 1996:26). When by the midpoint of the decade this defeat had not happen, and quite the contrary the position of the Conservatives had been consolidated, some parts of the union

movement started to call for a reassessment of the situation under the heading of "new realism" (*ibid*).

The defeat of the miners in 1985, following those of civil servants and steel workers, amongst others, in the early 1980s, led to some union leaders and academics, including leading voices in the TUC, calling for a change from the adversarial ways of the past, concluding that "union survival and recovery turned on the willingness of unions and their members to behave moderately and to offer concessions to the employer (Kelly, 1996:77). Ackers *et al* (1996) characterise unions at this time as being in one of three political strands. On the left, unions such TASS were following the traditional bargaining agenda whilst on the right the EETPU were signing single union, no strike deals, with employers. The centre ground contained unions such as the TGWU, attempting to win over employers with more modest concessions whilst trying to attract workers from the growing outlying areas of the workforce, such as part time workers, woman and ethnic minorities (1996: 26-27).

As discussed in the previous section, whilst there was no notable campaign of de-recognition by employers during the early 1980s, the instances of new recognition deals being agreed were few and far between. Where they were agreed the tendency was for them to be single union agreements, sometimes including no-strike agreements, with the employers choosing the union they wished to deal with (Kessler and Bayliss, 1998). Under the heading of "business unionism", unions entered into negotiations, particularly with new Japanese companies such as Toshiba and Nissan, in order to secure a recognition agreement. These negotiations, known as 'Beauty Contests', pitted unions against each other, giving an enormous amount of power to the employers who could choose the terms on which recognition was granted. Terms such as no strike agreements, binding

arbitration, total flexibility and single status, where often to be found in such agreements. However, as pointed out by Kessler and Bayliss “although such agreements were well publicised, there number was very limited – about 50 – and the number of employees covered was perhaps no more than 20,000” (1998:202). However, the idea of their being three clear strands, which unions fell into, is too simple. Whilst unions such as the AEU and EEPTU were indeed pursuing a cooperative approach with new employers, they were quite prepared to organise and support industrial action taken by members where the unions were already established. For example, whilst in 1984 the EEPTU signed a number of no strike deals on green field sites it was also organising strikes at ITV, Perkins Engines and Austin Rover (Undy, 2008:44).

The new-realism mentioned above was, therefore, more of an acceptance by the unions that things needed to change in order for them to survive. The changes in the law introduced by the Conservatives between 1979 and 1997 were accepted and adhered to by the unions rather than being defied. The unions became more aware of the difficulties firms face in terms of the competitive environments in which they operate, particularly in terms of the development of globalisation and promoted a new partnership approach, supported by the TUC and post 1997, by the New Labour Government. Kelly describes five arguments, proffered by academics and some union leaders, in favour of moderation and partnership (1996:83-97). Firstly, it is claimed that the change in the balance towards employers meant that unions had to moderate their behaviours. In those workplaces where unions were recognised they had to moderate or offer concessions to employers else risk job losses, site closure or de-recognition, whilst in workplaces where there was no recognition it is argued that employers are less likely to award recognition if they believe the unions would bring militancy to their shop floor. Secondly it is argued

that, from the point of view of union members, strikes cost money rather than securing it, with the loss of wages incurred almost impossible to make up. Thirdly, the fragility of militant unionism is highlighted, with the argument being that whilst short term gains may be made the long term will see a collective counter offensive, either by the employers, the state or both. Fourth is the argument that through partnership and moderation unions are able to secure improvements to terms and conditions such as single status agreements whilst also opening up new areas of negotiation on issues of mutual interest such as training, productivity and health and safety. Finally, it is argued that those unions such as the EEPTU, whilst losing members after 1979, lost significantly fewer than those unions that took a more adversarial approach to industrial relations.

Linked to the moderate approach to industrial relations was the servicing agenda adopted by some unions and promoted by the TUC in the early 1990s. Accepting the move away from collectivism in favour of individualism it was argued that union members should be treated more as customers or clients such as members of organisations that serviced individual needs like the Automobile Association (Waddington, and Whitson, 1997:517). The servicing model included two strands, the first being to offer individual benefits to union members whilst the second was the employment of full time officials to service members' bargaining and representational needs (Waddington, 2003:238). The first strand, individual benefits, entailed the offering of a long list of benefits that were available to members and often their families. The offering of benefits to members was not new, the craft unions of the 1850s offering sick pay and accident benefits and many white collar unions offering an impressive list of benefits prior to 1979. However, to many of those unions entering into this market was something different, with benefits such as financial advice, legal advice, discounted car/house/pet insurance and holiday

clubs (*ibid*). These benefits came with the added incentive to many unions of the added financial income they could receive from the selling of such benefits as financial products (Undy, 2008:50) and were often taken up even where the second strand was not.

The second strand, as mentioned above, included the employment of full time officials to service members' representational and bargaining needs. This strand was taken up to a lesser extent than the first. Employing large numbers of full time officials was expensive and the increased number of bargaining units caused by the breakdown of industry and national bargaining meant that many unions struggled to sustain a level of officer servicing, let alone increase it. However, some unions, particularly those white collar unions that organised professionals and managers, did embrace the full servicing model. Unions such as the IPMS, which later changed its name to Prospect and the Banking, Insurance and Finance Union (BIFU), which was to become Unifi before merging with Amicus, traditionally used a servicing model, with members of those unions highlighting the importance to them of full time officer support. In a survey conducted in 1997 more than 80% of members in the IPMS "rated the involvement of full-time officers in collective negotiations as very important and they gave a similar response to full-time officers' involvement in dealing with members' individual contracts" (Undy, 2008:48).

Waddington (2003:240) explains that the offering of extended member services had no effect on unions' density in either the unions' traditional job territories or the expanding areas of the economy where union organisation was more difficult. Waddington states that "a range of research results confirmed that packages of financial services were not attractive to either potential or existing members" (McIlroy, 2009:53). Waddington and Whitson (1997) highlight the results in a survey,

carried out by them, which pointed to only 3% of union members citing financial services as the reason for joining, whilst 72% cited support for problems at work and 36% improvements in pay and conditions. However, as Undy (2008:51) states, any union that did not look to offer some of the benefits highlighted by the servicing agenda risked losing dissatisfied members to those unions that did.

Reacting to the above findings there was a general shift by the TUC and some of its affiliates from servicing to organising. Differing from the servicing model and seemingly at odds with partnership, organising places the workplace at the centre of organising, integrating recruitment, retention and organising (Daniels, 2009:255) and encourages the role of union members in confronting the employer and in so doing, dealing with the grievances of the workers (Undy, 2008:241). Embracing the Organising Model the TUC was at the forefront of the initiative when it launched the Organising academy in 1998 with the mission to provide the trade unions with trained organisers (Waddington 2003:240). Acknowledging the financial constraints that unions were subject to and the increased demands that had been placed on fulltime officials by a decentralisation of bargaining (Kelly and Heery,1994), each trainee was given formal training by the academy's tutors whilst gaining experience in the field working for an affiliate, sponsoring, trade union (Waddington, 2003:240). However, whilst the academy had successfully trained 161 organisers by 2003 only 18 of the TUC's 70 affiliated trade unions had sponsored a trainee, with only a small number being repeated supporters and several unions deciding not to employ the trainee that they sponsored. Non-involvement in the Organising Academy did not necessarily indicate non-engagement with the model with a number of unions running their own programmes independent of the TUC. The TGWU and the GMB both committed to the organising model allocating a significant amount of financial backing to the strategy (Undy, 2008:241).

Trainees are selected for the academy so that they share characteristics with the targeted groups of potential members, the foundation for this being that “like best recruits like”” (Waddington, 2003:241). The intention of the academy was that graduating trainees would be used to recruit new members in industries not yet organised by trade unions and where current full time officials did not have the resources to engage in such activities (Kelly and Heery, 1994). However, Waddington (2003:241) and Daniels (2009:267) point out that in many cases academy trained organisers have been used, primarily, to further recruitment in sectors that were already, at least partially, organised.

For organising to be successful unions need to have active members, shop stewards and full time officials, at least at a local level and this is where the strategy hits some problems. Cully et al (1999:96) state that many unions have had difficulty recruiting and retaining workplace representatives and, as has already been discussed, full time officials have seen demands on their time increased in line with the decentralisation of collective bargaining. Added to this, Waddington and Kerr, (1999), cited in Waddington (2003:242-243) indicate that many union members were displeased with the contact they had with shop stewards and fulltime officials and felt that the information provided by their unions was inadequate. To attempt to combat the dissatisfaction that members felt towards their unions, telephone help-lines were set up by many unions, to provide information and advice, highlighting the interchangeability that there is in union strategy between servicing and organising (Waddington 2003:240).

In terms of the success of organising as a strategy the evidence is that it has worked better than the servicing model and has continued as a prominent strategy until the present. However it has not been a panacea for decline, most of the unions that

have moved towards the organising concept have not completely abandoned servicing and do not see the two as necessarily alternatives to each other (Undy, 2008:52-53, Daniels, 2008:274). There are a number of unions that have not embraced organising, due to the costs seemingly outweighing the benefits to them (Daniels, 2009:267) and also because of reluctance from full time officers of the union to embrace the concept and see resources moved from servicing to organising and *Ipso facto* away from them (Heery *et al*, 2003:83). Also, as outlined by Daniels (2009:267), the rhetoric of those designing the strategies is not matched by what is actually happening on the ground. Whilst there have been wins for the unions' organising teams, in new areas and traditionally weakly organised sectors, the majority of organising activity has taken place in sectors that the trade unions have been traditionally strong (*Ibid*). "in effect, trade unions in the UK are circling the wagons" (Bronfenbrenner and Juravich, 1998:19). However, unions are often pragmatic in that they will "adopt whatever self-help solutions to the problem of declining membership were on offer" (Undy, 2008:52-53), including mergers which will be discussed in the following section.

Merger Strategies*.*

Whilst unions looked to change their strategies, as discussed in the previous section, in order to attempt to arrest the continuous loss of union members after the 1979 Conservative victory they also turned to their own structures, often through merger, as a way of consolidating and adding members. Between 1979 and 2004 there were no fewer than 284 mergers, 225 of which were TUC affiliates. Before discussing this in greater detail it is important to understand the merger process and why unions may engage in it.

Mergers are a way for unions to add large groups of members to their numbers, whilst at the same time reducing the amount of competition that there may be in a specific job territory (Waddington, 2005). Undy *et al* (1981) and Undy (2010) categorize mergers as aggressive, defensive and consolidatory. Defensive mergers take place where a union actively seeks a merger partner in order to stave off a decline in fortunes. Usually they take the form of a small union transferring into a larger organisation. Aggressive mergers usually have the character of a larger, open, union, seeking out smaller merger partners in order to gain a foothold in a new job territory or to increase its influence over its existing ones. Consolidatory mergers take the form of a union seeking out other unions within existing job territories, in order to consolidate its position and increase bargaining power (Undy *et al* 1981).

Waddington and Whitson add a further dimension to merger, discussing mergers that follow a political, rather than industrial, logic. Highlighting the success of TASS, a union that had itself broken away from the AEUW due to political differences with the right of centre AEU (1995:182-183). Having broken away, TASS became a beacon for other unions that were politically opposed to the AEU, allowing it to enter into mergers with four unions that organised manual workers, therefore, enabling TASS to break into new job territories (Waddington, 2005:283). This was similar for the right of centre EETPU, who targeted other right of centre unions, including those not affiliated to the TUC. This was further, stepped up, after the EETPU were expelled from the TUC in 1988 (Waddington and Whitson, 1995:182-183).

Undy (2008) discusses mergers in terms of transfers and amalgamations, which differ in the way that they can affect the governance, structure and representational organisation of a union. Unions that are active in the merger market have adapted

their structures to include trade groups or industrial sectors (Waddington and Whitson, 1995). These structures allow incoming unions autonomy within the larger merged union. In the case of transfers, which only require the members of the union transferring in to be consulted and balloted, Undy identifies four merger streams. The first is the geographical concentration merger "these typically entailed a regional or district union, recruiting in a specific industry and/or occupation, joining the national union organizing solely in the same territory" (2010:65). Undy states that 17 such mergers took place between 1978 and 2004 leading to only five regional and district trade unions remaining in the TUC.

The second stream is the white collar assimilation stream. These mergers involved a company specific union or staff association joining with a TUC affiliated trade union, organizing within the same job territory. Differing from the geographical concentration merger discussed above, which often involved smaller unions in financial trouble seeking a larger union to merge with, unions taking part in white collar assimilations were not looking just for financial salvation, but also for acceptance into the wider trade union movement and the TUC. Members of unions entering into these types of merger often profited from new and better union benefit packages and a better service due to being able to access the larger union's officers (*ibid*:65).

The third stream is the cognitive trade transfer, which entailed "industrial or national unions transferring to a general or conglomerate union with existing and significant presence in the smaller union's territory" (*ibid*). Finally Undy (2010) discusses what he terms a "fourth category of territorially miscellaneous transfers between unions in dissimilar territories" (*ibid* p.67). These transfers are often politically motivated,

with unions choosing to merge with other unions based on a similarity in their political positions.

Amalgamations differ from transfers in that members of all unions involved have to be balloted and a majority vote in favour before the merger can take place. Undy (2010) puts amalgamations into two categories, dominant partner amalgamations and balanced partner amalgamations. Dominant partner amalgamations take place between a large (dominant) partner union and a smaller partner union and are thus usually handled in the same way as a transfer of engagements, as discussed above. Emphasis is placed by the dominant partner upon meeting the demands of the smaller union, rather than creating a whole new union. However, Undy highlights the case of Unifi, where the merger process was used by the officers of the dominant Bank, Insurance and Finance Union (BIFU) to change the union's internal governance and representational structures. Whilst minor partners in amalgamations may be a lot smaller than the major, or dominant, partners they wield a great amount of bargaining power as they have the ability to choose a merger with another union, where one exists, or can just walk away from merger all together (*ibid*).

Undy (2010) states that balanced partner amalgamations differ as they have the ability to produce a new union with different structures and internal government to those of the merging unions. Kelly and Heery (1994:33-4) write that mergers can lead to "a more complex hierarchy, as separate organisations are bolted together". In balanced partner amalgamations a rulebook for the new organisation will need to be produced, which will outline the structures of the merged union. Undy (2010) writes that this can be integral to the amalgamation, where the rules are presented to the members before the merger is agreed. Agreement on the new rules can be

difficult to reach. For this reason, Undy (2010) explains some unions will choose to put off these negotiations until after the merger has been agreed. Undy states that the financial position of the new union, post balanced partner amalgamation, is often not seen as important, with “a general acceptance that moves towards industrial or sectorial unionism would deliver some, largely unstated, bargaining advantages” (2010:189).

It is noted by Waddington that merger has been central to the dramatic restructuring that has taken place in the UK trade union movement over the past two decades and had, in fact, been “the primary means of structural reform since the early nineteenth century” (2005:257). However, contrary to the aims of the TUC in seeking to promote merger as a way to simplify structure “mergers have added to its complexity in that they have crossed industrial, occupational and political lines of demarcation between unions” (*ibid*).

As mentioned above there were 284 mergers between 1979 and 2004. The period was punctuated by a number of mega amalgamations between some of the TUC’s largest unions. 30 unions were responsible for almost all of the transfers between 1979 and 2004. Three unions, Amicus, TGWU and GMB accounted for 76% of transfers during this period. Amicus, or the unions that came together to form it, was responsible for 86 transfers, 40 are attributed to the white collar unions that formed the MSF, 29 were completed by the AEEU, 12 by UNIFI and 5 by Amicus itself. The GMB completed 31 transfers and the TGWU 19. The TGWU and Amicus merged together in 2007 to form Unite (Undy 2008). The merger of Unite will be discussed in the next chapter.

If merger was meant to be a way for the decline in union membership to be arrested then it has failed. The unions that came together to form Amicus lost 1.1 million

members between 1979 and 2003 and the TGWU, over the same period lost 60%. Of those nine unions that managed to grow during this time only two, the FDA and NATFHE could point to merger as a major reason for this growth (Undy, 2008:33) and only the FDA can be seen to have only grown due to merger, with the other eight either not being engaged in any merger activity (NASUWT, BALPA, WGGB, Equity) or indicating growth even when numbers gained by merger are taken out (POA, AUT, EIS, NATFHE) (*ibid*:34).

Representational types.

The first decade of the 21st century saw a number of developments in terms of union representation, the one such change being the adoption of a number of new roles. Promoted by the TUC and to a lesser extent the New Labour government, Union Learning Reps (ULRs), Equality Reps (ERs) and Environmental/Green Reps (GRs) were developed as a part of the TUC's New Unionism initiative. Some have argued, such as Daniels and McIlroy (2009), that these roles and the support from Government for them is an attempt to constrain the militancy and independence of trade unions. However, as Moore (2011:2) points out "there is evidence that these new roles have encouraged the emergence of new activists and that they can provide the basis for more diverse activism". The advancement of these new representative roles can be linked to the attempts at union revitalisation outlined above (Wallis *et al*, 2005:284).

Union Learning Reps were given statutory provision in 2002 as part of the Employment Relations Act. Whilst given no rights to negotiate they were allowed reasonable time off and promoted by the government as "an inexpensive source of expert advice for employers" (McIlroy 2008:11). Wallis *et al* state that ULRs were

sold as providing increased learning opportunities to individuals, attracting new members for trade unions and offering increased productivity to employers (2005:284). Wallis *et al* (*ibid*) point to this as a success, with 6,500 ULRs trained at the time of the paper being written and 22,000 predicted to have been trained by 2010. However, McIlroy (2008:302) states that Wallis *et al* may have been premature in their assessment, claiming that a third of those reps that were surveyed in the Wallis study were inactive, 45% found management to be supportive whilst 45% found them indifferent. Two thirds of the ULRs had not been involved in any negotiations and where agreements were in place they were still bound by management prerogative, calling into question the claim by Stuart (2011:35) that "workplace learning agreements can be seen as one of the success stories of union learning activity". Most disappointingly, for those trade unionist that evangelised around the positive effects of ULRs was that 51% of those representatives surveyed were already existing shop stewards and 47% health and safety representatives. McIlroy does not outline how many of these reps were in actual fact performing all three roles, however, only 16 of the 60 reps surveyed were new to any union position (2008:11).

The role of Equality Representatives (ERs), like the ULR, emerged out of legislation. In the case of ERs this was the 2010 Equality Act, which bought together the previously separate equality bodies under one single Equality and Human Rights Commission (EHRC). Whilst it is true that ERs did exist in some cases prior to this, Moore argues that "the prospect of a new legal context and particularly the recognition of seven equality strands appear to have shaped the context for the ER role" (2011:97). Unlike ULRs, ERs did not receive any statutory rights to paid time off, facilities or training, although the EHRC did recommend that financial help be made available from the Union Modernisation Fund (UMF) for training and

development of networks of representatives. It was also recommended that unions and employers voluntarily renegotiate facility agreements to take account of the new roles. The refusal by the government to give statutory support to ERs was highlighted by Moore (2010) in a review carried out for Unison as a barrier to their long term potential.

The final and most recent incarnation of the workplace representative is the environmental, or green, representative (GR). Green representatives, as with ERs, do not have statutory support. Instead, ACAS recommends a voluntary code. GRs according to the TUC (TUC, 2015), are responsible for "promoting environmentally sustainable workplace initiatives and practices, carry out environmental risk assessments and audits, consult on environmental policies, practices and management systems" whilst receiving relevant training. The TUC reported that 1,300 green representatives responded to a Labour Research Department survey in 2009 and also reported that it had trained close to 1,000 reps, although admitted that it did not have evidence of this in the form of any database.

Wallis *et al* express "a mix of optimism and concern" (2005:298) in reference to the potential of these new representative types. However, McIlroy (2008:302) states that "if renewal is conceived as a movement wide goal and national strategy, it is difficult to see grounds for optimism". McIlroy (2008) discusses the findings of Wallis et al 2005, stating that the optimism comes from the evidence that ULRs (and it is assumed ERs and GRs) can aid union revitalisation within some workplaces. However, this is only where the unions are already strong and recognised, "no union recognition, no learning representative" (Davies and Freedland, 2007 cited in McIlroy 2008;299). Therefore, if the prerequisites for success, of these initiatives, are existing union strength and positive managerial attitudes, then union

revitalisation, in workplaces that do not have union recognition or where union organisation is weak, will be extremely limited.

Where ULRs, ERs and GRs have been established, it is argued by some, such as Daniels and McIlroy (2009), that the roles are somewhat restricted in scope, due to functions of these not involving collective bargaining or joint regulation. It is also highlighted by Moore (20011:98) that the roles themselves can reinforce discrimination due to the attraction of these positions to female, black, disabled and LGBT (Lesbian, Gay, Bisexual and Transgender) members. Whilst *prima facie*, the pull of these roles on members without the traditional characteristics of a union shop steward (white, straight and male) looks to be a positive thing, the danger is for roles such as the ER to become expected to be carried out by people with the characteristics described above, therefore enshrining the discrimination that the roles are designed to combat.

Taking a look at the national picture, there has been a general reduction in the number of workplace representatives and an increase in the number of workplaces that do not have any union representatives, compounding the issues raised above in terms of unions needing to have relative strength in order for initiatives such as those surrounding ERs, ULRs and GRs to be a success. The 2004 WERS survey indicated that only 45% of members in recognised workplaces had a union representative, a fall from 55% in 1998. However the position appears to have stabilised, with no change shown by the 2011 survey. The 2011 survey indicated that 53% of representatives were men, 86% were over the age of 40, with the average age being 48, up from 45 in 2004. The 2011 survey also indicated that 98% of workplace representatives were white. If the initiatives outlined above were

designed to attract more woman, young people and ethnic minority members to become reps then the 2011 figures would indicate that it has not worked yet.

The first part of this chapter has discussed the decline in union power that has taken place, in terms of political voice, membership, density and collective bargaining. This has been demonstrated through a discussion of how this decline has happened, including the key reasons for it and how unions have attempted to respond. Part two will now move on to explain the implications of the changing environment, outlined in part one, for research, firstly examining the traditional arguments that have been made around the links between union structures, strategies, government and democracy and then looking at the implications of the issues raised in part one for these traditional arguments.

Part two.

The growth of trade unions in Britain has been complex and haphazard, and this is reflected in their structure. Waddington states that “overlapping recruitment bases, a large number of unions that adhere to a variety of principles of organisation, and diversity in the origin of trade unions, contribute to this structural complexity” (2005:257).

Hyman (1975:41) comments, that union structure can only be understood if looked at in its historical context. He states that structure is not a fixed phenomenon but in fact a process of evolvement over many years. The importance of history is further expressed by Lyddon and Smith (1996:1) who cite Phelps Brown, stating that bygone affairs were not transacted on another planet: the motives reactions and propensities displayed in them are the same as those in play around us now. By studying them we enlarge and sharpen our knowledge of them”. However, most contemporary industrial relations research has moved away from historical study,

creating a gap between it and the traditional research. For example, Lyddon (2003:105) cites Hughes (1967) saying that Turner's work is essential reading for any "serious study of union structure and government" and it is pointed out by Lyddon that Turner's work is often absent in most contemporary literature (*ibid*). Since 1979, it has been rare that historical articles have been published in UK industrial relations journals (Lyddon, and Smith, 1996:2). Where historical research has been carried out, the tendency is for this to have been histories of individual unions (Murray, 2008, Callow, 2011, Foley, 1992), with history and theory being compartmentalized (Lyddon, and Smith, 1996:7).

Classifications.

Traditionally trade unions have been sorted into three distinct classifications, with Waddington (2005:357) commenting that by the twentieth century no single form of union had become the predominant model.

The first type is the craft union, which Hyman (1975:38) described as a union of skilled workers, which may straddle several different industries. Cole (1918:13) adds that this type of union, in purest form is made up of workers of a particular trade or who own a particular skill, with the goal of securing a set of common conditions. However Cole (1918:14) and Hoxie (1923:38) both point out that purity of this type is rare with craft unions often organising a number of kindred crafts rather than just one. Therefore, Cole (1918:14) notes that craft unions can be either very narrow or very wide, in terms of their membership base. Those that do only organise one trade are described by Hyman (1975:38) as being small and limited in influence. Griffin (2005:363) notes that in those countries such as the United Kingdom that were early to embrace industrialisation, craft unionism was usually the first type to become established and dominant.

Craft unions are often inward looking, small and likely to employ officers that have been elected from within their membership (Clegg *et al,* 1961). They do not set as policy the need to change the economic system, instead only being concerned with the need to make it work better from the point of view of their particular trade (Cole, 1939:536). Traditionally craft unions organised using the mutual insurance method to achieve their aims.

The method of mutual insurance, first used by the Webbs (1894:152), uses a number of friendly benefits to obtain for trade unions the goals listed above, by attempting to control a trade through autonomous regulation. Turner (1962 p.204) states that where possible unions will always prefer the use of autonomous regulation to collective bargaining and prefer collective bargaining to legal enactment. Trade unions using this method provide benefits for their members such as strike pay, unemployment pay, sick pay and pensions. These benefits have the duel effect of providing for members when out of work and also of making sure that their members maintain discipline, under threat of losing these benefits if they go against decisions made by the collective. The Webbs state that before collective bargaining was allowed and legal enactment was obtainable the method of mutual insurance was the only way for workers to legally obtain their objectives (1894:152).

Whilst the benefits provided by this method provide a safety net for union members who find found themselves out of work through unemployment or injury they also had a very important industrial function. Namely they allowed for members out of work to not be forced back to work on wages that were lower than the standard rate, thereby protecting it from erosion. Whilst on first appearances the benefits provided by unions under the method of mutual insurance look to be similar to those benefits provided by friendly societies, there is a very major distinction. Trade union

members primarily pay their subscriptions in order to improve and maintain their pay and terms and conditions. Only if this is done do they expect to receive sick or unemployment benefit. Therefore, unlike friendly societies, trade unions do not guarantee these payments and there are in fact instances where unions involved in protracted disputes have seen their funds diminished to such an extent that they are unable to pay benefits.

Coats and Topham (1988:43) note that the small size of craft unions meant using the legal enactment method was difficult, due to their lack of political influence. By limiting the number of apprentices in a trade, at any one time, craft unions were able to restrict the number of skilled workers available to employers, thus keeping wages high. Coates and Topham (*ibid*) go on to state that that the importance of craft unionism is not in their present state, which they point out has been in decline over a prolonged period, but in the imprint that the classification has left on modern trade unionism, such as the existence of sectional interests.

The second traditional classification is that of the industrial union. Cole (1918:15) states that promoters of industrial unionism attempt to recruit all workers in a particular industry into a single union, such as railway workers or construction workers, irrespective of their roles or level of skill. Coates and Topham (1988:43) add to this by explaining that benefits of industrial unionism are seen as their ability to eliminate inter-union rivalry and to bring all possible demarcation disputes within a single union. They are also able to command more bargaining power, due to their capacity to unite all workers in one bargaining organisation as opposed to a number of smaller, less powerful ones.

However, it is noted by Cole (1918:13) and Coates and Topham (1988:44-45) that proponents of industrial unionism in the United Kingdom, came up against a number

of problems. Firstly, it is pointed out by Coates and Topham (1988:45) that the possibility of organising a union across a whole industry has often been blocked by the establishment of craft unions and general unions organised across industrial boundaries or in tightly knit sections of a particular industry. Cole (1918:13) notes that to form a union by industry not only means the amalgamation of various craft unions, all with their own sectional interests, but also the recruiting of a number of lesser or unskilled workers, who would most probably already be members of a number of general unions organised across a number of different industries.

A second problem of industrial unionism, as described by Coates and Topham (1988:45-46), is the instability of employment in industrial sectors. They give an example of the National Union of Miners (NUM), which, when coal was the only fuel, was able to define itself by industrial means. However, with the introduction of gas, oil, electricity, and nuclear power as alternative sources of energy, the NUM saw its membership fall dramatically. Coates and Topham (*ibid*) add that fluctuations in employment, such as that in mining, call into question whether industrial unionism can form a long term prospect for organisation.

The third traditional classification is that of the general union. Cole (1918:10) states that the late 1880s saw semi-skilled and unskilled workers attempting to organise in a major way for the first time. Finding the trade union movement almost completely dominated by unions made up of skilled workers, with vested interests and inbuilt prejudice against workers without the same level of skills, these workers set up their own organisations.

The organisations that were set up became known as general unions, due to their acceptance of all workers into their membership, regardless of occupation or skill. Coates and Topham (1988:46) note that whilst general unions have almost no

restrictions in terms of who can join, their membership is weighted towards certain sections, due to their historical roots. An example given is the Transport and General Workers Union (TGWU now part of Unite), the biggest section of which was based around members of its predecessor union, the Dock, Wharf, Riverside and General Workers Union (DWRGWU).

Cole (1918:17) describes three situations in which general unions recruit members. Firstly they recruit members in industries where specialised unions have been set up to organise craft workers but from which lesser skilled workers are excluded. The second situation is where an industry has no specialised organised organisations to which workers are able to join and thirdly is where an industry does have specialist organisation but these have failed to organise nationally or to achieve their goal of industrial unionism. Cole (*ibid*) also points out evidence of some general union attempting to recruit members who are actually eligible to join strong craft based unions that have recognition in their industries.

Coates and Topham (1988:47) state that unlike other forms of unionism, general unions have the ability to adapt to changes in the labour market and have an almost unlimited scope for growth. The large size of these unions allows them to offer a more generous package of membership benefits than smaller unions which has the dual effect of retaining members and deterring minority groups from looking to break away due to sectional issues. They also point out (*ibid*:48) that the biggest advantage of large membership is the influence it allows general unions to exercise inside the Labour Party and the Trade Union Congress (TUC). However, it is also pointed out (*ibid*:48-49) that great size can bring disadvantages as well as advantages, such as internal democracy being undermined by the remoteness of policy making and union bureaucracy, also the make-up of membership can make

it difficult to wield the full potential power of the union as the more skilled, higher paid members may be reluctant to take industrial action in support of the lower paid members.

Whilst these classifications are seen as the main three traditional union types there are also other ways that unions can be categorised. The main additional type is occupational (or white collar) trade unions. Occupational unions seek to organise all workers within a specific job type or related group of occupations, such as teaching or nursing, and are less uniform in their structure than the apprenticeship based craft unions (Coates and Topham, 1988:50). Occupational unions face the same problems as industrial ones in that they often come up against craft and general unions that have recruited members in the area that they are attempting to organise. They also suffer from the same problems as craft unions, in reference to fluctuations within the labour market. Occupational trade unions are usually perceived to be white collar unions as they are concentrated primarily on the organisation of workers in non-manual occupations (Coates and Topham, 1988:50). This reflects the growth of the white collar workforce in the 1970s and 1980s, with many unions, of the previously described types, having created white collar sections in order to attract non-manual workers into membership. Flanders (1969:34-35) noted that although some manual unions had indeed set up non-manual sections most white collar workers were in occupational trade unions. Flanders further explains that white collar trade unionism was more rooted and successful within the public sector than the private sector, where it often lagged behind the manual, blue collar, unions.

Whilst the classifications discussed above demonstrate the differences between union structures, based upon a union's original make up or recruiting doctrine, Turner (1962:233) argued that this does not often reflect the reality of union

organisation, which is never as pure or as simple as the classifications above would suggest. These categories are too static and do not address the changing labour markets that the unions operate in. For instance, whilst some unions could have been described as craft, in reality many had taken into membership workers from outside of the original trade that the union was set up to organise (*ibid*:234). This was particularly the case, post 1980, where the decline in membership, discussed above, "impelled unions to seek membership anywhere, without regard to structural considerations" (Coates and Topham, 1988:55). Therefore, instead of using the traditional classifications discussed above, Turner classified trade unions as being either open or closed, in reference to their recruitment strategies.

Open unions, Turner (1962:241) explains, are not able to impose any restrictions on entry and therefore are content to accept into membership any worker that is employed within the sphere that the union is attempting to organise. A consequence of the lack of control that open unions are able to exert over the areas of industry in which they organise is that they have to rely on collective bargaining and political action to advance their aims. Turner (ibid:242) states that this, in turn, makes open unions expansive in nature, owing to the need for high membership, both in terms of bargaining power but also for financial reasons, due to the low levels of membership fees that can be levied on a membership that is predominantly not highly skilled and low paid.

Closed unions are described by Turner (*ibid*:242) as being smaller in size and more stable than the open type. They are restrictive in that they are able to control through apprenticeship and agreement with employers the supply of workers employed in the areas that they organise and also in respect to their limited interest in increasing by size. Turner (*ibid*) points out that rather than looking to increase their membership

base, the interests of closed unions are actually in the opposite: to place limits on the supply of labour to occupations that they control places the same limits on the union's membership. Turner (*ibid*) makes the point that it can be said that trade unionism in Britain has taken the form of "open, expansionist unions…spread around islands of stable closed unionism".

Turner makes a number of further important points in terms of open and closed union classifications. In terms of open unions he states (1962:243) that in order for expansion to take place, unions within this classification will at some point find it necessary to increase the number of occupations in which they organise. This Turner explains can be achieved, either through recruiting members in occupations that are close or connected to those already organised or else by following existing members into new job territories. Turner also makes the key point that unions' structures are not fixed permanently, stating that closed unions can become open and open unions can become closed, or can form closed sections within their membership (*ibid*). How this manifests itself will be discussed in more detail later.

Internal Governance.

As with structure, the internal governance of trade unions is complicated. The crucial argument made by Turner (1962:289) is that which linked the government of a trade union to the relationship between three key groups, the union's full time officers, the proportion of members who take an active part in the union's management and the proportion (usually the majority) of members who play no active part in the union's management. From this position, Turner theorised that it was possible to identify three distinctly different types of union management which he called exclusive democracies, popular bossdoms and aristocracies.

Turner details these three types of management, firstly looking at exclusive democracies which, it is explained (1962:289), are characteristically closed in nature. Hughes (1968:10) states that Turner's use of the word 'exclusive' places emphasis on the connection between a union's democratic structures and levels of participation and the union's occupational interests. Similarly to earlier descriptions of craft unions, Turner states (1962:289) that unions of this type are marked out as having high levels of participation by lay members and employing only a small number of full time officers. Importantly for the relationship between the union's officials and rank and file members, full time officers in this category of union are elected from amongst the members and therefore are seen as one of them, with the same intricate knowledge of the trade. Hughes points out that these unions are likely to take a "conservative, protective and restrictive" (1968:11) approach to industrial policy, using their ability to limit the supply of labour available for employment within the occupations organised, to achieve their bargaining goals.

The second typology described by Turner is that which he called the aristocracy. He explains (1962:289) that this type can be found either where a union that is closed in nature opens its recruitment to include workers from open occupations, such as ex-craft unions recruiting lesser skilled auxiliary workers, or where an open union develops within its membership a section that becomes dominant and in some cases virtually closed. These unions are defined by the ability of a particular section, or aristocracy, to dominate the union's affairs, through either being disproportionately represented on the union's constitutional committees or by providing a high number of the union's paid officials. Hughes (1968:11-12) points out that a dominant section can arise, not just out of exclusiveness, but also based on their industrial position in the workplace, such as face workers in the mining unions, or due to membership turnover being lower and more stable in one area

than other parts of the union. Turner (1962:290) explains that senior members of these dominant sections often behave as if having equal status with the union's paid officers, many of which they have provided, and in some unions are able to act with a great deal of autonomy from the central officials. Other sections meanwhile will be passive in nature, possibly through design by formal restrictions. Hughes (1968:12) takes this further, pointing out that the danger of aristocracies is the development of classes of workers, based on inequality of participation.

The third of Turner's three classifications is the popular bossdom, which he describes (1962:290) as open, not just in regards to having no restrictions on membership, but also in respect to the fact that no group of members have managed to accomplish a dominant position within their structures. Participation by members in these unions is low, paving the way for full time officials to acquire a dominant position, with General Secretaries able to wield great power. Hughes (1968:13) adds that it is in these unions the impact of a powerful official is most felt on policy and direction, citing the role of Bryn Roberts, general secretary of the National Union of Public Employees (now part of Unison) who, between being elected in 1934 and retiring in 1962, guided the union to increase its membership from thirteen thousand to two hundred and twenty one thousand members. Turner also gives an example (1962:291) of the TGWU, which switched to a militant position under General Secretary Frank Cousins, after being particularly moderate as an organisation under the previous general secretary, Arthur Deakin. The TGWU will be discussed more in the following chapter.

Turner (*ibid*) states that leaders of these unions accept low membership participation as natural and take the lack of any visible dissention as a sign of general approval. Turner adds that whilst some leaders may act as virtual dictators,

others have attempted to bring members more into the decision making processes of the union by putting emphasis on the democratic machinery of the union and looking for initiatives to boost the interests of members in becoming more active. Roberts, meanwhile, explains that strong centralised leadership, which may be seen as remote from the members, is a necessary consequence of unions of this size, due to these organisations being “far from homogeneous” (1957:12). Roberts also states that the centralised nature of some unions is based on the level at which they bargain, explaining that much negotiation, at the time of writing in 1957, had been removed from the place of work, often to a national level. This had meant that determination of basic conditions and wages had been moved a “considerable distance from the ordinary members” (*ibid*:13), necessitating the centralisation of leadership whilst at the same time reducing the necessity for active membership bases.

The changes in union strategies and structures, discussed in part one above, which were designed to stem the loss of members and influence after the 1979 electoral success of the Conservatives, has a number of implications for the discussions of structure and governance. To begin with it is important to note that much of the legislation bought in by the Conservatives, in order to reduce the power and influence of trade unions was, dressed up as increasing the power of the individual members, who were perceived to be moderate and sensible, at the expense of the union leaders, who were seen as militant and autocratic (Kessler and Bayliss 1998:176). To this end legislation was passed that saw all General Secretaries, Presidents, and national executive members being subject to elections a minimum of every five years. Whilst this was already the case in many unions, prior to the legislation being passed, the need for this to be done by secret ballot, as with industrial action ballots, was something new. However, whilst the legislation may

have had the intention of reducing the power of the union leaderships, there is evidence, as explained by Kessler and Bayliss (*ibid*) that the changes in law actually strengthened the position of some general secretaries and union hierarchies. For those unions that appointed their senior officers, elections allowed general secretaries to claim legitimacy, especially over the unions activists, who may be more militant and critical than the wider membership. This was also the case in reference to other areas in which secret ballots were introduced, such as pay claims, which allowed the union leaders to bypass the activists and go straight to the wider membership. Kessler and Bayliss (1998) again cite evidence from a Civil Service union general secretary who stated that the use of ballots amongst the membership had diminished the influence of conference, which were dominated by activists,

> Inland Revenue staff had, at a special delegate conference in 1990, voted to withdraw from a PRP scheme introduced two years earlier. In response the general secretary said that the union's executive would press for improvements to the current scheme rather than seek its abolition. The executive, he added, took its mandate from the membership which had balloted in favour of a comprehensive settlement, including performance pay (1998:176).

Another General Secretary is stated by Kessler and Bayliss (*ibid*:177) as believing that other changes, such as the legal requirement for unions to hold a central list of members had led to computerisation and greater financial efficiency, whilst moving power from the branches and districts to the centre. Most unions channelled income and expenditure through their central offices, meaning, along with the increase in the use of check-off, that the importance of branches diminished. This inclination for unions to become more centralised lends itself to Turner's popular bossdom

classification of union democracy, implying that the government's plan to "return the unions to the members", whilst in some cases reducing the influence of activists, did not achieve its aims.

In reference to the various renewal strategies outlined above (Servicing, Organising, partnership) some of the implications for democracy, governance and structure have already been discussed. Taking the strategies on their own will not give a true evaluation because, as mentioned above, unions only in a tiny number of cases choose one over another (Undy 2008:53). Most unions picked particular parts of different strategies, which they saw too their advantage. Therefore, whilst it would be easy to say that those unions choosing the servicing path could be characterised as becoming more centralised, with large administration and officer staffs, whilst organising unions were more decentralised with increases in staff aimed at recruiting and organising, this would not give a true or accurate picture (*ibid*). As discussed above, most unions embraced some parts of servicing and many describe themselves as organising unions (Unite, 2015, Unison, 2015, PCS, 2015). In the case of servicing, the part adopted most widely was not the expensive employment of large numbers of full time officials, but the cheaper and in some cases revenue generating, provision of financial services and other membership benefits (McIlroy, 2009:52). Unions that adopted only the membership benefits side of the servicing model did not see any great changes to their structures caused by this. Most of the benefits offered were bought in from and administered by outside organisations such as insurance and travel companies. However, those embracing the complete servicing model would need to make changes to their structures in order to integrate a large number of new full time officers.

How big an impact this would have been on internal structures would depend on the union in question. White collar trade unions, such as BIFU, were supporters of the servicing model but this was nothing new as these unions usually used a centralised servicing type model long before the strategy was popularised by organisations, including the TUC (Undy 2008:48). The biggest impact for unions adopting the officer led side of the servicing model would be on those that prior to its adoption did not have large numbers of officers, depending instead on networks of shop stewards. However, again this is not totally clear cut as unions such as the AEU, who adopted the servicing model, did not implement it across the whole union. In those areas that were already organised, strong shop stewards networks carried on as before, whilst the servicing model was used in workplaces where organisation was weaker or where recognition had only recently been obtained. For unions like the AEU and EEPTU the servicing model was closely linked to the partnership strategy.

Turning to the organising model, this too is not universal in the way that it was implemented and therefore the effects that it had on structure and governance. Some unions such as the TGWU and PCS formed organising departments staffed by dedicated union organising officers, whilst other unions integrated organising responsibilities into the roles of existing officers (Daniels 2009:260). Where organising departments were formed some unions, as discussed above, chose to utilise the TUC's organising academy to train its organisers, sponsoring candidates through the process before offering some employment after training was complete. Other unions such as the TGWU and now Unite opted to carry out their own organising training (Murray, 2008:203, Daniels, 2009:259). Unions that have organising departments differ in the level that these departments operate. Some such as the PCS have a national organising strategy with the intention that

organising filters down into every part of the union (PCS, 2015, Daniels 2009:261). The union has both national and regional organisers that are tasked with supporting the unions' organising strategy at national, regional, sectorial, branch and workplace level (Daniels 2009:264). Other unions have different strategies. Unite, for example, working on plans first put into place by the TGWU, has its organising strategy tied to its one hundred percent campaign with regional organisers and organising teams working under a centralise organising framework. Unlike PCS, Unite does not place as much emphasis on organising being interwoven into everything. For example, branches, apart from workplace branches that are designated as being part of the one hundred percent campaign, do not have a stated organising role (Unite, 2013:36).

Mergers also have a number of implications for government, democracy, representational roles and relationships, some of which have again been discussed above. When unions come together, either as an amalgamation or transfer, there will be repercussions in terms of democracy, structures and representation for all of the parties. In the case of a transfer the effects on the union or unions transferring in are likely to be felt more than the effects on the union being transferred into. However, this is not always the case. In terms of structure, mergers may necessitate the creation of new sectors, in unions such as Unite, with a federal structure, or will inject numbers of members into already existing sectors or trade groups as was the case when the printing union, GPMU, joined Amicus, instantly swelling the numbers in Amicus' existing printing and graphical section. Members in small unions that find that they have been subsumed into larger ones may feel that they have lost some representational voice. Structures need to be altered in order to integrate the officers of a transferring union or all of the officers of amalgamating unions or else staff reductions will need to be managed, and where job losses take place, it may appear

to the members as a takeover if the officers remaining in position are predominantly from one of the merging unions.

As discussed above merger may lead to unions consolidating their positions in a particular job territory, often opening up membership to a wider range of occupations and skills, or may see a union move into a job territory where it was only lightly organised or not at all. In all of these cases unions will be moving towards a more open structure, which is more general in terms of its classification. Turner's theory would, therefore, suggest that the governmental types of merging unions would be, or would be moving towards, the popular bossdom governmental style, although as suggested, mergers may also lead to aristocracies if one of the unions or a section within them, can take a dominant or influential position within the union's governmental structures.

A major issue in carrying out this research has been the limitations and fragmentation of the contemporary research in this area of Industrial relations, which has been highlighted by this chapter. There has been much written about renewal strategies and mergers, in terms of their importance for union attempts to reverse their fortunes, post 1979. However, whilst there has been some attempt, notably by Undy and Waddington, to discuss the effects of merger on trade union structure and representation, this is still rather limited, focusing mainly on the merger process and reasons for merger rather than the effect that the merger has on the people that work for, and those that are members of, the union. This is a similar story in terms of union renewal strategy debates, with much written around what these strategies are and how and why they are introduced. However, there is compartmentalisation in this research, with no real linking of all the issues together. The research is either into renewal strategies, merger or structure but there is no contemporary work

looking at how these affect each other, the standout work being that from prior to 1979, notably Turner in 1962.

Summary.

This chapter has attempted to investigate and explain the key developments that have taken place with trade unions since 1979. Firstly it examined the decline that has taken place in terms of trade union power, including political voice, membership numbers, density and scope for collective bargaining, before explaining the key strategies and policies, used by the unions, to attempt to arrest the decline, such as servicing, organising and merger. This then led on to the second part of the chapter which looked at the implications of the changing environment, described in part one, on research examining the traditional arguments around structure, strategies, governance and democracy, through both traditional and contemporary literature. The chapter ended with a discussion of the difficulties of researching this area, due to weakness of the contemporary literature.

One of the key issues discussed was the importance of the historical context, which is often omitted from the contemporary literature. The first part of Chapter three will now set the historical context for this thesis, by plotting the history of the key unions that came together to form UNITE. This will be followed by a discussion of UNITE, as a contemporary organisation, explaining its structures and governance.

Chapter 3: The complexities of trade union structures – the case of Unite.

The aim of this chapter is to explain and highlight the issues associated with trying to examine the structures and strategies of a contemporary trade union by carrying out a detailed analysis of the history and internal workings of the UK's largest union, Unite. As with the previous chapter, this will be split into two sections. Part one will explain how the merger of Unite came to be, plotting the history of Amicus from the early craft unions of the nineteenth century and the TGWU from the early general unions of the late nineteenth and early twentieth centuries through the considerable number of mergers that led to the two unions that merged in 2007. This section will explain how these two unions (Amicus and TGWU) grew to be the unions that they were prior to 2007 and what the complexities of these two unions mean when trying to apply theories on union structure such as Turner's. Part two will examine Unite. It will analyse the key policies of Unite and how these play out in reality looking at the tensions between organising and servicing, member led, managed activism, leverage and industrial action, and community organisation.

The aim of this chapter is to demonstrate the importance of history when trying to explain the workings of an organisation, such as UNITE, linking the union's past to its present industrial, political and representational structures and policies. In doing this the complexities of researching a large trade union, such as UNITE, will be exposed, linked with the difficulties that have arisen from a lack of strong contemporary literature in this field.

Part one.

This part of the chapter will be examining the creation of UNITE, beginning with a discussion of the unions that amalgamated/merged together, over more than one hundred years, to eventually form Amicus and then carrying out a similar discussion in relation to the Transport and General Workers Union. This will demonstrate and identify, following Turner (1962), the type, democratic structures, policies and practices that UNITE's predecessor unions adopted. The section will conclude by looking at UNITE's early history, explaining how the union came to be and some of the issues that have so far arisen, in terms of its structures.

Unite was formed in 2007 from a merger between the Transport and General Workers Union (TGWU) and Amicus. This makes Unite a particularly interesting union to research due to the differing histories of the two merging unions. Amicus, was the result of a merger between the Amalgamated Engineering and Electrical Union (AEEU) and the Management Science and Finance Union (MSF), which were themselves the outcome of several mergers, and can thus trace its history back to the closed engineering unions of the nineteenth century, which, using Turner's terminology, could be seen as exclusive democracies. From these early closed unions the organisation has gone through a significant degree of structural change, resulting in the large open unionism of Amicus and the conglomerate that is Unite. The TGWU, meanwhile, began as a large open, general, union and has remained so throughout its history growing in size to become the UK's largest union before declining in size throughout the 1980s and 1990s.

Amicus - The Engineers.

As stated above, Unite was formed by the merging of the Amicus and TGWU unions, with Amicus being the result of an initial merger, in 2002, of the AEEU and MSF unions. The AEEU, which itself had been formed in 1992 by the merger of the Amalgamated Engineering Union (AEU) and Electrical, Electronic, Telecommunications and Plumbers Union (EEPTU), could trace its routes back to the new model unions of the mid nineteenth century.

The AEU's history began in 1851 with the forming of the Amalgamated Society of Engineers from the amalgamation of the Journeymen Steam Engine makers and a number of its smaller rivals (Cole 1939:39). The aims of the organisation had been to unite all skilled engineers in one union, and whilst this was not fully realised, due to a number of craftsmen choosing to keep their own closed organisations, the ASE soon became Britain's leading craft organisation (*ibid:* 40), with a membership total bigger, by 1852, than all other societies covering engineering trades put together (Jefferies 1945:32). The forming of the ASE was a new stage in British trade unionism, with features such as centralised control of funds and industrial action plus high contributions, marking it out as a new model of trade union, which became the basis for other organisations forming around the same time (Cole 1939:40, Jefferies 1945:32, Webb and Webb 1894:217).

The reluctance of engineering employers to accept the legitimacy of the ASE led, in January 1852, to an attempt to smash the union, with a strike by ASE members in Oldham being met with a great lock out of engineering workers in Lancashire and London (Cole 1939:41-42, Jefferies 1945:38-39). The lockout ended in victory for the employers, with all workers made to sign a document, prior to returning to work, renouncing the union. However, the duress imposed on workers to sign the

document meant that it was regarded by ASE members as non-binding (Cole 1939:41) and far from being smashed the ASE doubled its membership in the ten years following the dispute, whilst amassing an unheard of sum of £73,398 in funds (Webb and Webb 1894:226).

Between 1883 and 1891, based on a period of prosperity and the success of the 'New Unions', the ASE's membership grew from 53,740 to 71,221 (Pelling 1992:94), maintaining its position as the lead union in the engineering industry. The Employers Federation of Engineering Associations (EFEA) was formed as a direct response to the growth in strength of the ASE (*ibid*: 102) and in 1897 there was a second great strike and lockout called over the Unions call for an eight hour day and the employers insistence to be "masters in their own workshops" (Webb and Webb 1894:484-485). The lockout continued for six months and although the ASE received generous financial support from other unions, the expenditure needed to sustain the dispute was too high, leading to a humiliating climb-down for the unions, with the campaign for an eight hour day dropped and other rights ceded to the employers (Pelling 1992:103).

The stigma of the defeat and the terms of settlement caused a great amount of upheaval in the ASE, with much debate about its structures and constitution. Between 1898 and 1914 the terms were discussed at every delegate meeting, with branches regularly calling for them to be abolished or renegotiated (Jefferies 1945:151). In terms of the union's structure, a large amount of importance was put on how the organisation was to interact with the large number of semi- and unskilled workers that were entering the industry. The question of how to deal with semi-skilled workers was answered at the 1901 delegates meeting in Manchester where, by a slim majority, it was agreed to widen the societies' entry criteria with the creation

of a machinist's section (*ibid* 166). However, in the face of strong opposition from members this new section was largely inoperative, with only four thousand members recruited to it by 1904. The 1912 delegate meeting caused further internal conflict with the adoption of a section for unskilled workers (section F). This resolution was again met with opposition from the rank and file, even more fervently than the machinist section had been and in 1917 section F was completely abolished.

Whilst shop stewards had existed prior to the First World War they had not been seen as important, with many engineering workshops having no stewards at all (Cole 1939:165). The conditions created by the war allowed for great advancements in the shop steward movement, particularly within the engineering industry. The Munitions of War Act, passed by parliament in 1915, prohibited unions from calling strike action, therefore, when grievances developed into strikes, during these periods, workers looked to leaders elected from within their workplaces (Cole 1939:165). During the war, in some large engineering organisations, the shop stewards committees took over the job of negotiating with management on issues regarding conditions (Webb and Webb 1919:489) and after the war an agreement was achieved in 1919, between the unions and employers, on the official recognition of these stewards (Jefferies 1945:186).

The ASE's membership grew between the beginning and end of the war from 170,000 to 300,000. However, many workers within the engineering industry still remained in associations outside of the ASE and attention was once more turned to uniting all skilled engineering workers in one union (Webb and Webb 1919:487). In 1918 twenty two societies from across the engineering industry were invited to look at proposals, drawn up by the ASE, for amalgamation. Seventeen of those invited agreed to put the proposals to their members and with the ASE and nine others

receiving a vote in favour; the new Amalgamated Engineering Union came into being on the 1st of July 1920 (Jefferies 1945:192-193, and Pelling, 1992:157) with 450,000 members.

The new union's constitution was almost identical to that of the ASE, with only slight changes. The delegate meeting was replaced by a national committee, consisting of two members from each of the union's divisional committees, which would meet annually to receive a report from the executive and give guidance on future policy. A special meeting of the committee would take place every four years to debate proposed rule changes. Shop stewards were also recognised within the new constitution, with the right to have a direct involvement in the forming of policy, rather than their traditional role of recruitment and retention of members (Jefferies 1945:192-193).

The 1920s and 1930s were rocky years for the engineers, punctuated by two key issues, the General Strike in 1927 and great depression, which began in America, in 1929, but soon transmitted to almost every capitalist economy (Jefferies, 1945:233-235). The build up to the general strike had been a long one. The British Communist Party's official newspaper had run the headline "Thirty-four weeks to go" in august 1925 (Lane, 1974:18) referring to the ending of the mining agreement, which it was anticipated would spark "the greatest struggle in the history of the British working class" (*ibid*). This headline came one month after the signing of the previous mining agreement on what became known as red Friday, after the Prime Minister, Stanley Baldwin, personally intervened in order to overt a boycott on the movement of coal, planned by the railwaymen and transport workers, in support of the miners (Pelling, 1992:162). Whilst the Unions are accused of being late in organising for the General Strike, the Government were not (Lane, 1974:18) and

when it came, it was seen by many commentating at the time, including the UK Communist Party, as being doomed to fail, as indeed it did (*ibid*:24-25).

The experience of the general strike for the Engineers was a short one. The plan had been that key industries such as transport, print, iron and steel would begin their strike at midnight on the 3rd of May, with the engineering and shipyard workers acting as a second wave, coming out a week later on the 11th of May. But, whilst these workers "received their marching orders with enthusiasm and a sense of relief" (Jefferies, 1945:233) the strike was called off the next day, after discussions, between the Government and the TUC general Council, led to the unions' capitulation.

Despite the failure of the General strike the 1920s had been a mixed decade for the engineers. The first half had seen the union lose members, whilst the second half had seen these fortunes reverse, with a rise in numbers, including some in two newly introduced sections, for less skilled engineering workers, although this did not immediately bare fruit, mainly due to the elitist attitudes of the union's branches (Jefferies, 1945:235 and Pelling, 1992:194). However, this limited revival of fortunes was to come to an abrupt end with the great depression hitting the UK economy, after beginning in the US in 1929. As mass unemployment hit Britain, the burden of paying out unemployment benefits to members hit the engineers hard, severely weakening the union's funds and prompted the engineering employers to launch an attack in 1931 that resulted in major changes, to the detriment of workers' pay and conditions. (Jeffries, 1945:240). In 1933, the engineers fortunes began to change again as the economy began to recover, with membership numbers again rising, including many new members in the lesser skilled section introduced in 1926. With the rise in numbers the union was again able to go on the offensive, managing to

return pay and most conditions, by the end of the 1930s, to the levels enjoyed prior to 1931.

The conditions presented by the Second World War, such as the expansion of the engineering industry, saw the membership of the AEU grow to 900,000 by 1944. This huge increase in membership had been fuelled by the recruitment of many semi-skilled and unskilled workers, the formation of a youth section in 1940 and the historic admission of woman into the union, for the first time in its history in 1943, bringing it into direct competition with the TGWU and National Union of General and Municipal Workers (NUGMW), who till this point had been the main organisers of woman workers (Jefferies 1945:259). This rapid expansion in membership presented problems for democracy and organisation that were completely different to that of the smaller organisation that the AEU had been prior to the war. Seen as essential that as many members as possible were involved in the decision making and running of the union it was the role of the shop steward which was seen as holding the key. Targets were set to have an AEU shop steward in every section of every engineering establishment and the representational role was further developed to include the encouragement of members to attend their branch meetings and to demonstrate the value of membership through willingness to deal with the problems encountered by members, both at work and at home (ibid :261).

The next significant merger to affect the AEU was its amalgamation with the Amalgamated Union of Foundry Workers (AUFW) in 1967 and a further merger with the Draftsmen and Allied Trades Association (DATA), who later became the Technical, Administrative and Supervisory Section (TASS) and Constructional Engineering Union (CEU) in 1971, to form the Amalgamated Union of Engineering Workers (AUEW) (Undy *et al* 1981:188). A continuation of the ASE's goal of uniting

the engineering industry in one union, the AUEW was dominated, as prior mergers were, by the AEU which had a million more members than any of the other unions. The CEU was in fact smaller than some of the AEU districts. However the merger was important in that it bought a large number of white collar workers into the union through DATA, merger with whom had first been discussed in 1919 (Foley, 1992:48), further opening the recruitment base of the union and continuing the evolvement of the union into a general union for the engineering industry (*ibid*).

Taking a federated structure the four merging unions kept their own governmental structures, under the umbrella of the AUEW (Undy *et al* 1981:200), making the new union effectively an industrial engineering union with four separate trade groups. Whilst this was a major change for the AEU section, the only structural change of any consequence was the addition of a new top tier of decision making to the union's vertical structure, in the form of an annual joint conference and joint National Executive Council, with the AEU's general secretary serving as such for the whole of the AUEW's existence (Undy *et al* 1981:101). However, a number of difficulties were to arise which stopped the merger from becoming a full assimilation of the four sections into one coherent unit. The relationship between TASS and the AEU had long been a difficult one. The two unions were often at odds politically, the final straw being the AEU's courting of a merger with the right of centre Electrical, Electronic, Telecommunications and Plumbing union (EETPU) (Foley, 1992:60). With TASS against this merger the AEU national committee's 1985 meeting voted to dissolve the federation, forcing TASS to go it alone (*ibid*). The remaining three sections of the AUEW subsequently merged fully, in a reformed AEU (Willman *et al* 1993 :155).

The 1980s, as for most unions in the UK, were a challenge for the AEU. The reformed union, in 1985, had 975,000 members, but by 1989 this number had fallen

to 741,647. The aforementioned merger with the foundry and construction sections left the AEU with two loss making sectors (Willman *et al* 1993 :168) and the union's structure, which had no provision for federation or sectionalism, made the union unattractive as a merger partner to smaller unions that would have wished to preserve some sort of identity (*ibid*).

In 1989, amalgamation talks with the EETPU broke down over differences in the two unions' democratic structures, political ethos and the career aspirations of leading officials (Undy 2008:148). However, merger with the financially secure EEPTU offered the AEU security, and also offered both unions the ability to move forwards in their goal of uniting the engineering industry under one banner (ibid). Therefore, merger talks began again in 1990 and were successfully concluded in 1992, with the union new Amalgamated Engineering and Electrical Union (AEEU) formed on a rule book that did little more than bind the two unions together, largely unchanged structurally, with agreement that a new, more comprehensive, rule book be put into place within four years.

The EEPTU, like the AEU was rooted in the craft traditions of the nineteenth century New Model trade unionism. In 1889, at the time of the great Dockers Strikes in which the TGWU can find its origins, the Electrical Trade Union (ETU) was formed at a delegate conference in Manchester. The new union, it was agreed, would be based on a set of rules modelled directly on those of the ASE, however, no decisions were taken on issues such as the location of the head office or the makeup of the executive committee or the identity of the unions officers, with those decisions deferred to a second conference the following year (Lloyd 1990 :1).

Whilst the origins of the EEPTU, through the ETU, mirrored those of the AEU, the two unions which merged in 1992 were very different in structure and governance.

Unlike the AEU, which had always vehemently defended its democratic structures, including the legitimate rights of members to form moderate and broad left organisations within the union, the ETU was highly centralised and dominated by a national leadership that held a moderate right of centre ideology (Undy 2008 :148).

Many unions have within them some form of political system, often based around factions. Edelstein and Warner (1975:188) describe these factions as a "somewhat organised special-purpose group within a larger organisation". Usually these factions are described as being either right or left, however, rather than right-wing meaning conservative and Left-wing meaning Socialist/Labour, as it does in main stream politics, left and right within trade unions refers to the wings of the labour movement. Those described as left wing; therefore, usually include Communists, Maoists, Trotskyists, socialists and left wing members or supporters of the Labour party, whilst the right includes more conservative members of the Labour party and other individual's committed to opposition to the policies of the left (Bray et al:2007:85-86, Edelstein and Warner 1975:191).

Agreeing with the earlier work of Allen (1954) and Roberts (1956) that these factions have never been admitted into a trade union as a legitimate opposition, Edelstein and Warner state that whilst they exist, within trade unions, as organisations, they are "almost invariably only semi-organised, covertly organised or at least relatively restrained in organisational techniques" (1975:190).

The right wing political ethos of the electricians had led to tensions in the Trade Union Congress (TUC), over the EETPUs aggressive commitment to single union no strike recognition deals, often at the expense of other unions (Callow, 2011:45). The policy led to the EEPTU being expelled from the TUC in 1888, after it refused to accept the decision of the TUC inter-union disputes committee, in reference to

two single union deals signed by the union, which undermined previous claims to recognition by the TGWU (Undy 2008 :42-43). This was in addition to the infamous involvement of the EETPU in the 1985 dispute at News International's Wapping printing plant. During this dispute the EETPU was accused by SOGAT and the NGA (who would subsequently join the EEPTU, when merged into Amicus), of recruiting workers for News International, to carry out the work of striking workers in two of the company's other branches (Lloyd, 1990:628).

The EEPTU was to stay outside the TUC until the formation of the AEEU in 1992, by which time it had become apparent that the leaderships goal of forming an alliance of moderate leaning trade unions, in opposition to the TUC, had failed (Undy 2008 :149). The union had failed to complete any merger of substance and the aborted merger talks with the AEU in 1989 had partly been caused by the EEPTU's position outside of the TUC. This was compounded by a threat by the Confederation of Ship Building and Engineering Unions (CSEU) to expel any union which was not a TUC affiliate, which would have seen the job territory of the EEPTU threatened by poaching from competitor unions, within the industry (*ibid*).

As mentioned above the AEEU was formed on a minimalist set of rules with agreement that a new set of rules be in place within four years. Left to the leading officials of the two unions, including the exclusively full time official staffed national executive committees, negotiations on the new rules ran into major problems over a series of issues. In order to solve this impasse a compromise was made, with the resulting rule book of the AEEU, accepted by ballot of the membership in 1996, being a middle ground between existing rules of the AEEU and EEPTU. Power was moved from the branches and district committee, as was the AEU model, to the shop stewards and industrial committees, in line with EEPTU traditions (Callow:

2011:50). The election of officers, long seen as non-negotiable by the AEU, was to remain, as was the staffing of the NEC by full time members. Also, whilst policy conference decisions where binding on the NEC, the executive was given the power to put any question of policy or rule amendment to a postal ballot of the membership. All in all the new rules of the union were seen to centralise decision making whilst reducing the influence of AEU branch activists (Undy, 2008:210).

Whilst negotiations had been taking place over the union's rules, another significant event was taking place in the political make-up of the new union. Both the AEU and EETPU were seen as being on the moderate side of the union movement. The AEU, as mentioned above, had an established factional system (Callow, 20011:50), with moderate and left wing groupings and at the time of merger it was the moderate group that held the majority of seats on the executive as well as the positions of general secretary and president. All evidence pointed to the AEU moderate group continuing this dominance in the AEEU, however, when the positions of general secretary and president both became unexpectedly vacant, the AEU moderate group collapsed amid squabbling over its choice of candidate for the position of president, allowing the left wing candidate, Davey Hall, to win (Undy, 2008:201). This was followed by the election of the EEPTU moderate, Ken Jackson, as general secretary (Callow, 2009:47).

Almost immediately after the introduction of the 1996 rules, the newly elected general secretary sponsored a number of changes to the government of the union which prompted Davey Hall to resign as president. This resignation prompted further opportunistic changes to the union's rules and governmental structure (Undy, 2008:210). The post of president was removed and the executive was reconstituted as a lay body, whilst the election of full time officers was replaced by appointment,

something, which as mentioned above, had been a major sticking point in the drawing up of the union's initial rules. The changes further centralised governance whilst reducing the influence of former AEEU officials (Callow, 2011:46). However, these changes, along with the raising of officer salaries in line with other unions made the AEEU more attractive as a merger prospect, given that the new structures mirrored those of potential merger targets. (Undy, 2008:210-11).

The changes made to the AEEU structures and the continuation of moderate control were important in securing the 2002 amalgamation with the Manufacturing, Science and Finance union (MSF). Continuing the mission of the engineers, to organise all skilled workers within the engineering industry, the MSF was an attractive partner for the AEEU, albeit with some 50% of the MSF membership not involved in manufacturing (Undy 2008 :150). The MSF was itself the product of a merger, in 1988, between the Association of Scientific, Technical and Managerial Staffs (ASTMS) and TASS (Pelling, 1992:295), who as discussed above had been a part of the AUEW, along with the AEU, but had parted company, in 1985, mainly due to political differences with the AEU and unhappiness at a possibly merger with the EETPU. After disaffiliation in 1985, as discussed in chapter two, TASS merged with a number of small unions, notably the gold and silver smiths, through what Waddington refers to as political, rather than industrial logic (2005:283). However, changes, particularly technological ones, that had replaced the old draftsman offices in which TASS had been best organised, had hamstrung the union (Callow, 2011:145) causing it to seek out bigger merger partners. The Merger in 1988, between TASS and ASTMS, to form MSF, had originally been planned as a larger merger, driven by ASTMS General Secretary Clive Jenkins, which would bring together the four largest white collar unions, however, this failed when talks with the CAWU and BIFU, did not come to a positive outcome (*Ibid*:144).

Difficulties caused by restructuring after this merger and failure to successfully merge with the Institute of Professionals, Managers and Specialists (IPMS) in 1998 had left the union in a financially precarious position. The union had been on a bad financial footing from the beginning, due to the spiralling debts and loss of membership, brought to the merger by TASS, and by 1992 the level of debt had reached £11 million. Therefore, the MSF had more defensive priorities in securing a merger. The preferred merger target had been the IPMS, which was the union for professional engineers, due to its reserves. However, this merger failed after the proposal to enter merger talks fell by one vote at conference. Unifi was also considered, but ruled out as neither executive could see an advantage of joining two financially insecure organisations. This left only the AEEU as a practical choice, effectively returning TASS to the merger it had rejected seventeen years previous (Callow, 2011:152).

However, the forming of Amicus, from the merger of MSF and AEEU in 2002 did not turn out the way that its moderate architects had perceived. Agreement had been put in place that the union would be vested with joint general secretaries presiding over their former sections, until retirement (Callow, 2009:22). However, members of the moderate group in the AEEU section of the union convinced Ken Jackson to extend his period of office beyond the age of 65, in order to ensure the continued control of the general secretary post, whilst restricting the influence of the MSF, under Roger Lyons. Therefore, the newly knighted Sir Ken Jackson stood for election in 2002, backed by the moderate AEEU united group. But, Jackson did not win the election, which was won by the Broad Left's candidate, Derek Simpson, on the back of a wave of membership resentment against the moderates and when Roger Lyons was removed by the Certification officer in 2004, having failed to fight an election in the previous five years, Simpson found himself as the sole general

secretary of the union. Backed by the Broad Left, who had also made significant inroads into the Amicus National Executive, Simpson signalled a shift to the left by denouncing single union no strike agreements and sweetheart deals, whilst joining the group of general secretaries known as the awkward squad (Undy, 2008: 202)

Under the leadership of Simpson Amicus acquired a number of further mergers, the two most significant being those with the banking union, Unify, and the Graphical Paper and Media Union (GPMU) (Callow, 2011:199). Both of these unions were themselves the result of mergers. In the case of Unify this had been a merger of two unions in some degree of financial difficulties, the Banking Insurance and Finance Union (BIFU) and the Barclays Bank based UNiFI, and one, the NatWest Staff Association, in a reasonable financial position. However, the financial position of the GPMU had ebbed and flowed and by 2001 a mixture of membership loss and financial problems caused by constitutional issues, such as the ability of some of its branches (known as the Taliban Branches) to retain more than 50% of member contributions, had caused the union to seek out merger partners (Undy, 2008:72-73).

The Unifi merger allowed Amicus to add one hundred and fifty thousand members to the fifty thousand already in its financial section and also stopped some of the smaller staff associations, which existed in banking and finance, from playing the two unions off against each other. In the case of the GPMU, Amicus only had a small number of technical and craft members working in paper and print; however, this small existence was bigger than the TGWU, the next largest union in the area. Merger with the GPMU, therefore, gave Amicus an entry, on a large scale, into a sector in which it had only limited organisation. For the GPMU, Amicus offered a specially created section with almost full autonomy for the first five years. Also,

importantly, the merger offered a way to reign in the `Taliban branches`, by ending the ability to hold monies outside of the control of the central union. (Undy, 2008:72-73). The election of, left leaning, Simpson was important in the decision of the GPMU leadership to recommend Amicus as the favoured merger partner when members were asked to choose between that and the TGWU. It is inconceivable that this recommendation would have been so had the right-wing leaders of AEEU and MSF still been in the ascendancy.

However, only three years later members of the former GPMU, would find themselves merging with the TGWU as part of Amicus, to form the huge, conglomerate union Unite. Before discussing Unite however, it is necessary to examine in detail the history and traditions of the TGWU.

The TGWU. The General Union.

The TGWU was formed in 1922 but to get a real understanding of the union's origins it is necessary to go back further than this, to the beginnings of new unionism and the 1889 dockers strike. Prior to the late nineteenth century, trade unionism had been uniquely an issue for skilled and craft workers which, as discussed above in reference to the ASE and EEPTU, tended to be small, highly democratic and took the form of friendly societies (Murray, 2008 :14).

Those involved in unskilled labouring were seen by the leaders of established unions as un-organisable. However, this was to change. In 1889 living conditions in the east end of London were described as being amongst the worst in the whole of Britain. Herded together into slum housing, with little in the way of sanitation, those living in the east end suffered from a low life expectancy, poor diet, an absence of health care and it was against this backdrop that the conditions that led to the dock strike were able to grow (Murray, 2008 :15).

The strike began with a local dispute on the South West India Dock, which was spread along the whole of the waterfront, under the leadership of Ben Tillett. Calling for an increase in pay from 5d to 6d (known as the Dockers' Tanner) and a fairer distribution of bonus', the strike swelled to include over 30,000 dock workers, with as many workers again coming from other trades with connections to the riverfront, such as carters. After five weeks the dispute was bought to an end, after mediation by the Catholic Church, with the strikers winning almost all of their demands (Coates and Topham, 1991).

Trade unionism in the UK had been changed for ever by the dockers' dispute. Unions catering for those workers seen as unorganisable by the craft elite were established across the nation for workers in the docks, gas works, agriculture and other areas with high concentrations of unskilled labour (Coates and Topham, 1991:124). In 1890 there were two hundred thousand members in these unions, with membership of trade unions, as a whole, doubling in the UK. Whilst the ensuing years would see attacks launched on these organisations by the employers and state, new unionism was to survive to become the primary force in the UK labour movement.

1921 saw nineteen of these unions entering into amalgamation talks to form the union which would be the TGWU (Coates and Topham, 1991:773). These talks came in the wake of a great deal of industrial unrest in Britain. Thirty five million days were lost to strikes in 1919 rising to eighty five million in 1921 and the successful revolution by Bolsheviks in Russia in 1917 looked likely to be the precursor to revolutions across Europe. The mood in Britain is highlighted well by the following quote attributed to Prime Minister Lloyd George. On the eve of a united strike by transport, rail and mine workers, leaders of these unions, known as the triple alliance, were told by Lloyd George:

> We are at your mercy…If you carry out your threat to strike, then you will defeat us. But if you do so…have you weighed the consequences…For, if a force arises in the state which is stronger than the state itself, then it must be ready to take on the functions of the state, or it must withdraw and accept the authority of the state. Gentlemen, are you ready? (Murray, 2008:31).

In the event, the government conceded most of the demands of the unions involved and the leaders of said organisations, whom had no perspective for assuming state power, called off the action. The weaknesses of trade union organisation in Britain were exposed by the post war situation. The Transport Workers Federation (TWF), which included many of the unions which would make up the TGWU, attempted to progress the objectives of union members working in the sector. However, the federal structure, which gave considerable autonomy to the affiliated organisations, meant that reacting to events quickly and effectively was often difficult (Coates and Topham, 1992:767). The answer, seen by many, was full amalgamation of all transport unions; however, in the end this was too ambitious. Nineteen mainly dock and road transport unions entered into the eventual merger discussions, whilst

others, notably the rail unions and seafarers' unions, chose to continue with the status quo. Of the nineteen unions which balloted their members on the question of amalgamation, fourteen secured a successful outcome with those unsuccessful either voting against or not acquiring the required fifty percent turnouts, which legislation demanded. The TGWU came into being on the first of January 1922 (Coates and Topham, 1991:810).

As proposed by Turner (1962) the tendency of general unions is to conform to the categorization of popular bossdom, under the control of powerful general secretaries. The TGWU is a very good example of this and its history is best plotted via the tenures of these men (so far they all have been). Ernest (Ernie) Bevin joined the dockers union as a carter in Bristol and in 1911 started working as an official in the Bristol office. Rising through the union's ranks, Bevin became highly influential in both the Dock union and the TWF and on the formation of the TGWU was elected as the first general secretary, securing ninety six thousand eight hundred and forty two votes, whilst his two opponents gathered just ten thousand between them (Coates and Topham, 1991:843).

Bringing together fourteen unions, with three hundred and fifty thousand members was difficult enough. However, Bevin also had to deal with the ambitions of fourteen separate General Secretaries all of whom were used to running their own organisations. The task ahead would need all of Bevin's vision, firmness and tact (Murray, 2008) and whilst the way that Bevin ruled over the TGWU has often been criticized it could also be argued that without it the new union would have faced breakaways and subsequent collapse (Allen 1957).

Bevin believed the existence of a strong office of General Secretary to be essential in the battle against sectionalism, which he saw as a great threat to the union.

Combining a large element of regional decentralisation with national industrial trade groups, the structure of the TGWU was designed by Bevin himself. Initially the union had six national trade groups all led by a committee of lay representatives and a national officer. The union also consisted of eleven regions (subsequently reduced to eight) which were again led by a committee of lay members and a regional secretary (often one of the former union General Secretaries). The regions contained regional trade group committees, which elected members to both the national trade group committees and the regional committee. Top of this structure was the General Executive Council (GEC). Differing too many other unions at this time, the GEC was made up entirely by elected lay representatives, with full time officers barred from serving. Leading the GEC, with no vote but considerable sway, was the general secretary (Allen, 1957).

TGWU members were prominent supporters of the miners during the 1926 General Strike. However, whilst the TUC had foreseen a dispute arising in the coal fields on the ending of government subsidies, no plans had been put into place for how to react. The result was that planning for the general strike was hurried and not thoroughly thought through and whilst Bevin who had recently been elected to the TUC General Council did his best to organise a successful strike, once it became apparent that it would take place, he soon came to the realisation that the dispute could not be won (Allen 1957:95-96). Whilst not aligning himself completely with the capitulators on the general council, Bevin decided that he was not willing to lead more groups of workers out and was a member of the delegation that met Prime minister, Stanley Baldwin, to call off the strike, although it is noted that he was the only member of the group that tried to seek assurances (not forthcoming) that workers would not be persecuted (Murray 2008:52; Allen, 1957:96).

The aftermath of the General Strike saw union membership go into decline in the face of a legal assault by the Baldwin Government, on the right to strike and take part in political activities. With funds also diminishing in line with membership the TGWU had to cope with the cost of having spent three hundred thousand pounds on dispute benefit during the strike, resulting in the union being unable to support a major strike for some time. In tandem with the financial difficulties caused by the general strike, the dispute had also hardened the opinions of Bevin away from industrial action, towards negotiation and social partnership, illustrated by his prominent participation in the 1928 “Mond-Turner” talks, between the TUC General Council and business leaders. Murray quotes Bevin’s biographer, Allan Bullock, in saying that “the militant spirit that had characterised the unions in the years before 1926 had burnt out” (2008:54).

Throughout these troubled times the TGWU continued to add members through merger. By 1927 the fourteen unions which had formed the original amalgamation had been joined by thirteen more. Whilst the union continued to merge with unions in its traditional areas of the docks and transport it also sought to merge with unions organising more stable areas of employment. A merger of particular note is that with the Workers Union. Created in 1898 by Tom Mann, the Workers union organised across a plethora of industries and had grown rapidly in munitions and engineering during the war with membership peaking in 1920 at around half a million. However, by 1929 membership was down to just one hundred thousand members and the Workers Union was forced to merge with the much larger TGWU. The Workers Union merger was significant as it allowed the TGWU access to industrial sectors it had previously been peripheral too, such as engineering and agriculture (Murray 2008:56).

1937 saw the TGWU's membership pass the miners' union to become the largest in the country with 654,510 members (Pelling, 1992:194, England, 2008:245). Building upon the legacy of the Workers Union, the Metal, Engineering and Chemical trade group grew in size to surpass even the dockers' section as the union cemented its position in the engineering and car industries and with the AEU still refusing to admit woman workers into its ranks, these workers flocked to the TGWU, causing the union's male dominated profile to change. However, whilst the union was undoubtedly changing from the organisation first perceived by its creators, in the early 1920s, Bevin's authoritarian leadership continued with all unofficial, rank and file, movements banned after such an organisation amongst London bus drivers, had organised a strike to co-inside with the coronation of King George VI in 1937. For Bevin, there was no place for any opposition within his organisation (Murray 2008).

World War Two represents a significant period in the continued evolvement of the union. Firstly it saw the departure of Bevin as General Secretary, having taken up the invitation from the coalition government to become Minister for Labour. Officially Bevin did not relinquish the office of General Secretary until 1945, but for all intended purposes he had left the position in 1940 with Arthur Deakin appointed acting general secretary in 1940. Secondly, the war saw the union's membership top one million members for the first time (Pelling, 1992:208). With this increase in membership came a number of new problems for the union's leadership. Many of the TGWU's more experienced officers had enlisted with the armed forces, leaving inexperienced officers in their place and the gap between the union's leadership and its members seemed to be bigger than it ever had been (Murray, 2008:88). Into this gap stepped Shop Stewards, who became increasingly numerous and powerful

during the war, marking a shift downwards in power, which would be fought against by Deakin once the war was over.

Formally elected in 1945, Deakin, although not of the same calibre as Bevin (Pelling, 1992:214), was well set up for the job having been acting general secretary for the preceding five years and assistant general secretary for several years prior to that. Deakin had not, unlike Bevin, been shaped by an atmosphere of militancy and working class struggle prior to starting work as a union officer. However, he had studied Bevin's methods and adhered to his doctrine and authoritarian nature. Allen States that "Deakin was authoritarian by nature. He was capable of making quick, firm decisions and he had the utmost faith in his own simple, straightforward opinions and ideas" (1957:257), whilst Jones described him as "an awkward intolerant man" (1986:132). Under the leadership of Deakin the TGWU officer core swelled in numbers from five hundred in 1943 to one thousand four hundred and thirty four in 1954. These officers were expected, by Deakin, to control union members and limit confrontation with employers and where this was not done, Deakin was known to go over the heads of his officers to directly order striking workers back to work (Murray 2008) Deakin was driven by an immense dislike of strikes and unofficial rank and file organisations and came to associate both with communism. This intense anti-communism, which had been a fixation for Deakin since his election (Goldstein 1953) led to a motion being passed at the 1949 biannual delegate conference (BDC) banning communists from holding positions as union full time officials or lay officers (Pelling, 1992:218). Whilst the BDC had not intended this to be used retrospectively nine officers who refused to denounce their party membership were sacked and many lay activists from the GEC down to the shop floor were excluded from holding positions (Pelling, 1992:218).

Whilst the number of officers increased under Deakin, so the union's membership also continued to grow during this period. Goldstein (1953:35-36) writes that in 1947 the union's membership had risen to one million, three hundred and seventeen thousand, which equated to the union being "responsible for the livelihoods of over 16 per cent of all organised labour in the United Kingdom" (*ibid*). Whilst the union was officially opposed, as a voluntary organisation, to the closed shop, the union was in control of three hundred thousand positions of employment on the docks and in road transport. This demonstrates that whilst Deakin may often be criticised, for his handling of certain issues, as highlighted above, the union continued to thrive as an organisation, under his leadership.

The end of the Deakin era heralded a radical change in direction, bought about by a number of unexpected events. Firstly Deakin died in 1955, as the election to replace him was taking place. Secondly, Deakin's preferred successor, Harry Nicholas was found to be ineligible to take office due to a small break in contributions and thirdly, Jock Tiffin, Deakin's elected successor died of cancer after six months in office (Pelling, 1992:231). These events paved the way for Frank Cousins who, despite his reputation for being on the left, had managed to secure the position as Tiffin's assistant general secretary, and became the fourth elected general secretary of the TGWU (Smith, 2008:219). However the scale of his election victory over Tom Healey by five hundred and three thousand five hundred and sixty votes to seventy seven thousand nine hundred and sixteen, on what was a record turnout, indicates the hunger of the membership, for a new way of doing things (Jones 1986:143).

The TGWU, under Cousins' leadership, changed hugely in the 13 years that he held the office. Murray quotes Andy Homes, chair of the Irish region of the TGWU in saying that "Cousins dragged the union from the darkness into the daylight" (2008

137). It is proffered by Murray that “no leader changed the TGWU more than Cousins…(he) inherited the T&G in one condition and left it as something very different” (*ibid*:135). Smith (2008:219) adds to this, stating that on being elected as general secretary he “was confronted by an organization already in an explosive state” due to the way that it had become unresponsive to members. Under Cousins’ leadership, power in the union was disseminated downwards with extra authority given to the regions at the expense of the centre and the union’s national officers. Also, the wishes of members were raised above the opinions of officials, something that had been unthinkable under Deakin and to a major extent Bevin. Whilst criticised by some for not lifting the ban on communists holding office, immediately on taking power, the ban was lifted at Cousins behest, by the 1968 rules conference, although in reality the ban was being ignored by large parts of the union and was “causing considerable industrial complications” (Murray 2008: 135) in those areas still attempting to adhere to the restrictions.

Under this new, more progressive, leadership style membership of the union grew at a significant rate, to reach one million three hundred thousand by 1960, resuming its merger activities, including all of the Gibraltarian trade unions amalgamating with the TGWU in 1963. The Cousins period formed the launch pad on which the TGWU, under the leadership of Jack Jones, would peak at over two million members by the end of the 1970s, making it “the largest trade union organisation in the capitalist world” (Murray, 2008: 140).

Jones had begun his union trade union life as a docker in the port of Liverpool. Famously serving in the Spanish Civil War as a member of the International Brigades (Jones 1986), Jones was made a full time official of the TGWU on his return (Murray 2008: 141, Jones 1986:87). Working mainly in organising the car and

engineering sections in the Midlands region, Jones eventually became the regional secretary, from where he was able to strongly support the work of Cousins and his influence on the union's internal governance was further advanced by the creation of a post within head office, where Jones was tasked with dealing with internal Government and administration problems. This role allowed him to build a network of supporters and influential contacts, which would be invaluable upon his rise to the position of General Secretary, succeeding Cousins in 1969 (Undy *et al* 1981: 98). Elected with over three hundred and thirty four thousand votes, whilst his nearest challenger got just twenty eight thousand, Jones was able to accelerate the work of Cousins. However, whilst the advancements made by Cousins cannot be understated, the union's system of government had been generally untouched when Jones came to power.

This was to change under Jones, who would use the new freedoms, implemented by Cousins, to accelerate change within the union (Undy *et al* 1981: 97). Drawing on his experiences of the Midlands region, known in the union as Region Five, shop stewards were central to his philosophy (Murray 2008: 141-142). As the regional secretary for Region Five, Jones had installed a style of governance that he would later install into the TGWU nationally. Dominated by the engineering and car building industries, both of which had long traditions of shop floor bargaining, Jones was able to build a strong support base by introducing changes that were popular amongst union activists, such as the decentralisation and democratisation of decision making (Undy *et al* 1981: 98, Jones 1986). The changes made by Jones in Region Five had indicated to him that there were two major benefits that could be gained in terms of membership growth and the union's finances. Firstly, in terms of growth, Jones had noted the correlation between growth and consolidation of membership and strong well organised workplaces; and whilst Undy et al (1981:99)

indicate that there are difficulties in proving the connection between growth and good systems of local representation, they note that for Jones there was no doubt. In reference to the union's finances, it had not gone unnoticed by Jones that increasing the number and competence of shop stewards, to deal with local matters, meant that the union could employ fewer expensive full time officials (*ibid*).

Aided by the retirement of many of the officers remaining from the Bevan and Deakin eras, together with the increasing influence of the Broad Left (in turn facilitated by the removal of the ban on communists), Jones, through the measures outlined above, was able to market the union favourably as a potential merger partner (*ibid*), in an attempt to widen the union's appeal. Shaking off the union's image as an organisation for dockers, car workers and drivers, the TGWU, under Jones' stewardship expanded rapidly into areas such as "public services, civil aviation and other white collar sections" (Murray 2008:159), whilst consolidating its position in its traditional job territories, through mergers with organisations such as the Scottish Commercial Motormen's Union and the National Union of Vehicle Builders, the latter of which was particularly important as it brought craft workers, from the car building sector into the union, thereby, encroaching into areas previously dominated by the engineers' union.

Recognising the growing power of the shop steward movement, under Jones' leadership the role of the lay representative, as mentioned above, was increased enthusiastically. Stewards were highly encouraged to be involved in bargaining at their workplace with the rule introduced that no agreement could be signed by an officer, without first being ratified by the shop floor (England, 1981:23, Smith, 2008:222). Although England states "The popular bossdom phase of the TGWU…appears to be over"(ibid:27-28) this was plainly not the case. It is true that

Jones did not get everything his own way, the 1977 Conference being a prime example, when the leadership was defeated offer wage restraint (Murray, 2008:165). However, this was very much the exception rather than the rule and through the incorporation of the stewards into the unions machinery, aided by the high regard held of him by the rank and file (England 2008:247-248), Jones was able change the role of the steward from that of an independent representative who was only answerable to the members that had elected them, to something more comparable with a full time official. Yes they were still answerable to their members, but now they were also answerable to the union as a whole (England, 1981:17).

Jones' retirement as General Secretary in 1978 can be seen as another turning point, as the union, like all others, was to suffer gravely from the policies of the Conservative government, which would be elected the following year and stay in power for the next eighteen. Under the leadership of Moss Evans and then Ron Todd the union went into an era of decline as the realities of the Conservative economic policies and anti-union policies bit. The union's governance and representative structures, throughout this period, remained unchanged from those put in place by Cousins and Jones. However, the huge decline in membership meant that some of the union's officials and offices could not be sustained. Ron Tod and the national executive eventually conceded that office closures and redundancies would have to take place in order for the union to reflect the changes in its circumstances (Murray 2008: 179). Merger activity continued in the 1980s, Murray (*ibid*) noting this to be "a bright spot for the union in the otherwise dismal decade". Three mergers of particular importance were those with the stevedores union, completing the amalgamation of all waterway unions under a single banner; the merger with the Dyers and Bleachers Union, which, when added to the union's existing textile members, provided the basis for a national trade group for textile

workers; and the National Union of Agricultural and Allied Workers, which again added members to the TGWU's existing, albeit, rather smaller membership in that sector. These mergers, consolidatory in style, added numbers to the TGWU at a time of great decline but were unable to do a great deal in terms of the union's fortunes.

The election of Bill Morris as Todd's successor was seen as a landmark moment for British trade unionism as he was to be the first black General Secretary that the country had seen (Pelling, 1992:296). Born in Jamaica, Morris had come to Britain in the early 1950s and had been employed in Birmingham's engineering industry, becoming the first black member of the TGWU to ever get elected onto its executive council (Murray, 2008: 186). His election was not uncontested, with a strong challenge coming from George Wright, backed by the Labour Party and anti-Todd, elements. However, backed by the powerful broad left electoral machine and having been number two to Todd, defeat for Morris was always unlikely and so it proved to be (ibid:187). Taking office, Morris had the unenviable task of dealing with the aftermath of the closures and redundancies carried out during the reign of his predecessor, modernising the union's management structures and attempting to put in place some clear policies on how the union was to face up to the difficulties that it had before it. Morris made a number of changes to the union's representational structures in reference to equality, which was where his record in office is most impressive. The number of guaranteed seats on the executive for black and woman members was increased to better represent the proportionate membership of the membership and committees were formed at all levels of the union to enhance the opportunities of members who may otherwise have struggled to find a voice (*ibid*: 187-188). In 1996 Bill Morris became the first TGWU general secretary to have to submit himself to a second ballot of the membership, following the Conservative

government's changes to legislation, which introduced five year maximum terms. This put Morris on a collision course with Tony Blair's New Labour Government, who were attempting to secure understanding leaders in the larger unions, in order to allow him to drive through changes to the party. Blair backed Jack Dromey in the election, along with a group in the North West that had split away from the main broad left. The campaign was bitter but ended with Morris being re-elected, at the same time showing the limitation of Blair's power over the unions (Murray, 2008:190).

Morris' time as leader is noted for two key disputes, which reached national prominence. Firstly was a strike at British Airways (BA). Officially this was a dispute over pay and conditions being cut, however, the reality was that BA wished to break the union, using a break away organisation, Cabin Crew 89, to attempt to meet these aims. This dispute was a rare high-profile industrial victory for the union, which after three days of strikes, with huge financial consequences for the company, managed to reach agreement. The second dispute, and one that was far more troubling for the union, began with a small stevedore company at Liverpool docks making a number of members redundant. Had the dock labour scheme still been inforce these workers would have been re-employed by the Mersey Docs and Harbour Company (MDHC), but as it was not the MDHC refused to take them on. A picket line was mounted, which many of those employed by the MDHC refused to cross, leading to them also being dismissed, as this was deemed to be unofficial industrial action. This led to a bitter dispute between the union and the sacked dockers, with the union accused of misrepresenting its members. This culminated in some of the sacked dockers taking up legal action against their own union, highlighting the difficulties that unions in the UK face, due to the legislative framework that they have to work within.

The major factional grouping in the TGWU was the Broad Left faction which had backed both Morris and his Deputy Margaret Prosser. However, by the beginning of the twentieth century the left of the union was losing patience with a leadership that was seen as increasingly conservative (McIlroy, 2009:151-152). A split in the Broad Left followed, between the London Broad Left faction, who tended to lean toward the centre right and the faction, based primarily in the Northwest.

Backed by the Northwest faction, Tony Woodley was elected firstly as deputy General Secretary, before being elected to succeed Bill Morris, and become the TGWU's ninth and final General Secretary. Unusually for General Secretaries of the TGWU, Woodley was not chosen by Morris to be his successor, as had long been the tradition of the union. Woodley had been elected as Deputy General Secretary against the wishes of Morris, who was closely connected to the London faction, a move by TGWU members that reflected a general trend in the attitudes of union members in the UK, with a number of left leaning, more progressive, general secretaries, most prominently Derek Simpson, being elected around the country (Murray 2008: 201-202, McIlroy, 2009:152).

Woodley had a great belief in the principle of organising, which he was confident could change the union's fortunes in reference to the membership decline it had incurred. The union's membership total stood at eight hundred thousand by 2003, a far cry from the two million the union boasted at the end of the 1970s. The organising strategy adopted by the TGWU, under the guidance of Woodley, was based substantially on Service Sector Trade Unions in the United States. These unions spent a considerable amount of their income on organising, which was a model mimicked by the TGWU with expenditures being reduced in order that more money was available to employ a large number of full time organisers, many of which were

“young, female and from ethnic minorities, or even all three” (Murray 2008: 203). This strategy saw over fifteen thousand members being recruited annually, on top of those members recruited in already organised workplaces and introduced strong shop floor union structures, with hundreds of new shop stewards being recruited. Woodley’s legacy however, was the merger of the TGWU with Amicus to form Unite and to this we must now turn.

Unite the Union.

The election of Tony Woodley and more significantly Derek Simpson, as General Secretaries of their respective unions paved the way for the creation of Unite in 2007. The TGWU was, in 2003, the third biggest union in the UK behind Amicus and Unison and the formation of Amicus as a general union had meant that the two unions, which had long been in competition in the car and engineering industries, were now coming into contact across a larger number of job territories than ever before. With the existence of the GMB as a further general union in manufacturing, the question of whether the UK could sustain three large general unions needed to be addressed. Against a backdrop of some doubt, especially on the side of the TGWU, who unlike Amicus, had assimilated many unions through merger, but never

merged with another union on an equal basis (Murray 2008: 210), it was agreed to hold merger talks between the three great general unions at a meeting on the 9th May 2005 between, Woodley, Simpson and the GMB's general secretary, Kevin Curran (Callow 2011: 233). These initial talks, with a ballot planned for later in the year to determine whether the merger should go ahead, were interrupted unexpectedly in March of that year, when Curran was suspended by the GMB and subsequently resigned, over allegations of ballot irregularities in the 2003 general secretary election (*ibid*:235, Independent:2005). Whilst, prima facie, the replacement of Curran by Paul Kenny, as GMB general secretary, did not appear to jeopardise the ongoing merger talks, progress did slow down to an almost total stand still, with Kenny using the delays to "set the GMB's own house in order" (*ibid*: 236). When talks resumed in early 2006, the GMB was in a far different position than it had been prior to that inaugural May meeting. Edging into profit, the GMB, under the leadership of Kenny, began to identify that with the other two larger, general unions coming together, an opening existed for a rival, smaller general union, offering specialist services. Unhappy with the idea, embraced by the TGWU and Amicus, of leaving key areas of a new rule book unresolved until after a decision to merge, as had been the case in the creation of the AEEU and Amicus, the GMB leadership were adamant that the rules of the new union should be in place well in advance of any merger taking place. Against this backdrop, the GMB conference in 2006 voted by an overwhelming 98% to break off negotiations in favour of "an alternative, independent model of development" (*ibid*: 237-238).

The departure of the GMB from the frame did not detrimentally affect the ongoing talks between Amicus and TGWU, which in fact accelerated. The political outlooks of the two unions were broadly in line and the respective size of the two unions, at one million two hundred thousand (Amicus) and nine hundred thousand (TGWU)

meant that the merger, on the face of it, was on an equal footing rather than a takeover of one onion by the other (Callow 2011: 238). Therefore, with over two million members and assets of two hundred million pounds the new union would have within its membership a third of all organised workers in the UK, giving it huge political and financial influence. In order to try and overcome some of the rather large problems envisioned in bringing two unions of this size together, merger was agreed to take place in a number of phases. On inception the new union would run for the first eighteen months with two sections representing Amicus and TGWU with joint general secretaries and a thirty member Joint Executive Council, fifteen from the Amicus National Executive Council and fifteen from the TGWU's National Executive Committee. This joint committee would be tasked with drawing up a new rule book and would have overall say on new full time appointments and terms and conditions for full time staff (Callow 2011: 240). An eighty strong national Executive Committee (forty from each section) would then be elected to take control of the new union on the 1st of May 2008). The twenty three Amicus sectors would merge with the fourteen industrial trade groups of the TGWU, over a period of four years, whilst the union would have a total of 10 regions.

Amicus and TGWU members were balloted in early 2007, on the question of whether the merger should go ahead and voted overwhelmingly in favour with the result declared on the 8th March 2007. After this merger activities were sped up in terms of property sales, officer re-assignments and reduction of budgets. In May 2007 the joint executive formally changed the name of the organisation to Unite the Union with the two unions formally to merge on the 1st of November 2008. However, this process was bought to an abrupt halt when a complaint to the certification officer forced an election to take place for General Secretary of the Amicus section of the union.

Inserted into the new rules of the union had been a clause which gave Simpson leave to remain in post a year longer than expected, until his sixty sixth birthday, in December 2010, whilst Woodley would retire a year early, on his sixty fourth birthday in December 2011. This arrangement was designed to transfer power from the two existing joint general secretaries to a single general sectary after an election which would take place in 2010, prior to Simpson's departure (*ibid*: 326). However, using the legislation bought in by the Thatcher Government and left in place by New Labour, a complaint was made to the certification officer that Simpson, by continuing in post until 2011, had gone past the time when a mandatory election must take place. After taking legal advice, Simpson and his senior team, pre-empted the certification officer's decision, asking the Joint Executive to call an election for the Amicus section (Callow 2011: 330).

The election attracted a larger field than expected with five candidates receiving the required number of nominations and four going forward to ballot, the result being declared on 7th March 2009. Simpson was re-elected with 60,048 votes. However, the most significant result of this election was that the expected resurgence of the right-wing did not happen with left-wing grassroots candidate Jerry Hicks coming second with 39,307 votes and the two right wing candidates only mustering 30,603 and 28,283 votes each. This result, whilst showing a hugely increased majority for Simpson, demonstrated the union's move to the left, as even if the field had not been split and all those voting for the right wing candidates had voted for a single one, Simpson would still have commanded a large majority (Callow 2011: 337). Simpson accepted the result as a clear mandate to press ahead with the merger, however, the election had caused the process to slow to an almost complete halt. Campaigns had lost focus with many of the officers tasked with administering them engaged in electioneering for their preferred candidate and important decisions had

been deferred by the National Executive Council until the result of the election was known (ibid: 337). Callow (2011: 330) notes that:-

> Many of the problems that would dog the new union during its fledgling existence stemmed from the loss of these crucial months, when, instead of drawing more closely together, the T&G and Amicus were unexpectedly and unnecessarily kept apart, amid a prevailing atmosphere of uncertainty.

The recession, which took hold in 2009, hit the new union hard with the November 2009 Joint General Secretaries' Report to the Executive Committee stating that whilst 11,000 new members had been recruited that year over 65,000 had been lost. This difficult economic situation led to large numbers of staff choosing to take voluntary redundancy and further reviews of the union's property portfolio.

As outlined above, having gone through what some would say was an unnecessary election in 2009 the union again was to hold an election for general secretary, in line with its rules, in 2010. The winner of this election would then take the post of general secretary elect in January 2011, becoming the General Secretary in January 2012 after the retirement of Woodley. In the event, the election was won by the candidate backed by Woodley, Len McCluskey, prompting Woodley to announce his early retirement as General Secretary, to take place at the same time as Simpson, leaving the way open for McCluskey to take office in December 2011. McCluskey indicated during this election that he only planned to stand as a one term General Secretary. Therefore, it came as a shock to some when in December 2012 he asked the Executive Council to sanction an immediate election, citing not wishing for a

contest in 2015, which would clash with the general election and announced plans to stand for re-election.

The election ran between January and April, with McCluskey and Hicks the only candidates. McCluskey won with 144,570 votes to 79,819 and was declared re-elected on the 14th April 2013. McCluskey, in his statement to the Executive Council, specified that he would not be standing for a further period, as he would be 67 at the end of that tenure.

At this point in the thesis, prior to beginning a discussion of Unite, as an organisation, post-merger, it would be amiss of me not to briefly note that the bringing together of large, traditionally different trade unions, into one organisation had been played out previously to the Unite merger, with the creation of Unison in 1993, which at that time was to become the UK's biggest union and largest representative organisation, in terms of public sector unions (Thornley 2000:137).

Whilst culturally a very different union to Unite, in that it bought together three predominantly white collar union's in NALGO, NUPE and COHSE as opposed to the industrially based unions, discussed above, that formed Unite, the formation of Unison is interesting in that, similarly to Unite it bought together workers, with quite different backgrounds (for example health workers and local government workers) in one organisation (Fryer 2000:25).

Fryer explains, in terms that could be used now in relation to UNITE, that the formation of Unison was "a remarkable achievement" (2000:25). As with Amicus and the TGWU, the historical relationship between those unions coming together to form Unison had often been a difficult one, particularly in

relation to the rivalry between NUPE and COHSE, which in Fryer's words "was legendry and long standing, including at senior officer level" (*ibid*:27).

As with Unite there was acknowledgment of these tensions within Unison. Writing seven years after Unison's creation, Rodney Bickerstaffe, who had been the union's first general secretary and one of its architects, stated that in relation to these tensions "there are plenty of possibilities that the union might break up, even now" (2000:18). This demonstrates that, as with all general unions, such as Unison and Unite, strong leadership and clear policies and structures are necessary, in order that the union can function correctly. The failure of these structures, as will be demonstrated in this thesis, can have a severe effect on a union's ability to represent its members effectively.

Summary.

This section has explained in detail the histories of the unions that came together in 2008 to form UNITE, focusing on issues of structure governance and representation. This is a very necessary section of the chapter as it explains to the reader the processes, successes and difficulties that have been gone through on the road to merger, from the early days of the small craftiest ASE and the plethora of unions around the dockyards and industrial towns that eventually formed the TGWU. This is very important as understanding the history of UNITE helps us to explicate some of the union's peculiarities and explain why UNITE is structured the way that it is. The following section will discuss UNITE, as an organisation, explaining what UNITE is, how it is structured and the issues that have arisen in terms of its key policies and the way it is able to represent it's members.

Part two.

This section will discuss UNITE as an organisation, beginning by explaining what the union is in terms of its structures. This will entail a detailed investigation of the unions size and structures, including its industrial and branch organisation. This will lead to a discussion of democracy within the union, explaining how these structures are theoretically supposed to work, highlighting some of the issues that have arisen from contradictions in the union's policy claims, such as that of being an organising union. This section will explain how the backgrounds and histories of the unions that have come together, over almost two hundred years, to make up Unite, have impacted on the union's policies, democratic structures and ability to represent its members. It will also demonstrate the complexities of researching a union of this size, linking to the problems highlighted in the previous chapter, in reference to the weakness and compartmentalisation of contemporary literature in this field.

According to its 2013 return to the certification officer, published in June 2014, Unite is a union of 1,405,071 members. Of these, 1,310,619 members are in

Great Britain, 43,242 are in Northern Ireland, 34,390 are in the Republic of Ireland and 16,790 are elsewhere abroad, including the Channel Islands. The union has a national executive council of sixty five lay members (Unite, 2013:23). Thirty five of these are from the union's twenty one industrial sectors, twenty six are from the ten regions and four are elected in the national constituencies reserved for Unite's four equality streams, covering Woman members, Lesbian, Gay, Bisexual and Transgender members, Disabled members and Black Asian and Ethnic Minority members (Unite, 2013:18). In addition to this there are, at present, also two observer roles, for young and retired members, however, these do not have voting rights and are not enshrined in the union's rule book. The number of representatives from each region and sector is determined by size. In the regions, when the membership figures are struck, those with less than 150,000 members, receive two representatives; those over 150,000 but less than 200,000 have three; and those over 200,000 have four. In reference to the sectors, those with less than 50,000 members have one representative, with more than 50,000 but less than 100,000 have two; and over 100,000 three. The executive is re-elected every three years and is the highest decision making body in the union after the national conference.

As discussed above, Unite has a federal structure, with twenty one separate industrial sectors that operate at both a regional and national level. New sectors may be created and existing ones amalgamated by the executive, "on the basis of industrial logic and developing patterns of membership organisation" (Unite 2013:10). Each sector is led, in theory, by a national industrial sector committee (NISC) of lay members elected from the regional industrial sector committees (RISC) which are, in turn, elected from regional

industrial conferences held every two years. Each sector also has a biannual national industrial sector conference, where members are able to debate and adopt their own sectorial policies, as long as these are consistent with the union's general rules or aims.

The union has ten regions, each of which has a regional committee of lay representatives, elected from the RISCs and area activist committees. The regional committees are responsible for the management of the union at a regional level, in line with the decisions of the executive. Each region has a young activist forum which feeds into a national young members' forum and there are regional and national committees and conferences in the four equality streams discussed above (Unite, 2013:13).

Away from the industrial structures of the union, there is a national policy conference every two years and a national rules amendment conference every four years. The policy conference is attended by delegates from the industrial and regional structures of the union. Motions are allowed if they deal with the general policies of the union but are not allowed if they require a change in rule or if they are concerned exclusively with the industrial policy of one industrial sector (Unite, 2013:19-20). The rules conference, which takes place every four years is constituted the same way as the policy conference and has the purpose of amending the union's rules. Motions are accepted from the union's branches and regional structures and also the executive, which is able to submit motions and amendments, including at short notice if required. Rules may also be amended between conferences by the executive if there is a necessity to do so. Amendments by the Executive Committee may only happen if they are agreed to by more than 75% of the executives members,

and then only on the understanding that they cease to stand at the conclusion of the next rules conference, unless that conference has ratified the change (Unite, 2013:21-22).

The General Secretary of Unite, who, at the time of writing is Len McCluskey, is elected by a ballot of the whole membership no less frequently that every five years. The General Secretary is responsible for the union's general running and for implementing the decisions of the Executive Council. The General Secretary has the right to be present at any and all union meetings and committees and may delegate to other union members any such power that they possess and deem necessary. They are ultimately under the control of the national executive.

A member led union?

All Unite members are allocated to a branch, which wherever possible should be based on the workplace. However, there is provision for local/composite branches and also branches based on a local industrial sector or National industrial sector, such as the Ministry of Defence Fire and Rescue branch. The present policy on branches, introduced after a review in 2011, is that they should, wherever possible, be based on the workplace.

The review, as part of Unite's strategy of being a member led organisation, was introduced to give branches a greater role in the union, making them more relevant to the members whilst also bringing the union's resources closer to the membership. Unite has made being a 'member-led' union one of its key values stating as its representational vision that it "values a modern approach to member representation and prides itself on being member led" (Unite, 2015). However, if this is indeed the case then how does this fit with Turner's

theories of union governance? Also, whilst this is written into the union's aims and vision, the union does not mention being member led within its rule book. Rule 2.1.2 states that the object of the union is:-

> to defend and improve its members' wages and working conditions including the pursuit of equal pay for work of equal value. To help our members win in the workplace, using the union's resources to assist in this process, and to support our members in struggle including through strike action (Unite 2013:2).

Whilst this rule shows a commitment to supporting and helping its members, it also appears to point to a top down approach rather than bottom up. This is closer to Turner's popular bossdom theory of governance and also demonstrates another tension within the union, that of organising versus servicing. Unite refers to itself as "a truly organising union". Since 2011, this has been linked almost inseparably to the union's 100% campaign. The 100% campaign, launched formally in 2011, is a strategy whereby Unite has focussed its organising efforts on building and developing its industrial power where it has existing bargaining agreements.

Headed up by the national organising department, which co-ordinates the activities of the regional organisers, the 100% campaign is a key element of the union's growth strategy. Since its launch the union has recruited 150,875 new members in workplaces targeted by the campaign along with 11,615 new activists. However, Unite does not publish the figures of how many of these members stay in the union after the initial campaign moves on. Another criticism of the 100% campaign is that whilst it may have had some success this is only in those areas where the union already has a presence and does

nothing to gain membership in workplaces where the union has no presence or does but has no formal bargaining arrangements.

This is where a contradiction occurs. Whilst the union puts large amounts of resources into organising, it often reverts to servicing for those areas where no bargaining arrangements exist. This is demonstrated within the guidelines for union branches, where a percentage of the funds allocated from the union are dependent on the branch having a lay officer to provide representation. Whilst this may fit within organising where the branch is connected to a workplace, it also very much fits within a servicing agenda when the branch is a local one covering multiple workplaces. Where the latter is the case there is a contradiction in the union's policy.

Within the geographical area covered by a local/composite branch there will often be workplaces that are organised and those that are not. In the case of those that are organised, it is likely there will be elected representatives, who will deal with at least first stage representative responsibilities, and will need limited contact with the local branch or full time officers. However, where workplaces have members but no organisation it is the responsibility of either the branch, where a representative officer has been nominated or a regional officer, where they have not, to carryout representational duties where they are required by members. At odds with the organising agenda those representing members through this servicing model have no responsibilities to organise the workplace that they go into or to refer them to the organising teams. Therefore, members in these workplaces are likely to remain unorganised and reliant on the union servicing them from outside the workplace.

Returning to Unite's claims to be member led, this is at odds with another of the union's key strategies, leverage. Leverage is the use of union resources to make all interested parties aware of the treatment that Unite members have received or are receiving at the hands of their employer. The parties could include shareholders, competitors, or customers of the employer or employing organisation, or the communities in which an employer is based or operates. The purpose of leverage is, by making the parties aware of an issue, to bring enough pressure to bear that an employer is forced to change a practice or else face the negative consequences of carrying them on in the public eye. Leverage, as with organising, within Unite is led not by members but is highly centralised and led by full time organisers.

Action taken as part of leverage often includes Unite members taking part in lawful protests, organised by the union's national or regional organising teams. Protests may be held outside workplaces, in communities or in some cases outside the residences of senior managers or shareholders, where the union feels they will be able to get the message across most clearly. Leverage, as stated by Unite, is not a call for unofficial industrial action as it comes within the sphere of lawful protest. Unite also makes it clear that leverage is not a replacement for the need for collective strength, stating that "the development of industrial power remains vital if workers are to have the ability to win long-term. Leverage does not offer a solution that excludes the critical need to organise worker" (Unite 2015).

Here, however, is another contradiction in the policies of Unite. The above statement makes it clear that Unite believes strongly in the continuation and necessity for strong workplace industrial unionism. This is strongly rooted in

the union's industrial structures, and organising practices, including the use of leverage. However, again there is tension here, within the union, between the traditional ideas and commitments to industrial unionism and Unite's community unionism initiative. Community membership of Unite is an initiative whereby people from outside of the workplace, such as students and the unemployed can join Unite for fifty pence a week. Membership is billed by the union as a way to introduce organisation and activism into the heart of the community, countering Conservative policies, such as privatisation in the NHS and cuts to welfare, and allowing people a channel through which to express their political voice. Unite community members have also been utilised by the organising department to be involved in protests as part of leverage campaigns.

Whilst Unite may bill the objectives of community membership as those explained in the previous paragraph, it is also sold with a number of servicing style benefits. Indeed on a leaflet distributed by Unite titled "15 Reasons to Join Unite Community Membership", all fifteen reasons given for joining were benefits which would be expected as part of a servicing model, such as legal benefits and financial services and products. There is no mention of political voice or community activism. This raises a question as to the reason why people would join such membership. Is it to be part of a movement or is it to access the benefits available to them. If it is the latter then it is unlikely that many of these members are going to wish to be involved with campaigning and also not certain that they will take their membership with them into employment.

This section has demonstrated a number of tensions and contradictions within a modern trade union, showing the considerable gap that has emerged between the traditional theories of structure and government and contemporary complexities of modern trade unionism. Where does Unite fit in terms of the traditional classifications? It is definitely an open and general union, to take two of the traditional descriptions; However, its goal of being a member led organisation is at odds with what should be expected from an organisation of this type, which as Turner and Hughes described, should be highly autocratic with low membership participation. With it being open and general it would be expected to fall within the popular bossdom style of union governance. Whilst that may indeed still turn out to be the case, the federal, industry sector based, structure of Unite is designed so that each sector has reasonable autonomy over its own affairs mitigating the effect of an all-powerful general secretary. England (2008) and Smith (2008) state, in terms of the TGWU, that the Jack Jones era was the end of the popular bossdom form of government, due to the arrival of lay democracy. But is that correct? The regimes of Todd and Morris, point to a different narrative and in Unite, whilst the executive council has 65 members, the General Secretary has the executive powers between meetings and can declare an issue vital for policy, requiring a vote of 75% of executive members, to reverse the decision (McIlroy and Daniels, 2009:144). It could be that each of the sectors could have their own popular bossdom based around an officer or NISC leadership, or in fact an aristocracy may have emerged based on trade, politics or background (e.g. Amicus versus TGWU). What is clear is that a union as complex as Unite, which did not exist at the time that Turner and Hughes were theorising, will not easily fit into one of the traditional classifications.

There are other contradictions too, between the traditional industrial relations texts and the modern union. All the classifications of union in terms of the UK, discuss workers. The Webb's famous definition of a trade union, as a "continuous association of wage earners for the purpose of improving the conditions of their working lives" (1902:1), Flanders defines unions as organisations that "defend and, if possible improve their members' terms and conditions of employment" (1976:21). So where does Unite's community membership fit in? These are members of the union but they are often not wage earners, due to being students, unemployed, retired etc. and are not in the union in order to improve the conditions of their working lives, they are members either for the benefits that they can receive, or to attempt, through collective action, to improve their non-working lives and the lives of those in their communities (Wills and Simms, 2004).

Whilst Unite describes itself as an organising union, and indeed spends a considerable amount of money on organising, both nationally and regionally, there is still a considerable amount of servicing of members, particularly those outside the scope of the 100% campaign. If, as Daniels stated, servicing and partnership contaminate organising, with a one track focus on organising needed in order for success (2009:256), then can Unite truly call itself an organising union? Can a union the size of Unite take a one track approach, such as this? A national approach seems to be the answer, however, with finite resources does Unite have the ability to employ organising across all of its sectors? In addition to this how does leverage fit as a union strategy? The traditional discussion of what unions do is based around the Webbs' discussions of mutual insurance, collective bargaining and legal enactment, where does leverage fit? The closest of the three would be collective

bargaining. However, this is described by Kelly and Heery (1994:165) as “an exchange of concessions” between workers and their employers which does not fit and whilst Flanders (1969) writes that collective bargaining has the effect of placing restrictions on an employer’s ability to run their business as they would wish, this still does not satisfactorily fit with the leverage method.

Summary.

This chapter has demonstrated that researching a modern union, such as Unite, is problematic due to the gap between the traditional theories and classifications and the reality of trade unions today. Whilst the traditional texts and theories, based on organisations that are simple in structure compared with a conglomerate such as Unite, do hold up to some extent there is much that they do not explain and the fragmented nature of research carried out since 1979 means that the gap that has emerged is considerable. The following chapter will look to move on from these issues, focusing on some of the issues surrounding representation in the Ministry of Defence and Government Establishments sector of Unite to explain some of the complexities of researching these issues and the way that they link to government and democracy.

Chapter 4: The complexities of trade union representation – the case of Unite in the Ministry of Defence.

This chapter will look at industrial relations and union representation within the Ministry of Defence (MoD) and Government Establishments sector, hereafter referred to as the MoD sector, of Unite. Highlighting some of the issues that arise when researching the links between representation and governance and democracy, this chapter will discuss the MoD sector in terms of its place within Unite and the wider civil service. It will look at how the sector operates, is structured and some of the dramatic changes that it faces in terms of privatisation, attacks on facility time and the effects of early retirement and voluntary redundancies. The aim of this chapter is to introduce, in some detail, the sector of Unite that will form the case study for this research and to move the thesis on from the issues of structure and governance, discussed in chapters two and three, to focus on issues of representation within the MoD sector. This will then link to the subsequent chapter, which will be a detailed discussion of union representation, more generally.

What is the MoD Sector of Unite?

The MoD sector is one of Unite's twenty one industrial sectors. The largest part of the sector are employed by the Civil Service, including MoD agencies. However, there are also large numbers of members working in other Government controlled areas such as the prison service, research establishments and self-contained

entities such as the Royal Mint and the Met Office (Unite, 2015a). There are also a number of members that are part of the MoD sector but who work in parts of the sector that have been privatised, such as, workers in the dockyards at Plymouth and Faslane, near Glasgow and very recently, the Defence Support Group (DSG) (*ibid*). As with other areas of the union, membership has been in steady decline since the 1980s. However, as opposed to some other industrial sectors, the decline in the MoD sector can be linked directly with government policy. Successive governments have imposed reviews on the sector that have led to rationalisation of sites and jobs and changes to the way that jobs are structured (Unite, 2015b).

Membership figures for the sector are difficult to establish. However, in the 2014 Executive Council Election results twelve thousand seven hundred and ninety six ballot papers were distributed to members of this section (Unite, 2014:10). Whilst it is accepted that this may not be a completely true reflection of the membership figures for this sector, with a high possibility that ballot papers will have been distributed to members that have left the sector but not reported a change of workplace, there is also just as high a probability that there will be some members working in the sector who have not declared so. Therefore, for the purpose of this research twelve thousand seven hundred and ninety six is accepted as the best estimate available. The MoD sector is a small part of the union's public sector group which brings hundreds of thousands of members together from a number of different sectors including, Education, Health and Local Authorities, which are proportionately much larger.

The MoD sector is a nationally dispersed group with establishments and members in all ten regions of the union, plus Gibraltar. The size of workplaces varies massively between very large workplaces employing hundreds, such as the larger Defence

Support Group and Land Systems sites at Bovington in Dorset and Donnington in Shropshire, and very small workplaces, employing just a handful of members, such as Sennybridge in Wales. The union branch structures, within this sector are complicated. The MoD Fire and Rescue service, members of which are predominantly from the former TGWU, have a national branch which covers all members in England, Scotland, Wales and Northern Ireland but is based in the South West region. This is also the case for the MoD Guard Service, members of which are classed as non-industrial, meaning that they are deemed to be either clerical or managerial, as opposed to manual workers, who are referred to as industrial. The rational for these branches is that whilst there are considerable numbers of members in these occupational groups across the country, they are in small pockets (Unite, 2013:36) and the specialist nature of these members' jobs lends itself to a national branch structure. These branches have reserved seats on the National Industrial Sector Committee (NISC) but may also stand for election in the regions in which they work. This set up has the potential to cause some resentment amongst members outside of these occupations, who may question why the Fire and Rescue and Guards members appear to have two avenues to the NISC when they only have the one. Away from the two national branches there is a mix of branch structures across the MoD.

The Unite branch review, outlined in the previous chapter, encouraged the setting up of branches based on the workplace or, if this is not possible, industrial sector. In the main the option of workplace branches has been taken up quite widely in the MoD sector, with a number workplaces opting to set up these branches. However, the second option of having MoD branches has also been taken up in some cases, for reasons that are not immediately clear. Further, other workplaces in this sector have opted to remain part of local composite branches, which is especially the case

in circumstances where the number of members is very small or the size of the workplace does not support a workplace or MoD branch. Examples of this are DSG Bovington in Dorset, which opened a workplace branch, members having previously been dispersed across a large number of geographical branches, based on their home address and DSG Donnington, which joined other MoD workers at the large Donnington MoD site to form an MoD sector branch.

The MoD sector has one Unite national officer whom it currently shares with the union's Education sector (Unite, 2015). Up until 2012 the role of national officer for the MoD sector was always a dedicated one. However, with the falling number of members in the sector caused by cuts and privatisations, this appears to have been deemed unsustainable, heralding the change. The sector primarily has been run on a servicing model, with the Whitley system of industrial relations (discussed below), contributing to a reliance on the sector's national officer and lay national representatives. There is little evidence of organising having taken place in the sector, at least on a formal basis, with those workplaces that are well organised, being based more on traditions than on any sort of strategy. Reliance on this system has left union members exposed as national officer coverage and facility time for lay representatives has been reduced. The system of industrial relations used within the sector, which will be discussed in detail below, has meant that regional officers have been massively underutilised in this sector, due to bargaining taking place mainly at a national level.

This section has outlined the MoD sector of Unite. It has explained what the sector is, what it covers and how it fits into the previously discussed industrial structures of Unite. The following section will now focus on the department's industrial relations systems, with particular emphasis on Whitleyism.

Whitleyism in the Ministry of Defence.

Whitleyism is associated with the Rt. Hon. John Henry Whitley MP, chair of the parliamentary committee set up in 1917, as a subcommittee of the reconstruction committee, to report on the relations of employers and employees (Seifert 1992:207). At the time of the committee being set up widespread industrial action was hampering the war effort (Parris, 1973:25). Two million working days were lost to strike action in 1915, rising to two and a half million the following year (*ibid*). The Whitley Committee report recommended the adoption of formal negotiating machinery through the adoption of Joint Industrial Councils (JIC) in particular industries that had the purpose of making national, industry wide agreements (Seifert 1992:207). To support this, district committees would work beneath and be subordinate to the JIC and works committees would be set up, for consultative purposes in particular workplaces (Coates and Topham, 1988:177). Also proposed was a government backed voluntary Board of Arbitration, for settlement of disputes and recourse to a Court of Inquiry in the case of major intractable disputes (*ibid*). These structures, it was hoped, would regulate the relationships between employers and employees, bringing about industrial harmony and efficiency.

However, whilst the government of the day accepted the proposals and urged industry to do the same, it was less warm to the idea that the councils should be applied in the public sector. The government, via the Ministry of Labour, sent out a letter to trade unions and employer associations in October 1917 explaining the new scheme, whilst ensuring that it was understood that in no way was it proposed that the state would be interfering in the running of industry (Flanders, 1968:86). However, the letter was not sent to any of the unions or employer associations representing public sector workers.

In fact, it was not until July 1919 that the Civil Service National Whitley Council met for the first time, after much negotiation. The objects of the council were “to secure the greatest measure of co-operation between the state in its capacity as employer, and the general body of civil servants in matters affecting the civil service, with a view to increased efficiency in the public service combined with the well-being of those employed; to provide machinery for dealing with grievances, and generally to bring together the experience and different points of view of representatives of the administrative, clerical and manipulative civil service” (Parris, 1973:15). The rules of the council enshrined collective bargaining with the statement that all grievances must be taken as a collectively with no discussion of individual cases permissible. Whilst the Whitley reports recommended that the JIC should have executive powers to make agreements and decisions, this was not rolled out to the Civil Service. This was due to concerns that a Minister could be put into the position of being bound by a decision made by subordinates, of which they felt unable to defend (*ibid*). Staff leaders complained that this left the ultimate power in the hands of the Minister, as had been the case previously, with no ability to make an appeal to Parliament. One leader stated that “the scheme looked like Whitley, smelt like Whitley, almost tasted like Whitley, but it was not Whitley” (Parris, 1973:29).

Whitley, in the industrial civil service, had been accepted a year previous to that discussed above, for non-industrial staff. Separate and different from the non-industrial Whitley system, the industrial system was originally set up around five departmental industrial councils, one for the environment and the other four in the Army, Navy, Air Force and Procurement Department. Under these, the majority of establishments had local Whitley committees at workplace levels which dealt with matters concerning local working conditions and local application of national agreements (*ibid*:183).

Initially the scheme was a partial success, with seventy three councils set up between 1918 and 1921. This number shrank after the end of the First World War with just forty five still operating by 1938 as “many of these bodies failed to survive the period of industrial conflict which ended with General Strike” (Flanders, 1968:86). There was a revival, as Britain again went to war, with around one hundred and eleven councils in existence by the end of World War Two and around two hundred by 1965 (Coates and Topham, 1988:180; Flanders, 1968:86).

The scheme particularly took hold in the public sector, “with elaborate structures of national bargaining committees going under the generic name of Whitley Councils” (Coates and Topham, 1988:180). Within a few years of that first Whitley Council being set up in the Civil Service in 1919, there were councils set up for manual workers in the local authorities, teachers and railway workers and the Whitley model became the standard industrial relations machinery after the Second World War, for the National Health Service and nationalised industries. “Herein lay the origins of the centralised and rather bureaucratic collective bargaining machinery that is assumed to characterise public sector industrial relations and pay bargaining” (Winchester, 1983:162). By 1969 the number of industrial staff in the Civil Service stood at two hundred and thirteen thousand four hundred, the vast majority of which were employed across the Ministry of Defence, with smaller numbers in other departments, such as the Royal Mint and Home Office. These workers were represented by twenty six different unions, which had involvement in the seventy departmental Whitley committees that existed. These covered every department and ministry, with one council in each, with the exception of the Post Office which had two (Parris, 1973:159).

Having discussed the makeup of Unite in the MoD and the key principles of Whitley as the system of industrial relations employed by the sector, the next section will turn to some of the tensions that have been bought to the fore by a union that has gone through and continues to go through tremendous amounts of change, brought about by a merger of two previously competing and often very different unions, with different traditions and histories.

Internal Tensions in a New Union.

Prior to the merger, whilst the TGWU was predominant in some areas, particularly MoD storage and distribution, Amicus was the biggest trade union operating in the MoD for industrial grades. Amicus held the vast majority of union positions in terms of Whitley and other committees with two national lay officers, one of which was the union side MoD Whitley secretary. The union's national officer was lead negotiator on the MoD national Industrial pay committee and also all industrial pay committees across the MoD's agencies and departments. Amicus also held the position of Vice Chair on the MoD Departmental Industrial Whitley committee and all national Whitley committees. This demonstrates the dominance of Amicus, in terms of industrial trade union members in the MoD. As mentioned above, the TGWU had members in most areas of the sector, and in some cases was the dominant union. However, these cases were few and in most cases specialised, such as the MoD Fire and Rescue Service and MoD Guard Service, the latter of which are formally non industrial staff.

The GMB and UCATT also had, and continue to have, members in the department. However, in the case of the GMB this tends to be in specific areas, such as DSG Ashchurch, where the union for historical reasons is strong. UCATT has seen its membership dwindle over recent years to the extent that discussions have taken place, at departmental level, on whether to derecognise the union. Whilst this has

not happened, as of yet, it demonstrates the weakness of UCATTs position in the MoD. Amicus took advantage of this, by taking UCATTs designated seats on most Whitley committees so as to increase its industrial power over the sector.

The creation of Unite had a number of implications for the sector in terms of its running. The MoD section is at odds with the union nationally. Effectively, the TGWU leadership took control of Unite, after the retirements of Tony Woodley and Derek Simpson and the election of Len McCluskey. Former TGWU members and officers were located in many of the union's key positions, with significant numbers of Amicus officials choosing to take voluntary redundancy as part of the union's post-merger rationalisation process. However, post-merger, the MoD sector of Unite continued to be dominated by the Amicus side of the merger. Whilst representatives from both sides were integrated into the union's various committees, former Amicus representatives continued to hold key positions, including Chair and Vice Chair of the National Industrial Sector Committee as well as the majority of Regional Industrial Sector Chairs.

The National Officer of the sector has always come from the Amicus side of the Union and, prior to the employee relations review outlined below, Amicus representatives were appointed to all three of the union's National Lay Representative positions. National Lay representatives are full time positions within the MoD, filled by senior union representatives, who are appointed to these posts by their unions. Working between the national officers and the senior stewards, the aim of these posts was to oil the wheels of consultation, by having these representatives stationed at Whitehall.

Unite is now seven years old, meaning that there are now a number of union representatives and many Unite members who do not identify as either ex-Amicus

or ex-TGWU, due to having joined after the union was created. On the face of it, this should mean a breaking down of some of the tribalism that is created by union mergers of this size. However, as in many cases workplaces had a traditional bias to one or other of the merged unions, it is likely that this will continue.

In terms of size, Unite is a minority union within the MoD sector. In the prison service Unite is the third largest union behind the Prison Officers Association (POA) and Public and Commercial Services Union (PCS). Within the MoD Unite is the second largest union behind the significantly larger PCS. Prior to the removal of the separate industrial and non-industrial Whitley structures, in favour of a joint one, this was not an issue for Unite, which was by far the biggest union recognised by the department for industrial grades. With the GMB only having pockets of members and UCATT less than that, Unite was able to dominate the job territories in which it operates. However, with the introduction of a joint Whitley structure this changed. Unite now finds itself as a junior partner to the PCS. This will obviously have an effect on the way that Unite has to operate within the sector in order to achieve the best outcomes for its members.

This section has researched and explained some of the issues that have been bought about by a merger of two unions, of differing origins and traditions, and the tensions that this has caused internally. The following section will examine some of the external tensions that have been placed on members and the union, by a job territory which has declined and continues to shrink, with change occurring due to rationalisation of jobs and sites.

External Tensions.

The job territory in which Unite operates has faced, and continues to face, dramatic changes. In recent years the sector has faced privatisation, attacks on union facility

time, the introduction of New Public Management (NPM) (Hood 1995), and high turnover of staff, through early retirement and voluntary redundancies. All of these challenges have had an effect of some type on the sector.

Whilst this study is predominantly looking at public sector change, since the beginning of the 21st century, this cannot be done without looking at change that came before it, specifically in terms of the moves towards NPM, mentioned above, which Hood described as being "one of the most striking international trends in public administration" (1995:3). Whilst there are differing views on exactly what NPM actually entails, Hood (*ibid*) defines it well, as being an attempt to slow or reverse the growth of government, in terms of spending and staffing; increased privatisation and subcontracting; the development of more automated ways of producing and distributing public services; and the development of a more international agenda in regards to inter-governmental cooperation, policy and public management design. It is against this backdrop that we now turn to the developments in the MoD with which this study is primarily concerned.

Large numbers of voluntary redundancies, known as voluntary early release (VER), began under the New Labour governments (1997 to 2010) and continued under the Conservative-led Coalition government, with no signs of change under the present Conservative administration. The Guardian (2011) reported that the 2010 Strategic Defence and Security Review (SDSR) had announced that twenty five thousand job cuts would be made in the MoD before 2015 and that this figure had been upped by a further seven thousand, meaning that the Department's headcount has been reduced from seventy five thousand to forty thousand in nine years. Job losses of this magnitude, in a heavily unionised sector such as the MoD, have obviously had an effect on the unions. In fact, with the high density of union membership in the

civil service, this has meant that the union has seen a reduction in membership out of proportion to the number of people leaving. Also, this same period has seen a large amount of rationalisation, meaning that sites and workshops have been closed, privatised or outsourced such as the outsourcing of engineering and maintenance at the Faslane naval base in 2002 to Babcocks, the closure of Llangennech's Defence Storage and Distribution Centre (DSDC) in 2008 and the DSG Aircraft Maintenance Facility at RAF St Athan. This was all followed with the sale of the majority of the DSG, to Babcocks, which was confirmed on the 17th December 2014 and completed on the 1st May 2015. Union responses to this have varied. In the case of DSG, a hard fought campaign was organised in an attempt to halt the privatisation. However, this was ultimately fruitless, although a small part of the operation has been retained within the public sector.

Official figures show that, as of the 1st April 2015, the overall head count in the civilian MoD was fifty eight thousand one hundred and sixty, a fall of twenty seven thousand six hundred and ninety since 2010 (www.gov.co.uk, 2015:1). The rate of reduction continued to fall between January 2014 and January 2015 by an average of one percent per quarter. The foot print that the MoD has, covers most of the United Kingdom, with important naval facilities in the south of England and Scotland and the Army and Royal Air Force having sites across all four nations. At the time of the research DSG had eight sites, of varying size and this is mirrored across other agencies in the MoD such as Land Systems.

The response of Amicus to this outsourcing was to move the members concerned into the appropriate sector for their industry, for example members at the Faslane naval facility were moved into the Aerospace and Ship Building Sector after the work that they did was contracted to Babcocks. However the recent trend, in Unite, has

been to retain these members in the MoD Sector in order to keep the sector as a viable entity. This strategy raises questions as to how these members can be properly represented when their terms and conditions are primarily negotiated outside of the sector's sphere of influence. Babcocks, for example, as a private sector defence contractor, primarily comes under the brief of the Shipbuilding and Aerospace Sector Committee and the National officer of that sector, Ian Waddell. So taking the case of DSG, if it is to remain within the MoD Sector, will it be Ian Waddell leading negotiations on pay and conditions, as he does for the majority of Babcocks, or Mike McCarthy, as National officer for the MoD and Government Departments? It is questionable whether this strategy is in the best interests of the majority of sector's members or the interests of those union officials and activists who rely on the MoD sector to keep them in positions of influence.

This section has examined some of the external pressures that have been placed on Unite by a job territory, that has and continues to go through a great deal of change in terms of its size and make up. The following section will look at the new employee relations regime, now operating in the MoD. This will firstly identify the key changes that have taken place in reference to the department's Whitley system, explaining how it has evolved from its original incarnation (see above) and how it continues to change, outlining the problems that these changes could and have caused Unite. After this there will be an in-depth look at the main themes of the 2012 employee relations review, again highlighting and discussing the key issues and implications, of this, for Unite.

New Employee Relations in the MoD.

Whilst the Whitley system within the MoD has changed significantly in recent years, the principles are still very much those set down in 1918 and 1919. Traditionally, Whitley Councils in the public sector, were divided into different councils based around skills and grades (Coates and Topham, 1988:180-181). The MoD had separate departmental Whitley committees for industrial and non-industrial staff, with clear lines of representation beneath these leading to committees at first national and then local levels, following the Whitley pattern. This was changed in 2013, after a review of Employee Relations carried out by the department, when the dual industrial and non-industrial structures were replaced by a single, joint structure, which is discussed below. The constitution of the MoD's Joint Whitley committee states that its aims are "to promote effective communication and the involvement of the representatives of the departmentally recognised trade unions, and to secure continuous improvement in efficiency coupled with the wellbeing of MoD civilians" (Annex A). The scope of the council covers "all matters affecting the conditions of service of all UK-based civil servants employed in the MoD, except those concerning pay, allowances and related conditions" (*ibid*).

For the industrial unions, particularly Unite, the move to a single Whitley structure has marked a step change in how they operate within the MoD. The MoD Civil Service Unions (MCSU), which bought together the industrial unions with their non-industrial counterparts, the Public and Commercial Services Union (PCS), Prospect and the First Division Association (FDA), replaced the system previously in place where by each union had a lay representative, based in Whitehall, who enjoyed 100% facility time.

The role of the MCSU is "too promote, maintain and encourage an effective ER link to the department's recognised TUs" (Annex B). However, in a major change to

previous arrangements, with the exception of the MCSU Chair, all other established posts, including secretary, are filled by the department, through its selection process (*ibid*), rather than by the 100% lay representatives, selected by the unions. This change, agreed to by the unions, effectively means that in terms of consultation, department employees, rather than union representatives are responsible for collating union responses. This raises questions as to the effectiveness of this system. What happens if two of the unions put forward arguments that are diametrically opposed? Formally, the Whitley secretary, as a lay union representative, would have attempted to get agreement from all the unions to a united response. However, under the new system this would mean the opposing arguments would be put forward as they are. This raises questions of independence and appears to be more resembling of a public consultation process than an industrial one.

Each of Unite's regions has a regional officer with responsibilities for the MoD sector. However, as noted above, the amount of contact between the regions and the sector differs from one to another and is, in the main, underutilised compared to other sectors. The use of the Whitley system and national pay negotiations across the sector means that the scope for local or regional bargaining is limited. The role of local representatives is primarily to implement and interpret national agreements at the workplace. Whilst still working well in some workplaces, it is questionable whether it is completely fit for purpose in industrial conditions that have changed significantly since the inception of the Whitley system almost one hundred years ago. The MoD, and indeed the Civil Service, is much more fragmented when compared to even thirty years ago. Some parts of the MoD, in particularly its Executive Agencies, have jurisdiction to bargain over issues such as conditions and pay, which would have been nationally bargained over in the past. In addition to this, the

introduction of Human Resource Management and private sector management practices has meant it is now more likely to see local agreements being made, which interpret national agreements, meaning that the importance of workplace bargaining has increased. This is happening at a time when facility time is being squeezed and the time the MoD Unite national officer has to dedicate to the MoD is falling, and means that more work will be placed on regional officials. However, as the Whitley system has ensured, for a long time, that these officials have been kept disengaged from bargaining in this sector, it is yet to be tested whether these officers have the knowledge or relevant experience to fill the gap in representation which exists.

The Civil Service undertook a review of employee relations between 2012 and 2013. This was a far reaching review, covering changes to many terms and conditions, including holidays and trigger points for administrative action in reference to illness. The review also included a review of trade union facility time and facilities, of which consultation was launched on the 13th July 2012 (Annex C). The review of facilities had first been mooted in October 2011. As part of the Coalition Government's austerity programme, it had been proposed that as the Civil Service was facing cuts, the unions could not be immune to this. The consultation paper launched in July 2012 states that there are (at that time) at least 6,800 union representatives across the Civil Service though there is no breakdown of what types of representative these are. The total cost to the department of facilities and facility time provided to union representatives is estimated as thirty six million pounds a year with the government stating that "at a time when departmental budgets are under great pressure we need to ensure the current provisions for trade union facility time represent the best value for money" (Government 2012:4). It goes on to say that "providing value for money is critical for all areas of business and this includes spending on facility time. "We have to ensure that the time we pay for Civil Service trade union representatives to

spend on their trade union duties and activities is appropriate, accountable and that the value is identifiable within a reformed and modernised Civil Service" (*ibid*).

Some, such as the Labour Party, TUC and Civil Service unions have framed these changes to trade union facilities as an ideological attack, with Labour spokeswoman Lucy Powell stating in March 2015 that they were a continuation of the coalition's policy of disenfranchising workers in the public sector (BBC,2015). However, as can be seen from the above statements, the government has been very careful to paint the changes as part of its austerity measures. Francis Maude in March 2015 told Parliament that whilst supporting the principle of facilities, the time union representatives use needed to be "controlled and monitored, and it was unacceptable that tax payers were having to pay for their expenses and travel costs to attend trade union meetings and conference" (HC Deb 2015).

The main proposals of the consultation paper were gathered under four headings: developing a common system for reporting and monitoring facility time; limiting the use of one hundred percent of representatives' time being used on trade union duties and activities; making it the default position that time off for union activities be unpaid; and the reduction of overall facility time across the Civil Service. Of these four proposals all but the third, making union activities subject to unpaid leave, were implemented in full. In terms of point three, there was a small amendment in that it was agreed that paid time off could be appropriate, if it could be proved that eighty percent of a meeting's agenda was in relation to issues that directly affected the particular civil service department in question.

The first proposal, developing a common reporting and monitoring procedure was, in the main, a tidying up exercise from what already existed with the review stating that several departments already had procedures to monitor the use of facility time.

In order to bring these different practices together the review proposed a common reporting mechanism for departments, with representatives expected to keep a mandatory record of the time they spend on union duties and activities. With this in place, departments are expected to publish details of facility time and benchmarking the amount of time spent of specific duties was introduced in order to prove that the money spent of on a duty is “appropriate to the needs of the duty” (Government 2012).

The second proposal, to limit the use of one hundred percent facility time representatives, had far bigger repercussions for the unions than the first. At the time of the review, it was reported that there were two hundred and fifty union reps across the civil service who spent one hundred percent of their time on union duties and activities. In 2015, Francis Maude reported that this number had fallen to eight (HC Deb 2015). The review stated that “we believe for a trade union representative to function effectively and be able adequately to represent the views of employees, it is necessary for them to be actively involved in the work of their department or agency. Representatives currently in receipt of 100% facility time do not benefit from business skills that would be acquired from carrying out a Civil Service role” (Government 2012:7). The PCS, in their response to the consultation, stated that whilst they recognised that there were some problems associated with representatives having one hundred percent facility time over a prolonged period, these representatives also bring a number of advantages, such as the experiences that are gained through dealing with broad issues, the specialist knowledge acquired and the relationships that can be built up between these representatives and senior managers.

The removal of these representatives has an effect on the ability of unions, operating in the civil service, to represent their members effectively. In the case of Unite, it has been highlighted in this chapter and the one previous that the use of representatives on one hundred percent facility time was pivotal to the representational structures of Unite within the MoD sector. The servicing model, often used in the sector, with one hundred percent representatives, such as those based in Whitehall, being 'parachuted in' to deal with local level issues, was of vital importance to the structures of the sector. How, therefore, has or will Unite react to these changes? Did it attempt to fight this proposal and how has it changed, if at all, in the wake of the changes being bought it?

As discussed above, small changes were conceded in reference to the third of the four proposals. However the main focus of the proposal, that the default position be for only unpaid leave to be offered for the vast majority of union activities, as opposed to special paid leave, was bought in after the consultation. In fact, whilst some union officials claimed a minor victory on this, the original proposal stated that "we accept that there may (be) circumstances where paid time off for activities may be appropriate and wish to consult on a reasonable mechanism for deciding this" (Government 2012:8). It would, therefore, appear that it was always the intention of the department to negotiate around this and that the eighty percent department facing rule was no major gain.

This change has the potential to be a major issue in terms of the running of the union and internal governance and democracy. The vast majority of the union's democratic committees and conferences take place during the working week, including meetings of the RISCs, NISCs, regional council and National Executive and also all of the union's main conferences (Industrial, Rules, Policy). It is unlikely

that any of these, prima facia, would qualify as eighty percent department facing and, therefore, would not be eligible for paid leave. The fallout from this could be enormous as the options left open to union representatives wishing to attend such committees will be to take their own annual holiday or unpaid leave. As annual holiday is finite and the majority of representatives cannot afford to take much, if any, leave unpaid, this could have a dramatic effect: firstly on the ability for the union to attract representatives to attend conferences and committees outside of the workplace; and secondly on attendance, with some representatives not being able to attend all of the committee meetings in which they have been elected to take part.

The fourth and final proposal is a reduction in overall facility time and ensuring appropriate use of facilities, across the civil service. This proposal builds upon the other three and is the most telling in its language. This proposal states that "alongside proposals 1-3 we intend to consider how we can reduce overall facility time through rigorous line management so that the balance can be struck between reasonable time off and business needs and ensuring best value for money" (Government 2012:9). This proposal is littered with aggressive language such as, facility time must be "reasonable…but not excessive…employers should deal with requests vigorously and representatives should demonstrate requests are reasonable and proportionate" (*ibid*). It talks about the need to "ensure that the use of facilities e.g. telephones, photocopying and use of office accommodation, is appropriate and represents value for money for the taxpayer…employers should operate rigorous management of facility time at line management level" (*ibid*). The aggressive language in this proposal points to a belief by the department that union facility time and facilities have been abused. The department has made repeated mention of its support for trade union facility time and that these proposals are about modernising the civil service, to bring it in line with the private sector, rather than a

union bashing exercise. However, the repeated use of words such as reasonable, excessive, rigorous, realistic and proportionate demonstrates the belief of the government that the amount of time and money attributed to union facilities is a problem that must be dealt with.

Whether the intentions of the proposals made and, in the main, implemented from this review were to merely tighten up the slack within the system or to seriously curtail the ability of the union to function, internally and externally to the department, the outcome is that one hundred and ninety two of those representatives who had been granted one hundred percent facility time saw the time they were allowed to dedicate to union functions and duties reduced to a maximum of fifty percent. Francis Maude stated in parliament that the changes implemented had reduced the costs of union facility time to the civil service, from thirty six million to ten million pounds a year (HC Deb 2012). How the unions, particularly Unite, responded to this review and the effects that it has had on the way that Unite is able to represent and organise its members will be one of the primary themes of this thesis.

A major concern for unions organising in this part of the public sector should be the possible loss of experienced representatives as a consequence of these changes. Whilst, on the face of it, these changes will, at the very least, diminish the amount of time that union representatives are able to dedicate to the union, there is the possibility that many of the one hundred and ninety two representatives, who prior to the review had enjoyed one hundred percent facility time, will not carry on in their roles as representatives or in some cases will leave the department altogether, through either voluntary redundancy or resignation. If this is indeed the case then does Unite have any contingency plans in place to deal with such a loss? Will existing representatives find ways to continue their work whilst accepting the tighter

restriction on their time? Will new representatives step forward to fill the places of those that have chosen to leave? How will the union need to change its structures, in terms of full time officer contact, for those members who find themselves unrepresented? These questions will be analysed in the course of this thesis.

Summary.

This chapter has set out the issues that make the MoD sector of Unite quite unique and, therefore, very interesting in terms of researching its representational structures and the way that the union has had to adapt to a dramatically changing situation in the workplace. Whilst many of its internal structures are comparable to other parts of the union, it is a very small part of the UK's biggest union and is an Amicus-dominated sector within a TGWU-dominated union. It is also a minority union within the Civil Service but with a presence that punches far above its weight. The centralised and often bureaucratic bargaining structures, formed through almost one hundred years of dedication to the Whitley System, have caused a high dependence on the full time officials and representatives with one hundred percent facility time. This system of industrial relations is coming under increased pressure from the huge changes that have taken place in the sector, in terms of rationalisation of posts and sites and especially in regards to union facility time. These changes will unquestionably have an effect on the relationships that exist between the different representational levels of the union. The following chapter will take the form of a review of the available literature in reference to representation, particularly in reference to the relationships that exist between regional and national full time officials, one hundred percent lay representatives, convenors and local stewards. Linked to chapters two and three and related to the issues and peculiarities of representation in the Ministry of Defence, this chapter will examine research which

has already been carried out in this area and identify the gaps in research that exist and to which this thesis aims to contribute.

Chapter Five. Theoretical considerations when researching trade union representation.

This chapter will explore the often complicated area of trade union representation. Having discussed union structure, the history and democratic, representational structures of Unite, and the intricacies of the MoD sector of the union, that will make up the case study, this chapter is central to the overall thesis as it will seek to explain the key issues in relation to union representation that will be examined in this study, along with the issues raised by the previous chapters. Examining the literature that exists in relation to this area of research, this chapter will look at the relationships that form between full time officials and the multiple layers of lay representatives who take an active role in representing the membership and within the internal government of their respective unions. The chapter will examine the relevancy of key arguments and theories within industrial relations literature to researching some of the contemporary issues of representation discussed in the preceding chapters. it will be argued that the issue of representation, like that of union structure has, to an extent, become fragmented and marginalised within industrial relations literature, highlighting the difficulties in addressing the central research themes in this thesis.

Turner, as stated previously, placed representational relationships at the heart of union structure and democracy stating that “the actual government of a trade union really depends on the relationships between three groups: its full-time officials, that proportion of its lay members which takes an active part in the union’s management and the usually more passive majority of the rank-and-file” (1962:289). It is from this that Turner devised the typology of trade union government discussed in chapter three. This chapter will begin by examining the roles of the union full time official

and workplace representative before moving to a discussion of how those carrying out these roles interact with each other.

Before discussing in detail the roles of full time officials and shop stewards and the relationships that exist between them it is important to explain what is meant by rank and file. Taken in its purest form the phrase rank and file should cover all union members, the shop stewards being the rank and the members being the file. During the 1970's , the term rank and file became inseparable from the movement of strong workplace organisation and shop stewards, which challenged employers and trade union leaders alike. However, the term has come to mean what Turner referred to as the, in the main, passive majority of members who hold no position of office within the union, with Darlington writing that "the term of rank and file provides only a broad characterisation of union membership (1994:32). The relationship between the members and shop stewards is defined by Darlington as being "characterised by a tension between democracy and bureaucracy" (1994:29).

Heery, in 2006, declared that there were fewer than four thousand paid union officials dealing with the organisation, recruitment and representation of nearly seven million members. This indicates an increase from 1991, when Kelly and Heery stated that the number of officers was between two thousand nine hundred and three thousand. Heery states that the usual arrangement is for an officer to be responsible for the representation of between two and five thousand members, however the range is likely to be wider than that (2006:445). The ratio of between two and five thousand members to one officer appears, from Clegg *et al* (1961:38) to be a historical one as their research showed that between 1921 and 1959 this ratio was broadly in line with what they discovered. Kelly and Heery make links between the numbers of officers employed by a union and participation of members.

In those unions that have a below average member to officer ratio, Kelly and Heery found high levels of workplace organisation or a dependence on one hundred percent lay officials, whilst those unions with above average ratios were closely related to weakly or unorganised workplaces (1994:34). Kelly and Heery's conclusions fit with those of Turner, who found that unions with high member participation and strong democratic structures (closed) are likely to have fewer officers than unions with low member participation (1962). This was also backed up by Clegg et al (1961:89) who state that unions with higher member to officer ratios place emphasis on their officers dealing with negotiation whilst those with low ratios of members to officers are likely to concentrate on office work, branch meetings, recruitment and helping members with individual problems. Turner (*ibid*: 287) cites the example of the TGWU and AEU (both now part of Unite) as evidence of this. The open TGWU with one and a quarter million members had between five and six hundred officers, whilst the closed AEU, with eight hundred thousand members, had just one hundred and twenty officers.

In addition to this, McCarthy (1966:43) notes that there is a marked difference between the levels of interaction between shop stewards and full time officials in craft and general unions. McCarthy (*ibid*) states that shop stewards in general unions had more frequent contact and closer working relationships with full time officials than representatives in craft unions, writing that whilst this is to some extent due to the higher officer to member ratios, outlined above, it could also be attributed to the provisions made in these unions to deal with their considerable and varied membership.

The number of officers reduced during the 1980s in line with the falling number of working people that were members of a trade union. However as the 2006 figures

from Heery show, the ratio of members to officers has stayed relatively stable. The variation in ratio, from one organisation to another may be explained by the aforementioned makeup of the UK's union movement. Clegg (1976) also links this to the union's bargaining strategy, stating that those unions that operate in job territories where bargaining is centralised, such as the public sector, will have the necessity for fewer officers than unions that predominantly cover job territories where bargaining is more dispersed.

There are many ways to classify union officials. They can be classified as what they do or as what they believe. For example Heery (2006) develops four types of union officer based around the role, organisers, servicers, recruiters and seniors. The organising officer and the servicing officer are at opposite end of the spectrum. The organiser is mainly interested in the development of strong workplace organisation, through the recruitment of new members and activists and puts a large amount of work into encouraging and supporting workplace representative to take the lead on industrial issues. Meanwhile, the servicing officer is primarily concerned with the representation of members, either individually or collectively through negotiations and has little interest in organising members. The third is the recruiting officer, who is concerned with recruiting members, as is the organiser and individual representation, as is the servicer. Finally, the seniors are characterised as being in senior regional and national positions. These officers were reported by Heery to mainly be involved in higher level issues than the other three typologies, such as tribunals, recruitment policy and multi-employer bargaining. As is often the case, when trying to classify anything, officers may often not fit neatly into one of these boxes. For example, it is possible for an officer to encourage self-organisation in a workplace where the union is strong and already well established, whilst carrying

out a servicing role in a workplace where union representation is weak and unorganised.

Kelly and Heery, in their 1994 study of union officials, attempt to classify union fulltime officials by way of their beliefs and ideologies. This time three typologies are proffered, the Managerialists, often from the political right of the union movement and highly bureaucratic, although still broadly pluralist; the Leaders, from the left of the trade union movement and viewing the relationship between employees and employers to be antagonistic; and the Regulationsists, not wedded to either ideology and adaptable in different ways to different situations. They also lend themselves to the union strategies discussed in chapter two, with the Manergerialist likely to be involved with servicing and the adoption of partnership whilst the Leader is more likely to be an organiser. However, as was also discussed in chapter two, unions and union officers will likely take a more mixed approach.

The simplest way to classify trade union full time officials is to look at them from the point of job tittle. Almost all unions have national and regional officers and in addition there are a number of titles such as organising officer, district officer and branch officer that are often, but not always, present. The balance between the number of national officers and regional officers will often depend on bargaining arrangements that exist in a union's main job territories. For example, many unions that predominantly organise in the public sector will focus more on national representation due to the higher level that bargaining takes place. In these unions, therefore, the branch is often seen as more important than it may be in a more general union (Kelly and Heery, 1994). However, even when trying to define union officials in this way there are issues. For example, where is the dividing line between fulltime officials and staff? In those unions that elect there officers, which will be

discussed, it is reasonably simple to split officers and staff as it can be said that those employees of the union that have gone through an election in order to take up their posts are officers whilst those that have been appointed are staff (Clegg *et al* .,1961:19).

This is more complicated in unions where officers and staff are all appointed rather than elected. In this case the definition proffered by Clegg et al (*ibid*) is that staff, in the main, deal with internal union affairs whilst officers primarily deal with negotiating with management. However, they point out that this is still not perfect and differs from one union to another. For example, in some unions, research officers and education officers, who deal principally with issues external to the union, are classed as staff whilst in other unions, senior administrators are classed as officers when the vast majority of their duties are linked to internal union issues.

The way that union officials are selected differs from one union to the next, the primary debate being between election and appointment. The way that unions recruit their officers will have an effect on the structures and governance of a union. Those that elect their officers will have fewer officers in senior positions than those that appoint and are more likely to be responsive to the wishes of the members and less accountable to superiors (Kelly and Heery, 1994). Recruitment of officers may be open or closed, as unions can be. Unions that recruit openly, particularly white collar unions, advertise and seek to appoint officers from outside of the union. Unions that do this are more likely to recruit officers that are woman, young and/or have a higher educational background than unions that operate closed recruitment meaning that officers are appointed or elected from the union's existing membership, within the bounds of employment law. Leaders within unions tend to be creatures of tradition and therefore will operate the same selection procedures

as they always have (ibid). However, this can change, particularly when two unions with differing traditions merge. This was the case, as indicated in chapter 3, when the AEEU was formed between the engineers, who had a long tradition of elections, and the electricians who had previously moved to a system of appointment. The result being that the AEEU adopted the electricians' system of appointment. This was again the case when Unite was formed. Amicus had, two years prior to merger, voted at conference to reintroduce the election of officers; however, this reverted to appointment as part of the merger with TGWU, who had always used appointment for recruiting officers. In those unions that appointed their officers, some only did this when, in addition to passing an interview candidates had the prerequisite number of years in membership. In addition to this some unions make selections for appointed officials, from a list of members that have passed a pre-selection panel (Clegg et al 1961:51).

The relationship that full time officials have with their lay activists is, as Turner discussed, a crucial but often complicated one. Webb and Webb (1894: 489) state that the origin of the shop steward is as a minor official of the union, elected by the 'men' in a particular workshop, with the job of making sure that all members had paid their contributions. The role of the shop steward has evolved a great deal since this definition. Goodman and Whittingham define the shop steward as a 'representative appointed from the members of the unions employed in the establishment to act on their behalf' (1969:1). They elaborate on this by stating that stewards are a representative of union members in a workplace and are acknowledged as such by both their trade union and management but are not a branch official or paid officer of the union (*ibid*). Clegg *et al* state that "a shop steward is a local union representative who has definite responsibility for the first stage of local negotiations, but is neither a full time officer nor a branch secretary with

recognised negotiating rights in that capacity (1961:180), whilst McCarthy stated that “the term shop steward is used to refer to trade union lay representatives at the place of work” (1966:4). McCarthy goes on to explain that these stewards are elected by their fellow members but do not tend to face opposition once they have been elected (*ibid*:57). These are not catch all definitions. There is a lack of a standard terminology for workplace representatives meaning that the role may be identified by different names. In some industries the duties discussed above are carried out by someone who does not come under the definition, such as the print workers father of the chapel, and imperial fathers (or mothers) (Clegg *et al* 1961:24). In many white collar unions the role is classified under the bland label of “union representative”. However, for all intended purposes, in this study, workplace representatives will be referred to as shop stewards.

The role of shop stewards was defined by Goodman and Whittingham as “actions performed by a person to justify their occupation of a position which is usually imprecisely defined” (1969:5). Again this highlights the formlessness of the stewards’ role which may differ from workplace to workplace and from union to union. They are regarded by unions mainly as administrators. They are voluntary assistants who are the union’s main recruiters and are tasked with maintaining that membership, once recruited. In terms of the branch and full time officers, the shop steward is the ear on the shop floor. They can and are expected to feedback information in regards to shop practices and any proposed changes to practice, in reverse they are also the conduit through which information is disseminated from the national union to the rank and file. Stewards are tasked with ensuring that rules are followed, both by members and employers and that collective agreements are observed, reporting any infringements (ibid:6).

Clegg *et al* (1961) outline in their survey the key duties of the shop steward, finding that whilst these duties were wide ranging there were a number that were common. The most time consuming activities were carrying out negotiations with management and holding discussions with members. Many shop stewards stated that they did this exclusively with no other duties mentioned. Most stewards reported that they spent more time with managers than foremen and it was also shown that shop stewards spent as much time talking to foremen and managers as they did discussing issues with constituents. In the case of convenors, more time was spent with managers than it was with constituents. The average time spent on union business, per constituent, was found to be 3.9 minutes a week of working time and 6.6 minutes when the stewards own time was taken into account (Clegg et al 1961:138).

From a servicing perspective, stewards are involved when a member has an accident, gathering evidence and giving advice, also shop stewards inform members of other benefits that the union provides. From the point of view of management, shop stewards can be seen again as a conduit for the passing of information between the business and the members and *visa versa* (Goodman and Whittingham 1979:5-6). Lane, writing in 1974 writes that the range of activities stewards were prepared to perform was extraordinary with, in larger plants, a steward being prepared to give advice on almost anything. External to the workplace, stewards gave advice on such things as “tax problems, marital problems, problems with the kids, problems with the school, trouble with HP (hire purchase), the mortgage (and) social security (Lane 1974:201). Internal to the workplace stewards continue their role as, in the words of Lane, a social worker (*ibid*); helping members to fill in forms, calculate their wages and negotiating for an hour or two off

work to accommodate a trip to the dentist or doctors. Whilst these issues, on their own, may seem trivial, Lane points out that they are important to the individual (*ibid*).

Batstone *et al* (1979) carried out a study of shop stewards in a UK manufacturing firm and found that there were, as with full time officials, a number of different types of shop steward. Four distinct classifications of shop steward are identified based on their pursuit of union principles and the way that the role is seen in reference to being a delegate or representative (ibid:35). The first type, the leader, takes a representative role, is totally committed to the union's principles and generally able to achieve them. Secondly, the nascent leader also takes a representative role and is usually sponsored by a leader. Like the leader this type of steward is committed to union principles however, without the support of other representatives, is often unable to achieve their goals. The Third type is the cowboy. This steward, like the two previous, takes a representative role but differs in that they are not dedicated to union principles, instead being more interested in making short term gains for the department that they represent. The final type identified is the populist. This type neither dedicates themselves to union principles nor takes a representative role. Instead the populist sees themselves as a delegate and therefore the activities and goals of these stewards are determined by the members that have elected them.

Fosh (1981:72-79) builds on some of the ideas espoused by Batstone *et al* dividing shop stewards into two distinct groups which she terms actives and inactives. The active group fits very well with the leader typology highlighted above. They believe strongly in trade unionism, seeing it as a social movement rather than a movement for individual gain and seeing the union as an organisation for the promotion of political and social goals, as well as economic ones. Sometimes the beliefs held had always been with the representatives whilst others needed something to trigger

them. Fosh explains that the beliefs of the older actives were often based on experiences of adversary in childhood, strong family ties to trade unionism and experience, as adults, of industrial disputes. Meanwhile, the younger actives were less likely to have had the same experiences as the older ones but were surrounded by friends and family, who were pro-union.

Batstone *et al* (1977:36) concentrate their observations on the roles of leader and populist stewards, as they state that these two types are the most numerous, forming 38% and 45% respectively of those studied. They noted that these two types of steward were distinguishable by very marked differences in their behaviours and commitments to union principles and the representational role. They found that populist stewards placed greater emphasis on short term improvement in wages and conditions, whilst leader stewards saw the longer term goals of defending the rights of workers and the pursuit of socialism as primary objectives (*ibid*:37). It is indicated that these differences in commitment to union principles are driven by the differing perceptions that individual stewards have of their roles. In terms of role it was found that 88% of leader stewards strongly agreed that the role, whilst being a representative, sometimes required telling members things that they did not want to hear whilst only 35% of populists strongly agreed and 12% either disagreed or strongly disagreed (*ibid*:39). At the same time, populists saw members as the main influence on the decisions that they made, whilst leaders were noted as placing far more emphasis on the influence of other stewards and collective bodies of stewards, such as the Joint Shop Stewards Committee (JSSC). These differences were noted as being in line with the arguments made around the distinction between representatives and delegates.

Darlington (1994) is critical of Batstone *et al* (1977). He states that they overstate the differences between leader stewards and populists, with stewards, in practice, displaying elements of both positions. Darlington (1994:21) therefore declares that it is not possible to characterise stewards in the way that Batstone *et al* do, as their roles and behaviours change depending on circumstances. He states that those representatives, who would fall under the classification of leader due to their dedication to union principles, whilst indeed exercising a certain amount of autonomy, still have to be seen to react to the needs of the members that have elected them, or else face the ignominy of a challenge to their position. On the issue of trade union principles Darlington (1994:23) also disagrees with Batstone et al (1977). Darlington (1994:23) states that the argument made by Batstone *et al* (1977) that sectional interests and union principles are not compatible is incorrect, writing that whilst some issues may appear to be sectional in appearance they can have a direct effect on workers in other areas of a plant. Therefore, to attempt to restrain sectional interests or to stop it spreading can be self-defeating, as it may weaken union organisation more generally. It is often a matter of judgment for stewards whether to support such an occurrence.

Batstone *et al* (1977) also discuss the differences in the ways that shop stewards interact with managers and members. In terms of managers, Batstone *et al* (1977:166-167) state a number of differences between leader stewards and populists. They found that leader stewards were more likely to have dealings with managers above the foreman level whilst populists had more interaction with foremen and charge hands. In fact, they found that the most senior of leader stewards, the convenors, had almost no contact with managers of foreman level or below, as they felt to do so was beneath them. They describe (ibid: 168-169) how

the relationships that develop between stewards and managers are nurtured in order to form strong bargaining relationships.

These strong bargaining relationships are said by Batstone *et al* (1977:169) to develop further than the normal formal relationships that exist normally in the day to day running of an organisation. These relationships allow for the exchange of information, including that which is confidential through off the record discussions. It is pointed out that whilst these relationships are formed and maintained for the purpose of achieving goals, their closeness can mean that the maintenance of these relationships and protection of the parties to them can take on an importance of its own. It is further noted (*ibid*: 171) that these relationships are based on a broad equilibrium of power and influence between the two parties involved. Without this, it is stated, there would be no incentive for either party to develop the relationship as confidences and support could not be reciprocated.

However, again Darlington (1994) disagrees with Batstone *et al* stating that their evaluation of power is incorrect. The power of shop stewards, it is argued by Darlington (1994:180), is curtailed by the capitalist system. Therefore, as it is the employer that has overall control of what they wish to bargain over and what facilities will be afforded to union representatives, it is not strong bargaining relationships or the abilities of stewards that give the latter power in the industrial relations setting, but the collective backing of the union membership. Darlington continues to write that, whilst the adoption of strong bargaining relationships can achieve limited success for some groups of workers, the policy, in the long term has serious limitations in delivering gains to members (*ibid*: 269). Also when this type of give and take bargaining is used over a long period of time members may be lulled into

a false sense of security, meaning that they are ill prepared when more militant forms of action are needed (*ibid*).

When asked why they had become shop stewards, Batstone *et al* (1977) noted a significant difference in responses, between shop stewards representing shop floor workers and stewards representing staff. For the staff representatives, the key reason given was that they felt there was a need for the union's members to have a mouthpiece. However, for the shop floor stewards the main reason for becoming a rep was the achievement of certain collective goals. This ties into the notion that blue collar shop stewards were more attached to union principles than their white collar counterparts, with the study finding that almost a quarter of the staff stewards surveyed were not aware of any union principles at all. Also, shop floor stewards place particular emphasis on the protection of members and the improvement of terms and conditions, whilst staff representatives placed more importance on voicing the feelings of members and ensuring a harmonious relationship with management (*ibid*).

As with full time officials there are different levels of shop steward. Above shop stewards in the union hierarchy are senior shop stewards, convenors and works convenor. Senior shop stewards often form what Batstone *et al* labelled the quasi elite (1979:45). This group of stewards are "experienced stewards who are in close contact with the convenors and upon whom the convenors rely" (*ibid*). This experience is seen not just in the time that they have been representatives, but in terms of the level at which they have bargained and the success that has come from this. These stewards have more contact with the convenors than other stewards, and are distinguishable from other stewards because the contacts that they have with convenors is not attributable to just one particular issue. They are placed on a

more equal basis to the convenors by other stewards and the convenors themselves. (*ibid*:36-47). Quasi elite members assume a leadership role which makes them, to an extent, independent from their members and, whilst primarily being interested in the aspirations of their own members, they also have a greater understanding of, and involvement in, plant wide issues.

Above the quasi elite, in terms of structure at least, are the convenors. Usually senior shop stewards, convenors are elected by their shop stewards committees and usually take the role as secretary. Works convenors are elected by all reps, irrespective of union, at the inter-union Joint Shop Steward Committee (JSSC) (Goodman and Whittingham 1969:3, Clegg *et al* 1961:24). Convenors have almost always been elected as shop stewards prior to being elected as convenor. Once becoming a convenor, they may continue in their role as a constituency shop steward, whilst some may give this up in order to concentrate on the higher position (*ibid*).

While the role of convenor may vary, there are a number of things that are common. They are seen by management as having significant influence over the plant's other representatives and, for this reason, can be highly influential in the progression of disputes. Convenors have a great deal of knowledge in reference to wider issues and are able to advise stewards on factory wide practices and policy. They may join shop stewards at certain stages of negotiation and will become involved at the very start of procedures, if it is deemed that an issue requires urgent attention (Goodman and Whittingham 1969:3).

The relationships between the differing levels of steward are at times fractious. It is felt by convenors and experienced stewards, such as the quasi elite, that shop stewards should be able to deal with the vast majority of issues themselves. It was

therefore a major criticism from the senior representatives that some shop stewards do not try to deal with issues themselves, instead "using them as whipping boys" (Batstone 1979:32) due to not knowing how to or not having the confidence to bargain hard enough. Part of this criticism is that some shop stewards are not assertive enough to explain to their members when they are not right about something. "A steward cannot support his section when they are wrong" (*ibid*). In order to give the convenor strength it is believed that "a steward should deal with problems himself…he shouldn't just moan" (*ibid*).

The study carried out by Batstone *et al* (1979) found that the relationship between the wider union and the shop stewards and members was a tenuous one. Some shop stewards had been on courses that had been run by the union and stewards often placed emphasis on the wider union in terms of it being an embodiment of principles and self-identity. However, other than this there was very little involvement with the wider union. Stewards with leadership qualities were more likely than populists to be involved. From the perspective of the rank and file members, the shop steward is often the only contact that they will have with the union. Often the members will think of their shop steward or shop stewards committee as the union and will refer to them as such.

The relationship between the stewards and rank and file is, therefore, an important one. The strength of shop stewards stems from their leadership being accepted by the constituency of members that they represent and their ability to carry the members with them. For them to be able to lead then they must respond to the changing needs of the members. Unless the implicit and explicit requirements of members are fulfilled by the shop stewards then this leadership may be challenged, with the risk that they may be replaced (Goodman and Whittingham 1969:15). Lane

describes the shop steward as the ‘man’ with two masters “he has the employer, who can use all sorts of undetectable victimisation that doesn’t necessarily mean dismissal, and he has to satisfy the members” (1974:195). Lane goes on to say that stewards have no direct power over their members as they have no way of sanctioning or coercing members to do what they wish. The authority given to them, by the members, is linked to their performance as a steward and as a member of the work group (*ibid*:198). However, “authority was not a fixed lump of social capital in the sense that once accumulated it was thereafter indestructible. Like physical capital it had to be continually replenished, if it was to remain valuable” (Lane 1974:1999).

Shop stewards are usually paid the average wage of those which they represent and whom they work alongside for most of their day at work. As they are subject to election usually annually or biannually, when their fellow workmates have the chance to cast their judgment on their performance over the period of office, by either re-electing them or voting them out (Darlington 1994:31-32). However, Darlington also states that in some workplaces, steward organisation may become so centralised and hierarchical that the relationship between shop stewards and the rank and file can become blurred. In some cases this can lead to full time convenors having more in common with full time officials than they do with the members that they claim to represent (*ibid*). This, Darlington explains, comes from a tendency in the 1970s for a layer of shop stewards, usually convenors, to become estranged from the members due to their full time status and provision of facilities by management and involvement in plant wide bargaining.

Darlington (1994: 29) states that the relationship between full time officials and shop stewards is “characterised by a tension between independence and dependence”.

Stewards have independence in terms of having the ability to handle a variety of grievances and negotiations with a large amount of autonomy. Stewards can act as a counterbalance to the often cautious nature of officials and can apply pressure to full time officers when in negotiations with management. However, Darlington points out that the reverse of this is that being the link between the rank and file members and the wider union makes stewards dependent on full time officials for services such as information, assistance in collective bargaining, help with legal backing, and securing support in strikes. Darlington states “without which they (shop stewards) couldn’t function” (Darlington 1994:31)

The concept of a shop steward as an representative, who works alongside and receives the same wages as the members who regularly elect them means that they are a directly accountable, strongly democratic expression of the concerns and desires of their members. However, as with union full time officials, shop stewards also come under pressure from bureaucratisation. Given facilities to carry out their duties, such as offices and time off, stewards, particularly those in senior positions, can become separated from the shop floor, as they are encouraged to think in terms of the needs of the business and the wider interests of the union (Darlington, 1994)

The relationship between shop stewards and full time officials is described by Heery and Kelly as one that involves the two most contrasting positions in the trade union movement. Both sets of individuals wish to expand their involvement at the expense of the other. Officials wish to preserve and negotiate national agreements whilst shop stewards want to replace these with locally bargained ones (1990:76). However, Batstone *et al* (1979:202) argue that convenors and full time officials have a shared interest. Many full time officers, particularly those in manual unions were formerly convenors and understand the need for strong leadership and

organisational unity. This is added to by Darlington who states that full time officials often have a great deal of authority over steward organisation “transmitting leadership policies downward to the shop-floor” (1994:31).

Full time officials do not want to be involved with what they regard to be trivial issues at the shop floor level (Batstone et al 1979:187). Even if these sort of issues are problems for shop stewards they should not necessitate the involvement of full time officials. In terms of shop stewards, the main interests of full time officials are that leadership is not being misused, that members are not being soft on management, whilst maintaining the support of their members. Full time officials are also concerned that stewards, especially convenors maintain close contact with the larger union. Stewards’ networks are a rich source of information for full time officials. They can relay what the aspirations of their members are to full time officers prior to negotiations then, in turn, keep members informed of the progress of those negotiations (Heery and Kelly 1990:75).

However, Batstone et al (1979:204) point out that whilst the building of good relationships between shop stewards and full time officials can be very helpful in the pursuit of shared goals, both parties have the ability to do great damage to each other if this co-operation breaks down for any reason and the relationship becomes one of conflict. If this does become the case then it maybe that a full time official will take, or attempt to take, away the credentials of a convenor or shop steward. However, this could exacerbate a situation, particularly where the representative in question remains popular and well supported by the members and other stewards. In turn, where a full time official is elected they are susceptible to particular damage at times of re-election. In some cases this may come from the direct challenge of a convenor standing against the incumbent officer. However, it may be that the

challenge comes from a convenor, or opinion forming shop steward, publicly backing a rival candidate and using their influence to sway members of a plant to vote that way. This is particularly true of convenors in large workplaces, where the number of votes which may be influenced is large. In other cases, it can be that convenors write letters of complaint to the superiors of full time officials. In terms of internal union politics, it may also be the case that complaints can cause particular harm where an officer is known to be a member of a faction other than that of the dominant group.

Factionalism, and membership of political groupings, as has been discussed previously, needs to be noted in any discussion of union representation. However, it should also be noted that the political sociology of union representation means that, as stated by Wright Mills and Schneider, whilst the majority of people are politically passive in nature, that does not mean that they cannot enter into "zones of political awareness" (1948:15) when, or if, an issue arises that they feel strongly about. Lipset *et al* (1962) and Wright Mills and Schneider (1948) discuss how the political persuasions of individuals manifest internally in trade unions to create tensions over union policy, structure and direction. These tensions can be played out through factionalism, in terms of internal groupings around issues such as conference motions and elections and can also be seen external to the trade union structures, with outside organisations, such as the political parties of the far left, organising to try and influence the internal workings of the union. As has been noted in earlier chapters this has been dealt with differently from one onion to another, with some such as the AEEU, if not embracing then at least accepting such politics, whilst others, such as the TGWU attempting to stop them by banning unofficial groupings and banning members of the far left (and right) from holding lay or full time office. The changing nature of the working class also needs to be noted within

this discussion, as highlighted by Goldthorpe *et al* (1975). Noting the breaking up of some traditional industries (something that, as discussed in chapter two, accelerated in the 1980s) and the increase in white collar work at the expense of blue collar, Goldthorpe *et al* (1975:14) discuss the" embourgeoisement of the working class", linking this to the rise in working people voting Conservative in the 1960s. This embourgeoisement is important in relation to trade union representation, in terms of the influence that it can have as a moderating influence on unions, through less militant representative and activist bases and a feeling amongst the membership of increased affluence.

As will be noted from the first part of this chapter there is a significant lack of contemporary research into this area of trade unionism. Whilst there are notable exceptions, such as, amongst others, Kelly and Heery, Darlington and some of the work of Fosh, the issue of lay union representation has not been significantly researched since the seminal work of Batstone et al, in 1979. Whilst research has been carried out into trade union renewal strategies modernisation and to a certain extent, merger, the issues surrounding the relationships between the different levels of union representation, shop stewards, convenors, full time officials and others, is under researched. Even Darlington's research, where he attempts to revisit Batstone *et al*. with a critical eye, is over twenty years old, and whilst Moore (2011) has researched and discussed the emergence of new representational roles, such as equality and learning representatives, she did not really discuss how these roles relate to others within the unions, focusing instead on the people that accept the roles and the motives behind them.

This research gap has meant that, in terms of this research, many of the complexities outlined in the proceeding chapters are not picked up in the existing

research. Much of the literature was written at a time when unions were going through a period of quite p henomenal growth and in a position of considerable industrial and political power. Pluralism was the overriding ideology rather than the current dominance of the neo-liberal linked unitarist perspective and the legal framework surrounding trade unions and industrial relations was more in line with the traditional voluntarist approach. Whilst there were large general unions, such as the TGWU and GMWU, there were also many trade unions catering to specific trades or industries, for example the AEU, EEPTU and NGA, all of which, along with the TGWU, are now part of Unite.

A second issue in terms of the this research and the research gap outlined above is that, in terms of the MoD and Civil Service, there is relatively little research that has been carried out into representation in this area, and none, that the researcher was able to locate, into representation by industrial trade unions. What research there is in this area focuses predominantly on other areas of the public sector, such as the National Health Service (NHS) and Local Government, which have considerably different industrial relations machinery to the Civil Service and Ministry of Defence. Therefore, in terms of this research, whilst the existing literature has provided a number of avenues that need to be explored and has been used to inform the research and help to address the research question of what factors influence effective trade union representation, there has quite clearly not been enough contemporary theoretical or empirical research conducted to build even a mid-range theory.

Before moving on to outline the way this research has been designed to begin to address this research gap, it is important to first define what is meant by *effective trade union representation*. To begin with, we can use the three perspectives of

industrial relations to explain some of the different perceptions of what is meant effective in terms of union representation. The unitary perspective, whilst hostile to the concept of trade unionism, does, however, have to accept that it is something that needs to be dealt with, where is cannot be discouraged or eradicated. Therefore, from this frame of reference, effective trade union representation means that unions should not take an adversarial role towards the management (Fox, 1966:10, Burchill 2014:7). Management's prerogative, the right to manage, should not be challenged in any way, with the union existing as an extension to the Human Resources department. Where grievances arise, effective union representation will act swiftly to nullify the discontent by explaining that it is in the best interests of the company and, therefore, the union's members for the grievance to be put aside (Fox 1966:12, Williams and Adam-Smith 2006:9). In reference to full time officials, this perspective sees there role as one of managing discontent, from the point of view of the organisation. If and when an issue arises that cannot be dealt with by the management and cannot or will not be dealt with by the union's workplace representatives, the role of the full time official is to quell the dissatisfaction, by applying pressure on the shop stewards or sometimes bypassing them altogether by directly addressing the members. This perspective is linked to a weak version of the partnership approach, discussed in chapter two, with unions giving up the strike weapon and accepting a servicing role adding value to business, in return for recognition (Burchill 2014:7).

The second perspective that can be used to analyse what is meant by effective union representation is pluralism. The belief of those that adopt this frame of reference is that unions and conflict have a legitimate role to play in industrial relations. Representation, from this perspective, revolves around effective joint regulation, notably collective bargaining. Whilst conflict is seen as having a

legitimate place in industrial relations and can have a positive effect, this must not be allowed to become destructive (Fox, 1966:7, Williams and Adam-Smith 2006:9). Therefore, effective union representation means the channelling of this discontent into procedure. Industrial action, whilst part of collective bargaining is seen as a failure of both sides to come to agreement and, therefore, would not be seen as effective industrial relations (Burchill 2014:8).

The Marxist frame of reference sees capitalism as an “inevitable and fundamental source of conflict” (Burchill 2014:9 Hyman, 1975:20). This perspective sees society as being divided into two clear classes, those who own the means of production and those who do not. Those who own the means of production are, from this frame of reference, mainly concerned with the maximising of their profits, seeing labour as just another resource to be exploited. The Marxist perspective differs to the pluralist perspective, which also accepts that conflict is inevitable, in that it does not believe that this conflict can be institutionalised within procedures. Any agreement reached to end an agreement is merely a temporary truce “used in the pursuit of absolute control” (*ibid*). Therefore, trade unions are a form of protection against the uninhibited advance of capitalism which emerged when workers realised that joining together was the only way that they could increase their power in order to defend themselves against their employers. From this frame of reference, therefore, effective trade union representation can be seen as the success that a union has in defending its members from the worst effects of capitalism. However, this frame of reference also states that leader of unions can often be incorporated into the management of capitalism and therefore, their ability to effectively represent their members is tempered by this (Hyman, 1975:27).

Effective union representation in terms of this study will, therefore, be defined in the following way. For trade union representation to be effective the union must be recognised by the employer for collective bargaining over wide number of issues, including pay and conditions. Trade union members must have access to local, workplace representatives and/or full time union officials and there should be clear structures which indicate to members, representatives and full time officials how the union should function. While these provide the framework for effective representation, the key issue of effectiveness is the extent to which unions can protect and further the interests of their members through joint regulation and other methods, notably job control and legal enactment (Webb and Webb, 1902).

This chapter has demonstrated the lack of continuous and coherent research into union representation, with a few notable exceptions, since the 1980s. Whilst some limited research has been carried out into representation, as has been highlighted in this chapter, the majority of research in this area has focussed on what unions do and not on the people that do it. Therefore, as with union structure, research around representation has become fragmented and marginalised. Linked to the complexities of union organisation and representation identified of the MoD case study and the varieties of competing trade unions strategies developed since 1980, these research gaps have exposed some important avenues which will be explored in the second half of the thesis. However, the lack of contemporary research in reference to representation, democracy and structure and the complexities of union responses to decline and of the nature of the MoD case study, mean that a deductive theoretical framework will not be used or developed for this project. Such theoretical developments can only happen once in-depth qualitative case study research has taken place and will, therefore, not be possible until after this particular research project has been completed. Therefore, adopting an inductive, exploratory approach

to research, this study will attempt to address a number of research sub-questions that have been raised in the first half of the thesis.

The following sub questions that arise from the review of the literature and the background to Unite and the MoD cover the key issues of interaction between the representational levels, merger, and the external environment (economic and political) raised in the above research question. At what levels of the organisational and union structure does representation take place and to what extent does this require effective interactions between different levels of union representatives? To what extent has the Unite merger effected representation within the case study research sites, in terms of national, regional, industry and workplace representation? What has been the impact of restructuring and the privatisation policies upon representation? What has been the effect of Whitley and the recent Employee Relations Review on structure and representation?

The first question stems from Turner's evaluation of union democracy and the Batstone *et al* discussion of shop steward networks and the way that these interact with each other and with representatives at other levels of the union. The research will examine, using evidence taken from interviews, the relationships and interactions that take place between full time officials, national lay representatives, convenors, shop stewards and the wider rank and file. This will highlight how, and where, these interactions take place and explain the differences, if they exist, between this contemporary research and that which has been examined in the first part of the thesis.

The second and third questions will look at the merger process. This will examine the merger to see what effects it has had on Unite's structures and ability to represent its members (within the MoD). Issues such as the size of Unite and the

way it is run, or perceived to be run, will be examined to see how this has affected democracy within the union and the way that members are able to identify with it.

The fourth question will look, in depth, at the effects that external changes, such as the austerity and ideological driven review of employee relations. How has this review effected the way that Unite is structured within the MoD Sector? How has representation been affected and what are the major hurdles for the union in the future?

Summary.

This first part of this chapter built upon the previous chapters to examine and explain the roles of, and relationships between, the differing levels of trade union representation. This involved an in-depth discussion of the full time official, and their lay counterparts, the shop stewards. This review of the literature exposed gaps in research, with nothing significant written since the 1970s, identifying a central theme which will be explored in the second half of this thesis. The second part of this chapter has brought together the issues that have been raised in the project's first five chapters, to explain the research topic and questions which will be explored in the second half of the thesis. Chapter six will now outline the methodology used, firstly clarifying the reasons for the approach taken before going on to explain the design of the research and giving an overview of and reflection on the project.

Chapter Six: Methodological Considerations.

This chapter will outline the methodological considerations underpinning this research. Firstly, the chapter will explain the approach and the justification for the decision taken to adopt an inductive approach rather than a deductive one, and why a theoretical framework is not being used or developed for the project. The second part of the chapter will deal with the design of the research, explaining the rationale behind the case study selection, and the reasons for the selection of documentary evidence and elite interviewing as the primary methods used in the research. This section will also discuss the experience of the researcher, as a former lay representative in the MoD sector. The third part will describe how the research was conducted, outlining who was interviewed and the problems encountered in conducting the research, as well as considering issues reflecting the researcher role as a former activist and a consideration of reliability and validity.

The two main methodological strategies used by researchers are the inductive and deductive approaches. The two approaches differ in the way that they interact with theory. The inductive approach builds, or generates theory whilst deduction tests theory that already exists (Strauss and Whitfield, 1998:10). Generally, but not exclusively, inductive researchers use predominantly qualitative methods to immerse themselves in the facts of a specific case. From this, researchers are able to suggest rules and theories that are in turn used to “drew inferences about behaviour generally” (Strauss and Whitfield, 1998:9). Whilst research using this approach does not test a predetermined theory, as deduction does, it nevertheless has a clearly defined purpose with a number of research questions and aims (Saunders et al, 2007:57). The inductive approach can, therefore, not be used without the researcher having an in-depth understanding of the subject area being

researched (*ibid*). Through this approach institutions are looked at holistically, “that is in their context (both socio-economic and historical) and in detail…to understand institutions often requires an examination over time…at the least their history (thus, the term “historicism”) needs to be examined” (Strauss and Whitfield, 1998:9).

Distinctly different to the inductive approach, the deductive approach to research, rather than working from the field up as the inductive method does, works from the theory down (Strauss and Whitfield, 1998:10). From this approach a theoretical or conceptual framework is developed and then tested (Saunders et al, 2007:57). Robson (cited in Saunders *et al.,*2007:117) lays out five stages that deductive researchers will progress through. Firstly deducing a hypothesis from the theory; secondly expressing how this hypothesis is to be tested; thirdly testing the hypothesis; fourthly examining the outcomes of the research to see if the theory has been confirmed by the findings or needs modification; and finally, making modifications to the theory, if this has been found necessary. Deduction also differs from induction in that it those who subscribe to it generally use quantitative methods, rather than qualitative (Strauss and Whitfield, 1998:10). Deductive research is criticised by those that use the inductive approach for being too rigid in its design, not allowing for “alternative explanations of what is going on. In that sense, there is an air of finality about the choice of theory and definition of the hypothesis” (Saunders et al, 2007:119).

In terms of this research it has been demonstrated in the preceding chapters that, whilst it may be desirable for a theoretical framework to be in place prior to starting case study research (Yin, 2014:37), this has not been possible, as the literature that exists does not sufficiently address the issues to be examined in the research question for even a mid-range theory to be proffered with any confidence that it

would stand up to scrutiny. This means that no hypothesis can be put forward to be tested, rendering the deductive approach impractical in this case. Therefore, the approach taken by the researcher has been the inductive which has of late been the more popular choice for researchers in the field of industrial relations. In line with the discussion of the two approaches above, a large amount of understanding in reference to the historical and socio-economic background of the research area has been demonstrated in the five chapters preceding this one, and from this, a number of avenues for research have been identified through a main research question and a number of sub-questions.

The issues highlighted in chapter two, in terms of the key developments in trade unionism that have taken place since 1979 and the response of unions to these developments and chapter four, in reference to the complexities of the MoD, have led the researcher to the conclusion that in order to fully understand these complex issues and make theorisation possible, then an in-depth analysis must be undertaken using qualitative case study research.

Whilst this choice of research approach is a departure from the frequent use of deductive methodologies in industrial relations research, with a growing reliance on survey based research such as WERS, it is still in fitting with the long tradition of research in the field, of being problem centred in its orientation (Kochan, 1998:32). The holistic approach offered by induction is also in keeping with the traditions of the field. Industrial relations researchers have long taken this approach, using multiple disciplines to analyse a problem, in order to be able to place a contemporary problem or theoretical insight in its proper historical perspective" (*ibid*:35).

This first section has outlined why the researcher chose an inductive approach when carrying out the research, explaining the differences between induction and

deduction and why this particular study has used the inductive approach, rather than the more widely used (in industrial relations research) deductive approach. The second part of this chapter will now discuss the research design. Firstly it will explain why a case study was selected, highlighting the experience of the researcher, as a former lay union representative. Having done this and explained how, and why, sites were selected to be part of the case study, the methods used will be explained, with a discussion about why some methods were used as opposed to others, how participants were selected and what documents were available and how these were selected.

Why Case Study?

Kitay and Callus write that the "case can be made that the case study is the most favoured research design used by industrial relations researchers" (1998:101), stating that use of case study research can be traced back as far the studies written about by the Webbs in 1902. The ongoing popularity of the case study reflects that it is very well suited to understanding complex social phenomena and the multidisciplinary character of industrial relations research. Kitay and Callus (1998:102) wrote that there is no agreed upon definition of a case study. For some time, the case study was seen as just the exploratory stage of other research methods and it, therefore, is often not considered to written about, as a formal method at all in some of the earlier textbooks (Yin, 2014:15). The multidisciplinary format of case studies also makes them hard to define. Some writers have stated that case studies are "typified by the use of qualitative methods" (Kitay and Callus, 1998:102), such as interviews, however, they can also include the use of quantitative methods, with these in some cases being the primary means of collecting data (*ibid*). Case studies, differ to experiments, as they place the

phenomena being studied in their wider context, rather than taking them out of context to study in isolation and differ from historical studies, as the usually attempt to explain a contemporary issue, although often a sound understanding of the historical context surrounding the phenomena under investigation is required. Kitay and Callus, therefore, define the case study as “a research strategy or design that is used to study one or more phenomena and to understand or explain the phenomena by placing them in their wider context” (1998:103).

Yin’s definition is more complicated. It is split into two parts as he states it needs to be explained using a “twofold definition” (2014:16). Part one discusses the scope of a case study, stating that “a case study is an empirical inquiry that investigates a contemporary phenomenon (the case) in depth and within its real-world context, especially when the boundaries between phenomenon and context may not be clearly evident” (*ibid*). This part of Yin’s definition therefore separates the case study method from the historical and experimental frameworks, as outlined above and also differentiates it from surveys as whilst a survey may be able to deal with context and the phenomena under study, it is unlikely that it will be able to investigate the context (*ibid*). The second part of the definition deals with the issue of the phenomenon being studied and the context it is found in, not always being sharply distinguishable, in real life situations (*ibid*:17, Kitay and Callus, 1998:104), making it the complete opposite of the experimental strategy (Saunders, 2007:139). This part states that “a case study inquiry copes with the technically distinctive situation in which there will be many more variables of interest than data points and as one result relies on multiple sources of evidence, with date needing to converge in a triangulating fashion, and as another result benefits from the prior development of theoretical propositions to guide data collection and analysis” (ibid: 139). This does not mean that it is not important to identify the particular case being investigated. On the

contrary, identifying what, specifically, is to be considered is vital when conducting a case study (ibid:24).

The case study is a research design, or strategy, rather than a method in itself. In order to understand a situation fully a large amount of information is required to be collected. In order for this to happen, whilst it is not necessary for case studies to include numerous techniques, it is highly likely for more than one to be employed (Kitay and Callus, 1998:103). The common misconception, as mentioned above, is that case studies are a research method, rather than a strategy. In fact, they should be seen as a strategy that involves the use of a number of methods, in order to understand complex social situations (*ibid*: 104). Therefore, it is likely to find the use of one or more of the following; semi and unstructured interviews, archival work, structured questionnaires and observation (ibid).

Choosing whether to use a case study will hinge on the type of research question being asked, as well as the "important practical considerations of time access and resources" (Kitay and Callus, 1998:104). What questions, such as "what can be learned?" lend themselves to an exploratory strategy and therefore any of the main research methods (experiment, survey, archival analysis, history and case study) can be used. "What" questions, which are actually asking "how many" or "how much" are better suited to a survey or archival analysis as are "who" and "where" questions. "How" and "why" questions are explanatory in nature and will therefore lend themselves to case study, history or experiment (Yin, 2014:10). In terms of case studies this is because they are "particularly well suited to researching motives, power relations or processes that involve understanding complex social interactions" (Kitay and Callus, 1998:104). They are very good for examining how

particular things happen and exploring the casual relationships that operate between social actors (*ibid*).

In addition to the type of research question, it is also important to consider whether a holistic approach to the research is required, as this is where the case study really excels as a strategy (Kitay and Callus, 1998:104). When beginning case study research it is vital to define what the boundaries of the research are (*ibid*:105). Yin (cited in Saunders et al., 2007:239) states that there are "four case study strategies based upon two discrete dimensions". These are single case vs. multiple case and holistic case vs. embedded case.

Yin (2014: 52) states that there are five situations when the single case design can be used. Firstly is a when a particular case fits exactly and is, therefore, critical in the proving or disproving of a theory or theoretical framework. Secondly the single case approach may be selected if dealing with a case which is extreme or unusual. The third reason for using a single case is the common case, where the objective is to capture and study the circumstances around an everyday situation. The fourth reason for the single case is the revelatory case, where access has been granted to a situation that has previously been inaccessible to researchers and finally the fifth rational is the longitudinal case where a single case is studied on two or more separate occasions, mapping how a research situation changes over time. The single case approach may also be used as a pilot scheme, before a multiple case study is started (*ibid*, Saunders *et al*, 2007:140).

In addition, these single cases may be looked at as holistic or embedded, depending on unit of analysis (*ibid*). Both these approaches have strengths and weaknesses when using a single case rationale. The holistic case is used when the researcher is only concerned with an organisation as a whole. No subunits have been identified

or the theory being used to underpin the research is in itself of a holistic nature. Issues with this approach arise from the potential for researchers to not dig deep enough into a case, so that “a typical problem with the holistic design is that the entire case study may be conducted at an unduly abstract level, lacking sufficiently clear measures or data” (Yin, 2014:55). A second issue with the holistic approach highlighted by Yin is that nature of the case study may shift whilst the study is being carried out, meaning that the initial questions are no longer relevant and the research deign has to be changed. The embedded approach helps to mitigate this problem by introducing a set of subunits. However, the embedded approach also has drawbacks as research using this approach can focus too much on the subunits, rather than the organisation as a whole.

Yin states that whilst some fields consider single and multiple case studies to be separate methodologies, he believes the two methods to be “variants within the same methodological framework and no broad distinction is made between the so-called classic (that is, single) case study and multiple case studies” (1998:56). The evidence that is often collected from multiple cases is seen as being more compelling and, therefore, robust than that from single case studies. However, conducting multiple case studies can be expensive and is time consuming, meaning it might be beyond the means of a single researcher. Saunders et al (2007:140) state that using a multiple case approach is favourable to using a single one and “were you to choose to use a single case study, you will need to have a strong justification for this choice. Again multiple case studies can be looked at as holistic or embedded, with a multiple number of holistic cases or embedded cases, within a study. “The difference between these two variants depends upon the type of phenomenon being studied and your research questions” (Yin, 2014:62).

As discussed in chapter three, the overarching research question that is to be answered in this study is ‘what factors influence effective trade union representation?’ This is a “what” question, as are the four sub-questions that have been devised to aid the answering of the main question: at what levels of the organisation and union structure does representation take place?; to what extent does this require effective interactions between different levels of representative?; to what extent has the Unite merger effected representation within the case study research sites, in terms of national, regional, industry and workplace representation?; and what has been the impact of structural changes and the proposed/actual privatisation policies upon representation?

As stated above there are two types of what question. The questions being asked in this study are the first type of what questions, in that they are exploratory, looking to find out what can be learned from this investigation, rather than the second type, asking how many or how much. As it is an exploratory question it is important to explain why case study approach was chosen.

As discussed previously there are five research appoaches, highlighted by Yin (2014:9), experimental, surveys, archival analysis, historical and case study. The experimental method requires the researcher to be able to “manipulate behaviour directly, precisely and systematically (Yin, 2014:12), in order to test a hypothesis (Bruins, 1998:85). It has been successfully used in industrial relations research “to investigate questions at the level of individuals or small groups, such as job satisfaction, turnover, job performance, group decision making, coalition forming and especially bargaining” (Bruins, 1998:85) The nature of this study meant that this type of manipulation was not possible. There was, as explained above, no theoretical framework or hypothesis to test as the study was inductive and access

to undertake such research would not have been granted. Therefore, the experimental method was not a viable option.

The survey approach was also not applicable to this study. Surveys are used widely in industrial relations research, with their use increasing in recent years (Whitfield, 1998:65). However, in reference to this study, because the research is being conducted inductively and is not testing a hypothesis it was not believed by the researcher that surveys, on their own, could produce the richness of data needed. This was also the case with archival analysis.

The historical approach is used extensively when “dealing with the dead past” (Yin, 2014:34). This approach is better than any other when researching events that cannot be examined directly and when those that witnessed the events are not “alive to report, even retrospectively, what occurred” (*ibid*). Those using the historical method, therefore, rely on primary and secondary documents and artefacts as sources of evidence on which to build their research (*Ibid*). Some of the methods used by the historical approach, such as primary and secondary sources, will be employed by this study. However, the subject being examined is very much a contemporary one and, therefore, lends itself to the case study.

Like the historical method, case studies also use primary and secondary sources to build a picture. However, where they differ considerably is that case studies are also able to include within them two sources of evidence unavailable to historians. These are “direct observation of the events being studied and interviews of the persons involved in the events” (Yin, 2014:12). Whilst there is a large amount of overlap between case study and historical research, the case study is uniquely placed in its ability to take advantage of a “full variety of evidence – documents, artefacts, interviews and observations – beyond what might be available to a conventional

historical study" (*ibid*). For these reasons the choice of the case study research strategy for this research is completely justified.

As discuss ideration must be given to whether a aken and should the study be holistic single case approach was chosen or here are five situations in which the se study, as discussed in chapter th this case study, in relation to Yin's fiv mmon case. As discussed briefly above, the objective of this is to investigate and capture the "circumstances and conditions of an everyday situation" (Yin, 2014:52) in order that lessons can be learnt around the social processes that are contained in the case.

The embedded nature of this case refers to a number of embedded units of analysis, contained within the case study.

Figure 1.0 The embedded single case model (Yin, 2014:50).

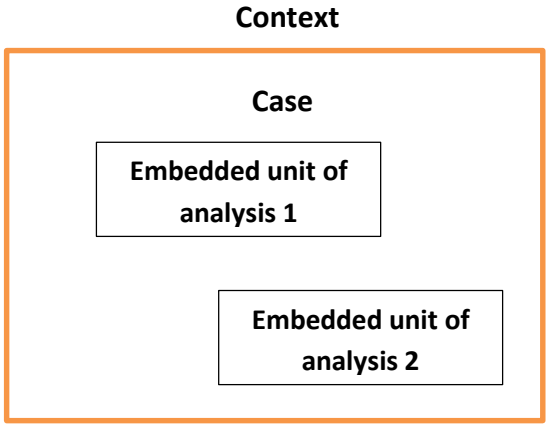

Figure 1.0 demonstrates the model that the case study will take. The context is Unite the union, discussed in chapter three, the case is the MoD sector, discussed in chapter four and the embedded cases are workplaces within the MoD sector, which will now be discussed.

The case study.

The MoD Sector of Unite is a complex mix of public sector workplaces which differ in terms of size, geographical location, and union density. Therefore it follows that, in order to carry out a study of this section of the union which is both valid and reliable, it is necessary to conduct research at a number of these different locations.

The researcher had very good knowledge of the MoD sector having worked in it for fifteen years. In 1996, having left school at the age of sixteen, the researcher began an apprenticeship at the Army Base Repair Agency (ABRO) in Donnington, Shropshire, joining the AEEU in his second week of employment. Graduating in September 1999, as a qualified electrician and having been given a permanent contract, the researcher was elected by the AEEU members in his section on the eleventh of July 2000 to act as their Shop Steward and Safety Representative. In 2002 he was elected as a reserve delegate to the Biannual, National Industrial Conference in Blackpool, which he was able to attend after becoming a full delegate when one of the other delegates became ill.

In 2003, the rule stating that the role of Branch Secretary had to be held by a full time official of the union was removed after the rules of the new Amicus union had

been agreed. In January of the following year the researcher was elected Branch Secretary of branch 0909, Telford, a position he still holds, although the name was changed to Telford WM/6130 in the Unite branch reorganisation (see chapter three). When first elected, the researcher was the youngest branch secretary in the union, at the age of twenty three and in July of that year, having been elected once again to attend industrial conference, he was elected to be a member of the National Industrial Sector Committee (NISC), membership of which he was re-elected to, successively, until leaving the sector in 2011.

On the 8th November 2005 it was announced that ABRO Donnington, along with ABRO Warminster and Colchester, was to close due to a large re-structuring of the organisation. The union at Donnington began a campaign immediately to fight the closure, of which the researcher was an intrinsic part, being effectively granted 100% facility time, although unofficially, by a general manager who was supportive of the campaign. In December 2006, the Donnington site was given a reprieve when it was announced that the site would stay open “in the medium term” (Shropshire Star, 2006). Whilst officially this was due to increased demands placed on the armed forces by commitments in Afghanistan, the unions at Donnington claimed that it was the “unremitting pressure” (Telford Journal, 2006) from workers, the unions and local MPs that had caused the U-turn. However, this was never admitted by the government or proven.

In the aftermath of Donnington’s reprieve from closure the researcher was officially granted 100% facility time, in part to participate in a number of working groups set up in order to change perceptions of Donnington, including industrial relations issues. In 2008, following a merger between ABRO and the Defence Aviation Repair Agency (DARA) to form the Defence Support Group (DSG), the researcher was

elected as full time Deputy Convenor of the Donnington site which post, as with the NISC, he remained until leaving DSG in 2011.

The experience and knowledge that the researcher gained in his fifteen years of employment by the MoD and eleven years as a union shop steward, as well as his ongoing role as a Unite Branch Secretary, gave him a significant advantage going into this research, in terms of knowledge of the sector and key sites and understanding the key gatekeepers in relation to securing access.

A number of MoD sites were selected, to give the research a good geographical spread, covering the North, South and Midlands in England, Scotland and Wales, though extending this to Northern Ireland was not financially viable. As DSG has an extensive footprint which covers all of these areas, many of their sites were used as part of this study. However, other parts of the MoD, such as Defence Land Services and the Defence Fire and Rescue Service were also included. In all, eight DSG Sites were marked out as potential embedded units, as was the Fire and Rescue Branch and the largest of the Defence Land Services facilities.

DSG Bovington in Dorset is the second largest of the group's sites. Its primary business is the overhaul of what are known as A-vehicles. A-vehicles is the name given by the MoD to Armoured Fighting Vehicles, such as the Challenger 2 main battle tank, Warrior Armoured Personnel Carrier (APC) and the group of vehicles that come under the acronym CVRT (Combat Vehicle Reconnaissance Tracked). Bovington also deals with the repair of what is known as B-vehicles, which refers to non-armoured vehicles, such as Land Rovers and lorries. The site is spread across two locations. The main is the Bovington Camp, shared with the British Army's Armour Centre, which is the "Army's centre of excellence for training in the core skills of armoured warfare" (Army, 2015). DSG Bovington also manages DSG's

Warminster and Colchester workshops and also managed the group's Afghanistan workshop, prior to the army's pull out of Camp Bastion in 2013. Unite is the only union organising industrial workers at the Bovington site. Bovington is also home to the Joint Union Focal, who is a Unite representative, with 100% facility time and national responsibilities. Whilst the focal is a Unite member the role is a joint one, covering all of the recognised unions.

DSG Donnington in Telford is the largest of the group's sites. Its primary business, like Bovington, is A-vehicle repair and overhaul. However Donnington also houses the groups "Small Arms" Weapons facility, which overhauls the vast majority of the Army, Navy and Royal Air Force's guns, including the standard issue machine gun and the Raadan gun, which is fitted to many of the military's armoured vehicles. Also at the Donnington site is a facility which deals with electronics and optronics and a small B-vehicle workshop. Whilst the A-vehicles and heavy engineering workshops are managed by the Donnington site, the B-vehicle workshop is managed by DSG Catterick and the electronics, optronics and small arms business (EOSA) comes under the line management of DSG Sealand. At the time of this research, it had recently been announced that the electronics, optronics and small arms businesses were to be taken out of scope, in reference to the sale of DSG, and would remain part of the MoD. Unite is the primary union at Donnington, representing industrial grades. However there is also a small contingent of GMB members.

DSG shares the Donnington Site with Defence Land Systems (DLS). DSG Land Systems' primary business is logistical support for the Armed forces, including the storing and distribution of kit to all areas of the military. The Donnington site is the organisation's second largest (Bicester is the largest). In recent years DLS has gone

through considerable restructuring, with large numbers of agency staff employed to fill posts formally held by permanent staff. The union at DLS Donnington has traditionally enjoyed a great deal of support from its management, demonstrated by the large number of representatives (four) that were in receipt of 100% facility time, prior to the study beginning.

DSG Stafford is a small site, with just four Union Representatives, three Unite and one GMB. The Stafford site, like the EOSA at Donnington, is managed by DSG Sealand, and has been taken out of the scope of sale. DSG Stafford, unlike the other parts of the group, did not come from either ABRO or DARA, instead it was a part of the group that is now Defence Land Systems, having originally been run by the Royal Air Force. The primary business of the Stafford site is still the Air Force., however, the work carried out is not dissimilar to that done at other sites, predominantly being engineering type work, repairing and maintaining kit for the RAF.

DSG Sealand, in Flintshire, Wales, is the only remaining former DARA site in DSG. Sealand, as discussed above has managerial responsibilities for DSG Stafford and the EOSA area of DSG Donnington. Sealand's primary business is Electronic components for the Air Force, reflecting its DARA heritage. However, through restructuring, work formally done at Donnington and Stafford is now done at the Sealand site. Unite shares industrial membership at Sealand with the engineering technician and managerial union, Prospect. The Unite membership at Sealand, is unique amongst the DSG membership in that it can mainly trace its heritage back to the MSF union, as opposed to the AEEU and to a smaller extent TGWU.

DSG Catterick is DSG's most northerly English site. Unite is the only union representing industrial members at Catterick and has three shop stewards. Primarily

a B-vehicles site, Catterick has line management responsibilities for the B-vehicles business at Donnington and also DSG's Kinnegar site in Northern Island. Catterick also has line management responsibilities for DSG's Stirling Site in Scotland which also primarily deals with B-vehicles.

Initially, it was planned that this research would be carried out using a mixed methods approach inside the case study, which would include the use of a survey of union members, along with elite interviewing and analysis of documentary evidence. As discussed, quantitative methods, such as questionnaires and the analysis of large workplaces surveys have been used increasingly by Industrial relations researchers in recent years (Whitfield, 1998:65), as it is perceived that the use of such methods may add rigour to the research. Surveys are linked to the deductive approach to research (Saunders *et al.*:138), due to their ability to statistically test hypothesis and theories (Whitfield, 1998:65). However, when designing the fieldwork stage of the research, it was decided by the researcher, in conjunction with his supervisory team, that the proposed survey was not appropriate with an inductive methodology, and this was subsequently dropped from the study in favour of heightened reliance on elite interviewing as the primary vehicle for data collection.

The research was intended to be carried out over four phases, with each one designed to investigate a different part of the complex relationship between shop stewards, convenors, lay representatives with national responsibilities and full time officials. Phase one comprised of an analysis of a number of documentary sources generated by Unite, the MoD and Civil service, and other relevant journals and media sources, such as those found on the internet. This analysis was to be carried out prior to the interview phase of the research, forming a strong foundation on which

the interview schedule could be built. During phase two, interviews were to be carried out with a number of union representatives, nationwide, at convenor level. As these representatives are often perceived to be the lynch pin between the union's national and local structures, these interviews would be used to identify key issues that could then be further examined in phases three and four. The convenor level representatives would also be gate keepers to accessing the shop stewards in phase four, and, therefore were of vital importance to the success, or not, of the research project. The focus of phase three of the research was to be interviews with a small number of representatives with national responsibilities, including the DSG joint national focal point, a retired full time lay officer, national branch secretary and the MoD sector delegate to Unite's Executive Council. In addition to this, one regional full time officer with responsibilities for the MoD sector was also selected for interview. Phase four would then focus upon interviews with shop stewards and safety representatives at five Ministry of Defence civilian sites, DSG Bovington, DSG Donnington, LS Donnington, DSG Stafford and DSG Catterick.

It was expected that the use of elite interviewing techniques, backed up by deep and careful analysis of documentary evidence, within the encompassing single case, embedded case study design, would be able to provide in-depth and meaningful data, with which to answer the key research question and the sub questions outlined above. The following section will now explain the rationale behind the choosing of interviews and the type of interviews used, followed by a discussion about the analysis of documentary evidence.

The Methods.

Interviews.

Defined by Saunders *et al* (2007: 310) as a “purposeful discussion between two or more people”, the interview is a tool used by researchers as a way of collecting data which is both valid and reliable. Whipp (1998:54) states that “the interview is the primary means of accessing the experiences and subjective views of actors. Detailed, vivid and inclusive accounts of events and processes may be generated. The flexibility of the interview enables the researcher to open up new dimensions of a problem, or to discover clues that connect its different elements”. Bell adds to this (2010:161) stating that “one major advantage of the interview is its adaptability”. In the hands of a skilled practitioner the interview is an immensely powerful research tool. The flexible nature of interviews mean that the interviewer can probe responses, follow up on the ideas and answers supplied and examine what the motives or feelings of a participant are or were, when discussing a particular experience. Most interviews are conducted “face to face” with the interviewee, although interviewing over the phone, through Skype email or instant messenger are also methods, sometimes employed, particularly when lack of time or resources is an issue (Saunders et al, 2007:342). When conducted face to face, interviews allow the researcher to note the way that a question is answered “the tone of voice, facial expression, hesitation and so on” (Bell, 2010:161). The interview, therefore, has a number of advantages over questionnaires. With surveys there is no ability to probe and follow up on answers in the way that interviews can and the information gained from the non-verbal cues, highlighted here, would not be picked up in a written response (ibid).

Interviewers use different formats of interview, depending on the context in which they are working. Different types of interview will deliver different results to the researcher and, therefore, the choice of which format to use is a pivotal decision in any research (Saunders *et al*, 2007:313). Before making a choice of which interview

type or types to use, the researcher needs to decide the purpose of the interview, what they wish to find out and what type of data they wish to collect.

Saunders *et al*, (2007:312) demonstrate that there are a number of differing typologies which, whilst overlapping in some key areas, give us an "overall understanding of the nature of research interviews" (*ibid*). The most commonly used types are the structured, semi structured and unstructured versions (Saunders et al, 2007:312, Bell, 2010:162-165, Whipp, 1998:54). However, Saunders et al (2007:312) cite Healy (1991) as using the typology of standardised and non-standardised interviews and Robson (2002) as using a typology of respondent and informant interviews. This section will explain the different interview types, using the most used typology of structured, semi-structured and unstructured interview, but will introduce the other typologies as, and when, they overlap.

Structured interviews cause the interviewer to ask questions in a very fixed form and sequence (Whipp, 1998:54). Interviewers administering structured interviews use a predetermined list of identical questions, from which they do not deviate. Each question is asked in turn, with the response recorded on a standardised schedule, usually containing a number of pre-coded answers, which can be circled as the interview progresses (Bell, 2010:163). This reduces the need for the researcher to be writing the respondent's answers down in full, throughout the interview, meaning that more attention can be made to the respondents' non-verbal cues. The standardised nature of structured interviews is the reason that they are sometimes referred to as standardised interviews (Saunders *et al*, 2007:312). Standardised, or structured, interviews are linked more to quantitative than to qualitative research as the way that they are conducted and the results are analysed, are closely linked to the survey method. Structured interviews also lend themselves to the respondent

interview typology, referring to way that these interviews are administered, with the interviewer directing the interview and the interviewee responding to the questions asked.

However, this is where the typologies overlap, as the description given of the respondent interview could also refer to semi structured interviews. Semi structured interviews, along with the unstructured type to be discussed next, come under the non-standardised label (Saunders *et al*, 2007:312). Different to the structured interviews, researchers administering these types of interviews have a large amount of freedom, over how they choose to do so. Rather than having a strict schedule of questions, from which they are unable to deviate, researchers using this method have a list of themes and questions that need to be covered. However, the order in which these questions are asked can and will vary from one interview to the next and in some cases, questions will be omitted. In addition to this, one of the great strengths of this type of interviewing is that researchers are able to introduce new and extra questions, so that answers can be probed further. This means that interviewers can explore more deeply the experiences of respondents, using these extra, exploratory, questions to expand upon the answers that are given (Saunders *et al*, 2007:312). However, the researcher remains firmly in control of the interview.

Unstructured interviews are at the other end of the spectrum from the structured type. These come under the typology of informant interviews as they are guided by the interviewee. Unstructured interviews are very informal, with no list of questions, although the researcher will have a clear idea of what issues they wish to explore (Saunders et al, 2007:312). The objective of these interviews is “to provide the greatest opportunity for the views and values of the respondents to become known” (Whipp, 1998:54). To do this the interviewee “is given the opportunity to talk freely

about events, behaviour, and beliefs in relation to the topic area" (Saunders *et al*, 2007:312). However, an interview is more than just an interesting conversation (Bell, 2010:164) and whilst a conversation around a topic may be interesting, it is important that the discussion remains relevant (Whipp, 1998:54).

The exploratory nature of this study lent itself to the semi-structured interview typology. Saunders et al (2007:315) state that "where it is necessary for you to understand the reasons for the decisions that your research participants have taken, or to understand the reasons for their attitudes and opinions, it will be necessary for you to conduct a qualitative interview". In this study the attitudes and opinions of participants is of vital importance, in terms of their perceptions of what factors influence effective trade union representation. This information could not be gained from using the structured approach. The inductive approach, taken by the researcher, requires a large amount of information to be collected in order for a theory, or ideas leading to a theory to be built up, (Strauss and Whitfield, 1998:10). Therefore, the ability to further probe and explore the answers provided by interviewees, that the semi-structured interview could provide over the structured type, was of great importance. The unstructured approach is not appropriate in this case. Whilst this approach can be rich in data collection, the completely non-standardised nature of the method is better suited to preliminary interviews (Bell, 2010:164), where a research question is being constructed. In the case of this study a research question and a number of sub-questions have already been formulated prior to field work beginning. Therefore, for this reason and the reasons above, in relation to structured interviews, the semi-structured method is the one that will be used during this study.

The study, as discussed above, was designed to have four phases, with the second, third and fourth comprising a number of semi-structured interviews. Before any research could be conducted access to research subjects must be granted (Burgess, 1984:45). The central figure in this stage of research is the gatekeeper, or the gatekeepers. These are individuals who have the power to be able to grant access to people or withhold it and are usually the people or person in charge (Burgess, 1984:48). In the case of this study the gate keepers were the senior representatives within the MoD sector. As discussed above, the researcher has a history of working in this sector, both as an electrician and a union representative. The researcher, therefore, has a large number of contacts within the sector and the wider union. Saunders *et al* (2007:168-169) state that "most management and organisational researchers suggest that you are more likely to gain access where you are able to use existing contacts" while Buchanan *et al* (1988:56) reveal that "we have been most successful where we have a friend, relative or student working in the organisation". Burgess (1984:46) adds to this explaining that successful researchers are often able to use the knowledge that they have of a particular setting to negotiate access, highlighting some examples where researchers already had contacts in a setting, through connections or from having worked in the proposed research area.

The gatekeepers, in relation two phase two, the convenors, were two individuals known to the researcher, the MoD sector Unite Executive Committee member and the convenor of DSG Donnington who, until recently, had also been the group's national focal. Through these individuals contact was enabled with all of those whom would be targeted to take part in phase two. These would be all Unite representatives at convenor level in DSG, the convenor of DLS Donnington, and the Secretary of the Defence Fire and Rescue, national branch. The two original gate

keepers also gave the researcher access to participants in phase three, the Executive member himself, the regional officer with MoD responsibilities, the DSG National Focal and the retired national lay officer. The Union's National Officer for the MoD sector was also approached. For phase four, which entailed the interviewing of shop stewards below convenor level, the participants from phase two became gatekeepers themselves, as they were the individuals that had the power to grant access to the shop stewards on their particular sites. The phases were set out so that the research cast a broad net, which would catch representatives, at all levels, across a large geographical spread.

Documentary Analysis.

Prior to the interview, phase one of the research entailed a large amount of documentary analysis in order to set the context for the research. Set out in two streams, the first would examine documents in reference to the MoD and civil service, and the second stream looked to those Unite and its predecessor unions. This analysis would set the scene for the interview stages by examining the contemporary and historical context of the research.

The term document is a general one which refers to "an impression left on a physical object by a human being" (Bell, 2010:125). Most commonly this is something in written form, such as a manuscript or report, but documentary evidence can also be such media as a photo, film, or CD-ROM/DVD, to name just a small selection of possibilities. Documents can come as primary and secondary sources and can be deliberate or inadvertent. Primary documents are those such as manuscripts or printed materials such as diaries, letters, and minutes of committee meetings (Patmore 1998:219), which often come about during the period that research is taking place. Secondary sources are interpretations of events based upon primary

evidence, such as company annual reports, union journals, staff magazines, legislative papers and newspapers (*ibid*). This study uses both primary evidence such as Shop Steward Committee Minutes, and secondary sources such as newspaper reports and union journals. Deliberate sources mean those that were written specifically to be of use to scholars at a later time. This could pertain to documents such as diaries or autobiographies, or primarily in the case of this study, journal papers. Inadvertent sources are those that are used by researchers for a purpose other than that which they were intended such as government reports (Bell, 2010:131).

When analysing documentary evidence it is important to ask a number of questions. Bell divides these into what she describes as “external and internal criticism” (2010:134-136). Bell states that a number of questions need to be asked in order to attain whether the document under analysis is genuine and authentic. In terms of external criticism the researcher must be able to identify whether the author was actually at the place that the source came from, at the time it was supposed to be written. Are there other sources that can verify that the author actually wrote the source, is it typical of other sources written by the author and does it share its structure with similar documents? In addition to this, Patmore states that when examining a historical document researchers should scrutinise the document to see why it has survived (1998:220). Is it that the document paints the organisation being researched in a particularly good light? Have documents showing a negative picture been destroyed? Are the documents real or fake? Answering this question allows the researcher to show that a document is genuine, in that it is what it is claimed that it is. Through internal criticism the researcher seeks to discover what type of document it is and whether the author has a particular agenda (Bell, 2010:135). Again, this is done by using a number of questions; what type of document is it?;

what is the documents purpose?; when and how was it produced?; and is it typical of its type? In addition, a number of questions should be asked in terms of the motives of the author: who are they and what is known about them?; what are their political views and aims?; how long after the event was the document produced?; and is the author known to exaggerate or tell untruths? (Bell, 2010:136) This is particularly the case in terms of newspapers (Patmore, 1998:220).

As mentioned above, documentary analysis was carried out in two streams. Firstly, in terms of the MoD and Civil Service, a number of documents were looked at regarding the department's employee relations policy, industrial relations procedures, and recent review of employee relations and trade union facility time. A number of the department's extant Whitely constitutional agreements were also looked at. These documents were accessed through both public sources such as the internet and human sources within the department that were known to the researcher. All documents were accessed legitimately and, in terms of government documents, were all unclassified at the time that they were accessed.

The second stream looked at documents in relation to Unite and its MoD Sector, acquired through the union's website, other media and human sources, such as convenors and officers, known to the researcher from within the union. Again, all these documents were accessed legitimately. Important issues were highlighted by the analysis, which lent them themselves to further investigation. These included the effect political and cultural divisions, a legacy of the merger between Amicus and the TGWU, were having on the union's ability to make policy decisions that benefitted all of its members. Other points of interest raised by the analysis were that the union's MoD sector appeared to have been under a sustained attack from both the current Tory led coalition government and the previous New Labour and

Conservative governments. Both of these administrations had presided over a number of policies that had seen large numbers of site closures, job cuts, privatisations, semi-privatisations and cuts in terms and conditions which had weakened the union's membership base. The analysis demonstrated that this onslaught had not abated, with a wide range of changes to terms and conditions taking place under the auspices of the department's employee relations review and a number of privatisations planned, such as the sale of the Defence Support Group to Babcocks International.

This section has examined and explained the rationale for choices taken in terms of the design of this research. Having explained in part one that an inductive rather than deductive approach had been taken, against the recent trends in industrial relations research, this section explored why a case study approach was chosen, explaining what is meant by case study research and why the researcher believed this was the correct strategy to take. This section then looked at the research methods which had been used within the case study strategy, explaining why semi-structured elite interviews had been chosen over other interview typologies. Finally, documentary analysis was discussed, explaining the issues related to the method and the strategy that was taken by the researcher when finding documents and choosing which ones to use.

The following section will give an overview of how the research was actually carried out, explaining who was interviewed and how the interview process worked, reflecting on how closely this mirrored the design of the research, outlined above. This section will highlight issues that were encountered when carrying out the research and will reflect on the way that the researcher's role as a former Unite shop steward may have affected the research. Finally, to bring this section and chapter

to a close, there will be a discussion in relation to the reliability and validity of the research.

Research Ethics.

The key ethical issue for any researcher is to do no harm. Saunders *et al* (2007: 181) highlight that "the way you obtain consent, preserve confidentiality, collect your data from participants and the way in which you use, analyse and report your data all have the capacity to cause harm to participants". The use of interviews, as in the case of this study, can be seen as intrusive and stressful for participant and it is, therefore, vital that all possible ethical issues are considered prior to the research taking place, with protection for participants built in to the research design.

Saunders *at al* (*ibid*) explain that there are a number of common ethical issues that can arise during a research project and should therefore be considered. These are

> privacy of possible and actual participants; voluntary nature of participation and the right to withdraw partially or completely from the process; consent and possible deception of participants; maintenance of the confidentiality of data provided by individuals or identifiable participants and their autonomy; reactions of the participants to the way in which you seek to collect data, including embarrassment, stress, discomfort pain and harm; behaviour and objectivity of you as a researcher.

In order to nullify these ethical issues a number of forms were designed by the researcher, with approval from the university's ethics committee. The use of these forms, to seek consent and in the case of the information sheet and invitation letter, to explain to participants the reasons for the research and the way that it would be carried out, will be explained in the following sections.

Research Overview.

Administering the interviews.

Following the first documentary analysis stage interviews were conducted with 28 union representatives (Annex D) with responsibilities in the MoD sector of Unite, over the next three phases. During the second phase interviews were carried out with eight union representatives at convenor level. The third phase then entailed the interviewing of a small number of representatives with national responsibilities (n=4) and one regional full time officer. These four national representatives were the Executive Council member for the MoD, the DSG National Union focal point, and the retired Lay national official. Phase four consisted of interviews with fifteen shop stewards and safety representatives in five Ministry of Defence civilian sites, DSG Bovington, DSG Donnington, LS Donnington, DSG Stafford and DSG Catterick.

Prior to interviews taking place, perspective participants were contacted by the researcher by email. This initial contact included two documents, an invitation letter and an information sheet (Annex E). The invitation letter introduced the researcher to the potential participant, briefly outlined the project and explained that they were being contacted, as a union activist, to ask if they were willing to take part in the research. Finally, the letter directed the respondent to the attached information sheet. The information sheet explained to the individual concerned the aims of the research and that they had been chosen to be a participant because of their role as a union activist or officer. It stated that it was believed that their experiences would enable the researcher to gain an important insight into the internal workings of Unite. The information sheet then went on to explain that they did not have to take part in the study but what they would have to do if they did. Finally, participants were informed, through the information sheet what the risks of taking part were, explaining

that they would be offered anonymity, in terms of their identities, who would have access to the data collected and who they could contact in case of a problem.

Interview location is important as getting this wrong can have an adverse influence on the information gathered from the interview. It is important that the location is convenient for participants and that they feel safe and relaxed (Saunders et al: 321). During the data collecting stage of this study most interviews took place in union offices, at the participants workplace. Advantages to this were that these locations were comfortable for participants, being places that were well known to them and which felt safe due to their nature of being the union's "home" in the workplace. These rooms were also convenient to participants, being at their place of work, so caused minimal disruption and allowed them to attend the interview, using union facility time. The exceptions to this were the interviews that took place with representatives at DSG Catterick and also with a regional union officer and a retired lay national official. In the case of DSG Catterick, the union's office had been previously removed during a review of facilities and interviews took place in the office of the Convenor, who was also a Team Leader. This was slightly problematic, as the session was twice interrupted by people entering the office. However, this was perceived to be a better option than the alternative, which was for interviews to have taken place in a conference room next to the Human Resource (HR) department, which could have caused participants to be more guarded in their contributions. The other two exceptions, as mentioned above, were an interview with a retired national lay officer, which took place in his home at his request, and an interview with a regional official, which took place in the home of the researcher. In both these cases, as in the case of DSG Catterick, it was not felt that the interview locations in anyway compromised the data.

Before interviews took place the researcher ensured that interviewees had read through the information sheet and that they had chance to ask any questions they may have, prior to starting. Participants were then invited to fill in two copies of a pre-interview consent form (Annex E), one for themselves and one for the researcher. This form asked respondents to confirm that they had read and understood the information sheet, that they understood that they did not have to take part and that they agreed to take part in the study. It then asked interviewees to choose whether they wished for the data collected, during the interview, to be anonymised and were happy for the interview to be recorded.

Interviews were conducted using a predetermined schedule of questions (annex E). These questions were used as a guide by the researcher, with a number of sub-questions developed to expand on the answers received. Designed to be relatively easy to answer, the early questions focussed on issues around how long participants had been a union member and activist, what positions they held in the union, as well as how and why they had become a representative or officer. These questions allowed the participant and the researcher to settle into the interview and for rapport to be built between the two, before the interview moved onto more complex questions. After these initial questions the schedule moved onto ask a number of questions that defined how the participant saw their role, duties and responsibilities, in terms of their union position. These questions allowed the researcher to investigate what it was that the participant did for the union and how they carried out these roles. The interviewer was also able to explore whether or not participants saw a leadership role in what they did, considering Batstone et al (1979) categories of shop steward, in terms of representatives and delegates. The next phase of questioning covered the interactions that the participants had with full time officials, lay representatives and rank and file union members. These questions

allowed the researcher to examine the relationships between full time officers, representatives and members in order to compare and contrast this to Turner's (1962) arguments of union democracy and were then further developed with questions about influence and the level of activity of members represented by the participant. These questions also gave an insight into how representation was administered and how participants saw their place within the union in respect of its structures. Finally, the researcher asked a number of questions in reference to the effect that internal changes, such as merger, and external changes in civil service industrial relations had on the way the union was structured. In addition, the semi structured nature of the interviews allowed for a large number of supplementary questions to be asked, dependent on the responses to the scheduled questions. Some of these supplementary questions became staple in that they were asked in a large proportion of interviews. These questions covered a number of constant themes, including the implications of the Government's review of facility time on representation and the repercussions of the union's size on identity and democracy. These additional questions allowed the researcher to add some very important detail to the data collected, which would have been missed had a more structured approach been taken.

After the interview participants were asked to fill in two copies of a post-interview consent form (Annex E). This form again asked them to confirm whether they wished the data to be anonymised, allowing for interviewees to change their response from that proffered in the pre-interview consent form and asked permission for comments made during the interview to be quoted in subsequent publications. The interviewer then carried out a post interview debrief with the respondent, asking them if they were happy with the way that the interview had gone. Interviewees were asked if they would be happy for a follow up interview to take place, if deemed necessary by

the researcher and informed, once again, of how the researcher could be contacted after the interview if the participant wished to do so.

Issues experienced.

The issues that were experienced during the research phase of this project were all related to access. As outlined above, the researcher had deep roots in the sector being examined, meaning that issues of access had not been foreseen prior to beginning work in the field, due to the relationships that already existed between the researcher and some of the research participants.

The first phase of interviewing (the convenor level) went smoothly. Interviews were set up, as identified above, through an initial contact email, after which a mutually agreed date, time and location was set up for the interview to take place. All interviews in this phase were set up easily and carried out quickly, either at the convenors' own sites or after a meeting of the Unite DSG combine committee, in the case of the convenors of DSG Stirling, and DSG Warminster.

The next phase of interviewing was trickier. Whilst interviews were set up relatively easily, with the sector's Executive Committee member, the DSG union focal point, the secretary of the national MoD fire and rescue branch and the retired full time lay officer, other planned interviews were more problematic. In the case of the interview planned with a regional officer with responsibilities for the MoD sector, it took more than two months to set up the interview due to diary commitments of the officer and went ahead in the home of the researcher. Other planned interviews with the secretary of the national MoD guard's branch, the chair of the MoD NISC and the sector's national officer did not happen. In the case of the secretary of the guard's branch and the chair of the NISC, both of these prospective respondents initially responded positively to the researcher's advances. However, the guard's secretary

failed to respond to follow up attempts to set a date and time for the interview and in the case of the NISC chair, whilst always positive to the idea of taking part in the study, it was ultimately not possible, due to the respondent's unavailability. Attempts to interview the sectors national officer also failed. Again discussions about this were initially very positive. A number of emails were exchanged, with the Officer stating that he would be happy to take part in the study. However, despite several attempts to make this happen, the workload of the officer, which had increased just prior to the fieldwork taking place, would not allow it and after several months of attempts to arrange the interview the officer stated that unfortunately he would not be able to take part. Whilst disappointing, the absence of the data that may have been collected from these interviews did not, in the opinion of the researcher, damage the research, due to the richness of the data collected from the respondents that did take part, particularly those with national responsibilities, who were able to give a wide ranging overview from a national perspective.

Issues with access were also experienced in the final phase of interviewing. The fieldwork stage of this research took in the region of fourteen months to complete and in this time the situation surrounding trade union facility time in the civil service shifted significantly. Had the study been designed to be holistic, then this shift in context could have been a significant problem. However the embedded nature of the case study meant that any issues that may have been caused by the changes to the way facility time was managed could be mitigated.

The changes to facility time, discussed under the employee relation review in chapter four, were in place at the beginning of the study. However, by the time the final phase of interviewing was launched the restrictions that were in place were being policed far more rigorously by management. Therefore, whilst at the beginning

of the study the convenors still had significant time and freedom to meet the researcher; this was different when the final phase was launched, in relation to shop stewards. Whilst this, in most cases, just built a delay into the research, as finding time to meet the researcher was more difficult, in some cases, such as that of DSG Sealand, interviews with stewards were not possible as the respondent claimed they could not justify taking the time to meet the researcher. Again, whilst this was disappointing, it was not felt by the researcher that this damaged the research as, in anticipation of issues such as this, five other sites had also been approached to take part in this phase of the interviewing.

Reflection on the role of the researcher as a former Unite workplace representative.

As discussed above, the researcher has a history in the sector, having worked in it as an electrician and union representative, for a total of fifteen years. This raises issues of potential bias, due to the relationships between the researcher and the topic and participants in the research. Bell (2010:169) states that as interviewers are human beings and not machines the way that they act during an interview can affect the way that interviewees react to questioning.

Saunders *et al* (2007:318-319) highlight a number of problems in relation to bias, which could have been an issue in this study. Two types of bias are identified here, interviewer bias and interviewee-response bias. Interviewer bias is that discussed above by Bell (2010). The interviewer's tone of voice, comments they may make or non-verbal behaviour will influence the respondents in the way that they answer questions. This is particularly a problem where non standardised interviews are used as in this project. Interviewers may try to impose their own views or frame of reference on an interview and can sometimes express bias in the way that they

interpret responses (Saunders et al, 2007:318). The interviewer was highly vigilant of these issues during the research. Issues related to interviewer bias could have arisen due to the researcher's knowledge of the sector and some of the issues being discussed. The researcher was very careful to stay neutral, acting, as far as possible, as if he had no personal knowledge of the issues being examined.

The second type of bias, discussed by Saunders *et al* (2007:318), is interviewee bias, also known as response bias. This is where bias is influenced by the interviewee's perceptions of the interviewer, or where respondents answers are tempered by concerns they may have about discussing certain themes. This was the bigger concern for the researcher. Being known to many of the respondents, through either personal relationships or reputation, the researcher was very aware that this could influence the answers given to questions. One such problem was with respondents presuming that the researcher knew certain things through his own experience of the sector and, therefore, not explaining things in the necessary detail. The researcher dealt with this by using supplementary and probing questions to expand on the answers given, demonstrating the importance of having chosen the semi-structured interview typology. This form of bias could also have been an issue in terms of the respondents wanting to please the interviewer by answering the questions in the way that they felt the researcher wished them too. This, however, was where the interviewer's experiences of the sector really helped him, as where it was believed by the researcher that this may be happening, he was able to ask further questions to clarify what was being said, whilst at the same time being aware of possible interviewer bias or perceptions of such.

Having discussed issues of bias the final part of this chapter will look at the validity and reliability of the research.

Validity and Reliability.

Kitay and Callus (1998:111) state that "one of the advantages of case studies is that the amount of information that is collected and the ability to probe beneath the surface enhances the validity of the information that is obtained". Bell (2010:119:120) explains that validity "tells us whether an item or instrument measures or describes what it is supposed to measure or describe". Validity refers to the extent that the researcher is able to gain access to the knowledge and experiences of the people that are participating in their research. This research therefore, with its embedded case study design and semi-structured interviews, as designed so as maximise the validity of the project, again justifying these choices.

Reliability is defined by Bell (2010:119) as the extent to which a test or procedure produces similar results under constant conditions on all conditions". For this reason case study research is often seen as less reliable than other methods, because of the difficulties or replicating the findings (Kitay and Callus, 1998:111). However, findings taken from the use of non-standardised methods, such as case studies, are not necessarily supposed to be repeated as they are a snapshot of a particular issue at the time that data was collected (Saunders *et al*, 2007:319). However, whilst replication may not be necessary there are still tasks that can be carried out to ensure that the data collected can be trusted. Therefore, Kitay and Callus (1998:111) state that there should be common protocols used during research. The same themes should be explored at each site, with the same main questions and issues covered. This was a key design of this research project.

Summary.

This chapter has set out in detail the methodological considerations that have been taken when designing and carrying out this research. The chapter began by

explaining the reasons behind the decision to take an inductive rather than deductive approach. Explaining that the lack of a hypothesis or theory to test, as is the norm in industrial relations research, meant that the research would need to be carried out from the field up, rather than the theory down. Having explained the justification for using an inductive approach, the chapter then examined how the research would be carried out by outlining the research design. This began with a discussion of what is meant by case study research and then outlined how this design would work, explaining the key methods that would be used and justification for these methods over others. Also included in this section was an examination of the researcher's background, looking at his experiences of working in the sector as an employee of the MoD and as a Unite workplace representative. Having explained the research design and how it would be conducted, the final part explained and reflected upon what the researcher was, and was not, able to achieve. This entailed an in-depth look at how the interviews were administered, explaining who was interviewed and how closely this matched the design. There was a reflection on the problems that were encountered, particularly in terms of access and on issues that arose from the researcher's role as a former activist. Finally there was a discussion about validity and reliability.

Having set out how the research was planned and carried out the following chapter will set out the findings of the research, demonstrating how the data collected was used to answer the over-arching research question via a number of themes, set around the fore mentioned sub-questions.

Chapter Seven: The Findings.

This chapter will now set out the main findings from this research. It will begin by defining the sample, outlining some of the key characteristics of the respondents, including the length of time that they have been union members and how they perceive their role and duties. It will then be set out in four parts, each one using the interview data to address the four research sub-questions established in chapter 5. The final section will then address the principle research question, namely “what factors influence effective trade union representation?”

The Sample.

As discussed in the previous chapter, there were twenty-eight respondents, interviewed as part of this study. This included eight lay representatives at convenor level, four lay representatives with national responsibilities, one regional full time official and fifteen shop stewards, below the level of convenor. In order to answer the above question the respondents at each of these levels of representation will be discussed, in turn, followed by a discussion examining the relationships and interactions that take place between these representational levels.

The Convenors.

With the exception of one of the convenors (Con8), who had been a Unite member for eleven years, the other seven had all been members of Unite, or one of its predecessor unions, for at least twenty years, with two of them, having thirty years of continuous membership (Con1 and 3). Also of interest, is the proportion of time while members that the convenors had spent as union representatives. Three of the convenors (Con 3,4 and 6) had all spent more than four fifths of their time as members holding representative positions in the union, with two others (Con 8 and 2), holding posts for around two thirds and three-quarters of their time in membership respectively.

The reasons that the convenors gave for initially joining the union were mixed. For one (Con 3) it was a political move, having been "politicised by the (1984) miners' strike", whilst for another convenor, who had a registered disability, it was individual protection that they were seeking. One of the convenors had joined as an apprentice, when working in the private sector "it wasn't a closed shop but it was certainly a stronger union then. In those days the shop steward would approach you soon after you started and ask you to join. I don't remember anyone not joining" (con 1). In this case the respondent was happy to join, seeing it as a rite of passage. Convenor 5 at another one of the sites also reported being approached, soon after starting their job. However, their experience was not so positive: "a rep came to the training school and told us we would join. I resented this at the time. But you felt that if you didn't join you wouldn't get a job". Faced with joining the EEPTU or not having a job, the respondent did not feel that they had any choice and although they did not have any more to do with the steward that recruited them, they did not form a loyal bond with their union, leaving, when the opportunity arose, to join the MSF.

When asked what the reasons for becoming a union representative were, two of the eight convenors stated that it had been due to feeling that there was a lack of information, indicating individualistic reasons for taking office. The other six convenors all indicated more collective reasons, such as politics or wishing to advance the interests of the members. For example, one (Con3) replied to the question, what was your reason for becoming a union representative by stating “I’m a socialist. I am a member of the Socialist Workers Party and you try to, you know, advance things…lead your members” whilst the convenor of another site replied to the same question saying “there was a lack of information coming out of my union team…there was a load of shit going on with several reps having left. I’d been moaning about not enough information coming out of the union and as they had lost a number of reps they asked if I fancied doing it. There were three of us making a noise and we all became reps” (con8).

In relation to the Batstone *et al.’s* (1977) shop steward typologies, four of the eight expressed that they felt there was a leadership role related to the post of convenor, one stating “I see it that we are elected to give a lead and we should do that” (con 3). Two did not express an opinion on these issues, whilst two felt that it was more of a communication role, with one stating “communicating rather than being a role model for people to follow…if someone comes to me (with a problem) I can point them in the right direction” (Con 8). Another convenor (Con 7) answered the question by saying that, in his view, members should be able to make up their own minds, as long as they had all of the information at their disposal “no charging up the hill and expecting them to follow”.

From these three, quite simple questions we can begin to see a pattern emerging. Convenors, in the main, have a considerable amount of years in membership and

tend to have spent a large proportion of those years in some sort of representative role, which is in line with the Batstone *et al* (1977) argument that convenors, more often than not, are senior stewards. In addition to this, most of those interviewed highlighted collective issues as the reasons for becoming representatives. These trends appear to be broadly in line with the traditional literature, particularly Batstone *et al* (1977). However, their reflection on the role of the convenor as being one of leadership was not so well backed up by this study. As will be discussed later in this chapter in terms of shop stewards, this may reflect rather that the representatives do have a leadership role, even if this is exercised sometimes reluctantly, but feel uncomfortable acknowledging it. This was the case with Convenor (Con 5) who, whilst accepting there was a leadership role, stated that "although other reps are active and capable and could do the job, it's recognised that I know more than them. It's something I am not always comfortable with, but it is the way that it is".

In terms of another of the Batstone *et al.'s* (1977) assumptions, that of the majority of convenors being wedded to union principles, which was backed up by Fosh (1981), this was also not strongly supported in these findings. Whilst there was some evidence of this in a minority of cases, the majority of those who offered evidence in relation to this did not have strong union backgrounds, in terms of family or politics, nor did they appear to have displayed much interest in activism prior to being elected as a shop steward. Four of those interviewed stated that they took part in no wider union committees, with their activities confined primarily to their workplace. The other four respondents were all members of their respective RISC and one was also a member of the MoD NISC. However, outside of the MoD sectors structures there was very little evidence of involvement with the union, with branch involvement mainly being where the branch was based on their workplace. The attitudes of the majority were summed up by convenor 4 who stated that "I have

other interests in my life that have greater priority when I am not at work". This demonstrates a potential gap between the literature and the reality of modern shop stewards.

The convenors perceived their role in different ways. However, a theme that emerged was the role of a conduit, through which information could be passed between the union and members, management and members and vice versa, as discussed by Goodman and Whittingham (1971). One convenor summarised his role, stating:

> I am the guy who is the interface between the management and members. I attend meetings on behalf of the union and are an all-rounder rep rather than being specifically for one thing. I am perceived to know more than other reps and members sometimes come to me rather than the rep closest to them (Con 5).

Another convenor (Con 2) said "I see my role as reporting into the focal. We have a meeting every 8 weeks so I get input from the members to put into that and then I disseminate the info back to the members", whilst another replied saying:

> As convenor I am the figure head for Unite the union in my place of work. I am the focal point for people on the shop floor to come to if they have problems with management. I'm also the funnel for management to pass info to the shop floor. I work for both ends (Con 8).

Only one of the convenors was in receipt of 100% facility time, which was linked to their role, away from the site, as part of a team putting together an in-house bid, to try to stop full privatisation of the organisation.

Interestingly, many of the respondents talked about part of their role being to tell

members things that they may not wish to hear. This included respondents such as the one (Con 5) who, whilst stating, that they felt their role was a communication one rather than leadership, replied “oh yes…I don’t avoid it. I try to give them enough reasons why what they want won’t work, or stall them whilst I get the information and then show them a hard copy, stating why it won’t work.” This, as discussed above, points to an understating or under acknowledgement of their roles as leaders.

Finally, in this section, the convenors were questioned about their main duties and responsibilities. Here there were some differences in the descriptions given. Some saw their role in terms of the work that they did directly representing members, such as accompanying them to grievance and disciplinary meetings or making representations to management on their behalf. As one put it “I am the point of contact on the shop floor in reference to attacks on terms and conditions…I am responsible for stopping the guys from being shafted” (Con 7). Others saw their role as more strategic, in terms of the interactions they had with the management. For instance, one of the respondents (Con 8) discussed being part of the management team, explaining membership of this gave him access to the senior management, when he needed it. This demonstrates both the Batstone *et al* (1977) analysis of convenors forming relationship with managers and also the Clegg *et al* (1961) analysis of shop stewards sharing their time between management and members. However, the relationships with management would appear to be more based on accommodation than bargaining strength.

Representatives with National Responsibilities.

In terms of years in membership, like the convenors, the national representatives all had considerable numbers of years of continuous membership. In fact, two of them,

the present and previous national MoD lay focal, with membership of thirty-eight and thirty-nine years continuous service resepctively, were in the top four longest serving members in the study. The other two respondents with national responsibilities, the DSG national union focal (26 years) and the MoD Fire and Rescue national branch secretary (27 years), had been in membership for a similar length as the convenors. The proportion of time which they had been a representative was again, like the convenors, very high. Both the Fire and Rescue branch secretary and the former national lay representative had spent about four-fifths of their time as members in representative roles and the current national lay representative had spent about three fifths of his time in such roles. However, the DSG national focal had only spent about two fifths of his time in membership, as a representative.

Therefore, like the convenors, these representatives, in line with the assumptions of Batstone *et al* (1977) were all senior representatives who had considerable amounts of experience of representing trade union members. All four of the national respondents gave quite similar reasons for joining the union. The national focal for DSG remarked that all were encouraged to join the union by the MoD when starting a new job and that, having been a union member prior to working for the MoD, it became more apparent why the unions were needed as he got more interested in its workings. The other three also mentioned that they had been encouraged to join the union when they had start working for the MoD. However, they also all mentioned outside influences for their decision to join. The current national lay representative cited a family friend, who was the Donnington convenor, as a major influence and the former national lay representative stating that his father had advised him to sign up. The national branch secretary for MoD Fire and Rescue stated that he had always had a strong belief that people should be represented at

work, saying “that was one of the main reasons at first, the representation side of it, in case anything should arise at work”.

When asked why they had become shop stewards all of them cited collective reasons, contrasting with some of the more individualist reasons provided by the convenors, making these respondents closer to the “actives” typology of Fosh (1981). The former national lay representative stated that he had been taught at an early age to stand up for himself and had done a considerable amount of public speaking prior to joining the MoD, which transcended itself into the workplace. Having stood in whilst his shop steward was off sick, he was asked by his fellow workers to take the role permanently, winning the subsequent election by 129 votes to 1. The current lay national representative cited the influence of the Donnington convenor at the time stating that he was inspired by their “willingness to help people and stand up for people and fight”.

As with the convenors, there was some reluctance from the respondents to accept that they had a leadership role. All four continued to be elected as shop stewards, in their original workplaces, despite having national roles. However, the reason for this differed, with the DSG national focal seeing it as insurance in case their national role was phased out and the national branch secretary for MoD Fire and Rescue seeing it mainly as an administration issue. The current and former national lay representatives saw being elected as a shop steward as being vital in order to keep them in touch with the members. The current national lay representative said “like the PM you need to get back to your constituency. It keeps you grounded. You can get carried away with dealing with Whitehall. It’s interesting to keep in touch.” This was backed up by the former national lay rep who noted:

> I had to be (elected). Not just because it is process but it became very important, as respect has to be earned in all walks of life and that includes trade unions… the election process was essential and I always had it in my diary and was always re-elected at all levels. Because it is part of the values of trade unions. To not be elected is cheating. You can't expect people to follow you blindly.

The roles of these representatives with national responsibilities differed quite significantly. The roles of the DSG national focal and Fire and Rescue national branch secretary were seen by the incumbents as mainly administrative, with the former stating "I am mainly a post box, particularly for the other unions, I also organise meetings for the full-time officials and the convenors." The national lay representative role is seen by the present post holder as a very strategic one. "Most work goes into the monthly strategy meeting and the role has become one of a strategic level role centred around policy. I complement the National Officer". The former holder of the role also saw it as a strategic one and used personal relationships with senior civil servants to influence change:

> I was always interested in partnership. I would try to exploit things as the department changed. For instance, when they got rid of HR. You had to get to know the people who would now be dealing with the grievances. By getting to know these people you are able to gain access to other important people so that you could change things. So I embraced the idea of partnership and used to work with people. And I was never told not to do it that way. People liked the results.

Whilst the roles of these national representatives may differ, the main duties had striking similarities, particularly in relation to administration. The duties of the DSG

national focal were described as being mainly administrative. He explained that his main duties were in relation to consultation documents from both the MoD and DSG. When sent a consultation document it was his job to “post out to convenors, collect their feedback and respond”. The secretary of the national MoD Fire and Rescue Branch also reported spending significant amounts of his time on administration “one important part of it, I always think, is ensuring that your branch is running smoothly, and for the branch to run smoothly correspondence from Unite the union, which we usually get from central office or our regional office in Bristol, needs to be put out. That is my job”.

In a similar vein the former national lay representative described his duties mainly as being in reference to consultation, stating that his job was “to make sure the ITU and its members saw all the information and had the opportunity to respond. I was a conduit, which was what the National Officer wanted, although I felt I could have done a lot more”. The present post holder stated that he felt he “wore a number of hats” as, despite having the national role, he still felt they had a duty to the Donnington site from which he was elected as a shop steward. In terms of their national role he felt that this was something that was still evolving, since the changes that had taken place after the employee relations review (discussed below).

One full time employee of the union was interviewed as part of this study who, despite having regional rather than national responsibilities, provided some similar explanations. He explained that he had been a member of the union since the early 1980s having joined the EEPTU when he started an apprenticeship as an electrician. He was encouraged to join the EEPTU rather than the AEU, due to the electrical bias of their apprenticeship. However, there was no agreement between the unions on this and other electrical apprentices had joined the AEU instead of the

EEPTU. Having been a shop steward and convenor he had been a full time officer for eleven years.

They had become a shop steward, having come back to their original workplace, when the steward in his section had left in order to pursue a career elsewhere. He had a reputation for being able to stand up to the management and stated that he "always had a tendency to react to people who are bullying or treating people badly". So when the senior steward came onto the section to ask for someone to stand "everyone turned and looked at me so I said, in a very squeaky voice that I would give it ago". He had, therefore, been active prior to being a steward, demonstrating a connection to union principles, other than being a member in their workplace and later a shop steward. "I was involved in protest movements and always on the fringe of being non-conformist. I dabbled briefly with the Socialist Workers Party". However, his involvement outside of the workplace was curtailed by the development of a young family.

In 2002, having risen through the union in the workplace to the position of convenor, he felt that they had outgrown the role having increased his education, including gaining a master's degree in industrial relations and needed to try something else. "As luck would have it the organisation was calling for people to take voluntary early release (VER). I applied for it and was accepted". He initially applied for a role with the union as a researcher, based in London, but "the region stated that they wanted me and offered me a role. Was told I had ability but also I had been chosen for my politics as I was seen as a moderate". Therefore, he started working for the union as a regional officer, with an industrial brief.

The duties of a regional officer, known as regional organisers in the TGWU, (which should not be confused with organisers in Unite, whom are linked to the union's

centralised organising strategy) are varied. Working out of a regional office, the officer stated that he had a portfolio of companies that were his to organise and "take care of". In addition to this he also had responsibilities for whole sectors, across the region in which he worked, including the MoD Sector. He also explained that regional officers were also given a number of postcodes that they were responsible for, to deal with postcode referrals. Post code referrals, he explained worked as thus. If a member, who worked in an unorganised workplace had a problem they could ring the regional office for assistance. The person handling the call would then ask for the postcode of the member's workplace and then assign the call to whichever officer had been assigned that post code.

The post code referral system is interesting as it very clearly fits into the servicing rather than organising model (reference), exposing the contradictions that often happen in unions, such as Unite, which claim to be at the forefront of organising. This will be explored later in this chapter.

Shop Stewards.

As discussed previously, fifteen shop stewards were interviewed as part of embedded studies, within the larger case study. Shop stewards at DSG Bovington, DSG Donnington, LS Donnington, DSG Stafford and DSG Catterick were invited to take part, chosen due to the geographical spread that these sites gave the study.

The statistics around the length of time in membership were far more varied than for the convenors and national representatives. Whilst two of the shop stewards (B2 and B3) had the longest periods of continuous union membership, at forty years each, this group of respondents also included the two (C2 and D4) with the shortest memberships (3 and 6 years). In fact, ten of these participants had lengths of service below the average for respondents in the study of 26 years. A similar pattern

emerges when looking at the length of service as a representative, as a proportion of their overall membership, as whilst one (LS1) of the shop stewards was amongst the highest in the study at almost nine-tenths, all but one (C2) of the rest (with two thirds) had spent less than half their time in membership as a representative, with eight of the fifteen having less than two fifths. This might indicate that these shop stewards are less wedded to union principles than their convenors and national colleagues. It may also be that they could not achieve a steward position as there was an incumbent representative already in position. However, the evidence, in relation to most being elected unopposed and difficulties recruiting new shop stewards, would appear to make the former more likely.

Of the four shop stewards that were interviewed at the DSG Bovington site, three of them identified their wish to stand up for people as the reason for becoming a shop steward. This is highlighted by this quote from one of the representatives (B2), who was in his fortieth year of union membership, having joined at eighteen, when he started working for the gas board:

> It's something you do as you know it's the right thing to do. It's social justice I think. I like dealing with other people, it makes life a bit more interesting. I don't know if I am a socialist but if you are then helping other people is something you do. It's like being a social worker. It's more of a calling than a job.

These stewards all displayed some elements that could place them in what was outlined by Batstone *et al.* (1977) as the leader typology of shop steward. They demonstrated that they had strong connections to union principles, one stated "Yes I was active when I worked in Liverpool. I attended a lot of courses and was on strike. I was also in the boilermakers when on the rigs and rig yards so been a

member all my life. I know what it's all about" (B1) whilst another responded to questioning about being active stating "I did stand back from it a bit ago but I missed it. It's difficult to step away from" (B2). However, the fourth steward interviewed at Bovington was quite different. He had not become a shop steward due to "a calling" as the other three had seen it. Instead he stated, "I believed that if you want to find things out then you have to get amongst it. I am forward and believe that the shop floor needs to know things. It was a truth finding mission to find out who was doing what. Who was shafting who etc." (B4). He did not have a particular association with union principles, having only been a member of Unite for fourteen years and a representative for five. He informed the researcher that he had not been in a union prior to working for DSG, as he had been in the army until 2000 and after this had gone from job to job in small workplaces, where there were no unions.

He did acknowledge that the role necessitated some degree of leadership. However, in contrast to the other three shop stewards, he displayed the characteristics of a populist, taking more of a delegate role. An example of this came from how he defined his role:

> Enlighten the masses. It's to get the message out on what is going on, what the options and potential outcomes are, lay that out in front of the members and see which way they want this table (the JSSC) to act. What route to take on an issue?

This demonstrates the differences that can exist within a group of shop stewards. In terms of duties, all of the representatives interviewed at Bovington discussed them in relation to the direct contact they had with members, one (B2) stating that "we are here to be a point of contact… you get people coming to you very upset and it is

your job to calm them down" and another (B1) replied that their duties were to "represent my members and treat people fairly".

As a contrast to DSG Bovington, DSG Donnington was also used as an imbedded research site within the case study, in order to be able to compare two relatively large shop steward organisations. At Donnington, five shop stewards and one safety representative were interviewed. When asked why they became representatives, the most common answer was that they wished to make a difference. For the newer representatives, those elected within five years of the research taking place, the main cause was changes that had taken place at the site, particularly in terms of management. For example, the safety representative (D3) stated that "I wanted to make a difference. I didn't agree with some of the things that were going on in the area I worked [in] so decided to try and change things" and one of the newer shop stewards (had been a representative for five years) said:

> I became a shop steward after shaking [manager's name] hand. He said we were going on a journey and I didn't believe it. I could see through him. I became a shop steward a few months later….. I could see through [manager name]. The journey wasn't going to be a nice one for us. He told us there were some great people here but didn't know us, so that was false. But really he wanted to change the work effort and take back much more control to the point that I felt was unbalanced. We were fighting back against a bully. I didn't want to see people bullied and intimidated (D2).

For those that had been representatives longer than five years at the time of the study, the motivation was more in line with what had been uncovered at Bovington, with interviewees wishing to make sure that the membership was represented appropriately "I wanted to make a difference to the members in the work place and

try to help in the wider MoD. Try to resolve any issue with management, bullying and harassment etc. and try and help with health and safety as well" (D6). Only one of the stewards differed in their motivation stating that, in fact, they did not want to be a representative: "No one else would do it. I don't want to be a shop steward. It's a shit job. I tell everyone that but no one else will do it" (D5).

Five of the six representatives interviewed at Donnington agreed that the role included an amount of leadership. One of the stewards explained how they had changed from something that resembled a populist into a leader steward:

> I see my role now as a bit of a leader. I have evolved into that. In 2008/9 I was more of an information distributer but now I take the role as a leader and impart my thoughts on things... I see myself as a leader, able to get the message across in a clearer way. A slanted way sometimes but I feel it is important to show the way (D2).

This was added to by newest steward (D4) to be interviewed in this study, who had been a steward for two years and a member for six, who stated that:

> there has to be leadership, because if you didn't they [the members] would drift towards the arguments that nothing could be done. If there is no leadership then people drift. You have to put the arguments across and that draws people to you. You have to give a lead definitely. I was finding when I was in building C22, I wasn't a rep but I would be involved in discussions and put my point across. Slowly you would see people listen and then use the arguments that I had used to another group of workers and it felt good to have influenced people.

Shop steward (D5) who had been negative when discussing his reasons for being, and in his case not wanting to be, a shop steward, was the only representative interviewed at Donnington not to agree that the role of the steward was one of leadership. “No, I’m not there to tell them what to do, as I tell the other reps. I give them the information and they do what they want with it”. However, this statement is at odds with what he said later in the interview when questioned about their relationship with the members: “I have a good following. If I say this is what we are going to do, then they do it”. There was still reluctance by the respondent, however, to accept this as an example of leadership, despite it being so. When pointed out by the researcher the interviewee responded saying “they vote to do things, I don’t tell them, I put things to them and then they decide what to do and I tell the JSSC of the decision. I don’t lead them I give them the facts and they make their own choices”.

The DSG Donnington stewards interviewed demonstrated differing commitment to union principles. Some, such as D5 discussed above, confined their interest primarily to the workplace, stating that:

> some are activists who really care passionately about it don’t they? Like (named two other stewards). I admire them for it, fair play. If they get enjoyment from going to rallies and lobbying people and chatting to people about things, then that’s great for them. Personally I can’t think of anything worse. I spend all week talking to these fuckers here and that is enough for me.

Others demonstrated political reasons for becoming involved:

> I wasn’t really political until 2010. My family were always Labour. You went to my uncle’s house and the word Tory was always followed by the word bastard! That’s how it was. He always supported Labour, even when it was

> Gordon Brown, because he came from a time when it was more obvious that they (the Conservatives) were the enemy. So I wasn't political but then started to get more involved when they got in. I attended a march in Birmingham at the Tory Conference and from there that was it. And I got more involved (D4).

As with the stewards at Bovington, the representatives that were interviewed at DSG Donnington saw their duties and responsibilities mainly in relation to the interactions they had with the members, in contrast to the convenors who had put more emphasis on the interactions they had with the management. A good example of this is demonstrated by the following quote from one of the respondents at Donnington (D4):

> I am a face. The face of the union. Many members don't know about the EC. They don't know what a NISC is or a conference, some don't know who the General Secretary is. But for them they see the union as here. So you become the face of the union. My role is to educate, agitate and organise. So when stuff comes out you have to put an argument across as the counter arguments are always that nothing can be done, so you have to show things can be done.

Another of the stewards (D2) said their role and duties were to:

> get the message out. Lots going on as we move towards sale. Lots of attacks on us which makes me want to fight back more. Make sure people get the correct information, not necessarily what is being said in the media. In the recent pay deal I made the point that the company was making a massive profit rather than the line that cuts are necessary as people were being told.

In contrast to the larger sites at DSG Donnington and DSG Bovington, the DSG sites at Stafford and Catterick are much smaller. In contrast to the large shop stewards' committees at the bigger sites, the smaller sites have far fewer stewards: Stafford having three and Catterick having four, inclusive of their convenors. The stewards at these sites were towards the lower end of the scale in terms of experience, with all three of the stewards interviewed (one at Stafford and two at Catterick) having been shop stewards in the MoD for just two, three and five years respectively. In terms of the proportion of time in membership that these representatives had been stewards, they are also low, in the cases of the Stafford representative (S1) and one of the respondents from Catterick (C1). The other Catterick steward (C2) had been a shop steward for two thirds of the time that he had been a member of Unite. However, this only equated to two years out of a total membership of three.

Their reasons for becoming shop stewards are very similar in that they all state that they were asked to stand for election by others. The representative from Stafford and the less experienced steward from Catterick (C1) both had experience of trade unionism prior to working for the MoD. The Stafford representative had previously been a mineworker, and member of the National Union of Mineworkers (NUM) and steward C1 from Catterick had been a member of the TGWU. However, this had caused him problems, leading him to leave when he moved to another company to finish his apprenticeship. "As an apprentice I was at a bus company which was closed shop in those days. I refused to change to the EEPTU and so lost my job. I had come from another company and was in the T&G which was fine as an apprentice but when I came out of my time I was told to change or leave and so left".

Whilst the representative at Stafford had been active when working at the pit, the three had not been active in Unite before being elected as representatives, but they

all expressed that they had supported the aims of the union. One of the Catterick representatives (C2), for example, stated “if the union asked us to do something I would do it” and the other saying “I supported the union. I would do whatever it asked” (C1). All three of the respondents expressed a desire to be more involved with the union, outside of the workplace. In the case of the Catterick stewards, they both stated that they wished to do more, one stated “I would like to do more but there is not much locally” (C1) whilst the other said “Yes [they would get more involved], if relevant and worthwhile” (C2). This would appear to demonstrate some commitment to union principles and therefore, it may be expected, as has been shown by other respondents, in line with Batstone *et al* (1977), that these representatives would exhibit leadership. However, this was not the case in terms of the respondents from Catterick. C1 stated “I wouldn’t say leadership I would say guidance. You want them to make their own decisions but guide them in the right direction”, whilst C2 said: “No. I represent them. Their wishes because they elected them to represent them not lead them. It is more of a delegate role”. Interestingly, their convenor was also rather reticent in relation to the question of leadership:

> Probably is. But I am not really a very strong leader and have said to the chaps here that if they want to be convenor I am happy to move aside, as with my team leader job I don’t have the time to do what I would like. I think there is that role but it is hard to inspire people now. I say things how I see it and at the end of the day I am not the union the collective is and I will do what I can, but it is up to them to come behind me (Con2).

The respondent at Stafford, in response to the leadership question, did agree that it was part of the role. “Yes. You have to explain to the members what is going on and dispel the rumours. The majority don’t want hassle they just want to know the good

parts not the bad. But I just tell them". Interestingly, this is in line with the views of his convenor, who also believed that leadership was an important part of being a shop steward. This seems to show a trend, at least at smaller sites, towards the views of the convenors having significant influence over their stewards, which does not appear to be so prevalent at the larger sites

The role and duties of the shop steward are defined by all three respondents from Stafford and Catterick as supporting the convenor whilst looking after the interests of the members. The more experienced of the two Catterick representatives defined the role as "mainly to deal with personal issues and health and safety and workplace issues" and the duties as "passing on info to members. Informing them of their rights, and representing them if they want. I could say education I suppose" (C2). The less experienced steward (C1) described his role as "I support [the convenor's name]. I do a lot of the letter writing as I have a good grasp of how to put things down" and the duties as "to look after the members and make sure they are not being abused". When asked if they were involved in the more formal functions, such as negotiations with management and representing members at formal hearings the more inexperienced of the two Catterick respondents (C1) replied "I would do it but the convenor is better so I tend to do the informal things", which was echoed by the interviewee from Stafford, who said "(I) Leave that to [Convenor's name] really. I am more involved at the informal stage. Sometimes [Convenors name] comes to me for advice". The Stafford respondent, who was also a team leader, saw the role and duties of the steward as "mainly support the Convenor, if he needs anything. We discuss the main issues and as a team leader I can sometimes see both sides of the argument".

Finally, for this part, two representatives from Land Systems (LS) Donnington were interviewed. Differing to the DSG Sites, where the membership is predominantly skilled, the workforce at LS Donnington is chiefly semi-skilled or unskilled, based mainly around storage and distribution of kit to the armed forces, rather than engineering and repair, as is the case with DSG. Both of these representatives had been members of the union for twenty-six years, having both joined in 1988. However, there was a large difference in the proportion of their membership in representative positions, with the more experienced respondent (LS1) having been a shop steward for twenty-three of those twenty six years (almost nine tenths) whilst the other (LS2) had been a shop steward for only four years (less than one fifth).

The more experienced representative (LS1) was elected after the steward in his area had retired. An oddity in LS, he is from the technical side due to working in the Inspection Department. He had been the only shop steward from the EETPU and therefore had automatically been elected to sit on the Whitley. The less experienced representative (LS2) stated that he had become a shop steward as “we had no rep in the building so were getting no info back”, but had not been active in the twenty years previous, other than attending meetings. Both these respondents agreed that leadership was part of the role, with the experienced steward (LS1) saying “Yes, because people look to you for responsibility. Everyone looks at me as a confident person but I am not really but the union has really helped me with that. If I know I am right, then you can’t tell me anything. If I am not sure then I keep quiet”. This was echoed by the less experienced steward (LS2) who said “I think … yes as you feel you are responsible for giving them correct information and squashing anything that isn’t right. You do feel responsibility as it could be someone’s job if you get it wrong”.

In terms of their role and duties both, as has been the case with a large number of the stewards interviewed, explained this in terms of their perceived responsibilities to the members. The experienced representative (LS1) stated “hoping to keep people informed and keep a future for Donnington. I try to do the best I can…information dispersal really”. This was again, mirrored by the less experienced representative (LS2) “Any queries that they [the members] have they come to me. I do the Health and Safety audits and sit on the meetings. If I get any info, then I distribute it and I keep the union board up to date”. These representatives, like those at Stafford and Catterick, saw their role as largely informal. While both had been involved in disciplinary hearings, this had only been at the informal, first stage point in the process. This was explained by the less experienced representative. Whilst he expressed an interest in being involved at the next stage he also stated that he would be concerned about “letting the member down” adding that in terms of anything formal, they would usually “tend to pass up”. This tendency of shop stewards to rely on convenors, in terms of the formal stages of procedures, will be discussed later in the chapter.

This section has demonstrated that whilst some of principles stated by the traditional literature are still valid, there is also some significant blurring of the lines between the arguments around role and function. Whilst the arguments developed by Batstone et al. (1977) and Fosh (1981) about representative types and adherence to union principles still fit in some circumstances, as do some of the pre-stated explanations of what stewards do, they do not appear to fit in with the analysis of the majority of representatives, with significant differences in respect to the variant levels of representation.

In reference to representational types, whilst it still appears that the majority of representatives fall into the leader or populist descriptions, there is some blurring of the lines, reflecting in part what Darlington (1994) has argued, with some representatives displaying behaviours from both typologies. The convenors that were interviewed as part of this study mainly fell into the leader typology in that they took a position of leadership towards the stewards and members in their workplace. However, some were reluctant to accept this position, displaying leadership whilst claiming that were reluctant to do so.

Whilst the national representatives displayed a belief in collective goals, this was less prevalent in terms of the convenors and weaker still amongst the shop stewards, many of whom saw their role more as a mouth piece, again displaying some differences between the contemporary state of affairs and the writings of Batstone et al. (1977), Fosh (1981) and Clegg et al (1961).

The role of the representative was shown to be significantly different to the one described by these authors. Shop stewards had very little interaction with management, above the level traditionally filled by a foreman, whilst the national representatives had very little interaction with the members, demonstrating that the Clegg et al (1961) claims that the role was split neatly between the two is not the case in this study. In reference to convenors, the amount of interaction differed from case to case, with some outlining a role close to that described by Clegg et al (1961) whilst others did not. This size of the site appeared to have a bearing on this, with convenors at the larger sites having less day to day contact with the members than their counterparts at the smaller sites.

Overall, this demonstrates that there are gaps between the conditions outlined by the literature and the contemporary workplace. This will investigated further in the following sections of the chapter.

The level of representation and the extent of interaction between union representatives

As set out by Turner (1962), democracy in trade unions depends on the relationships between a union's officers, activists and the predominantly silent rank and file. This section will now examine these relationships, in the context of this study. Following the pattern above, this section will first examine the relationships that the Convenors have with Full Time Officials (FTOs), other representatives and the general membership, followed by similar examinations, in terms of the interviewees with national responsibilities and the shop stewards.

Convenors.

The convenors, as outlined above, are often seen as the lynch pin between the stewards and members below and the full time officers and union hierarchy above, or vice versa, depending on your perspective. Therefore, it is the convenors, more than any of the other respondents, that have the most interactions with all of the levels outlined by Turner..

Starting by looking at the interactions between the convenors and FTOs, there is disparity between the different sites, with some convenors having relatively little involvement with any FTOs, whilst others have a considerable amount. There are also differences between the levels at which the interaction takes place, with some convenors reporting more involvement with officers at national level and others stating that it is with regional officers that they are most likely to have contact.

A number of the convenors that were interviewed indicated that they, as far was possible, liked to be self-sufficient. For example, when asked what interaction they had with regional officers, one (Con8) of them stated:

> Very little. My regional officer, I don't know the last time I seen him. Contact him when I have too. See those that run the committees quarterly. As we don't have many problems I don't need them often.

This was echoed by another (Con1) who stated that "the region would be involved with any strike action and stuff. Mostly we are self-sustained especially due to branch".

Convenor 3 at one of the larger sites went further in explaining why he did not engage with the regional office too often "Well the regional officials. To be honest I try to keep them out of it. Because I don't have a great deal of confidence in them. I see them at the RISCs, but don't really need them".

However, whilst some the convenors above expressed limited contact with their regional officials, others stated that they had regular contact. One of the smaller site convenors (Con6) said:

> Quite a lot. Our regional officer comes into to see me at least every season. We text each other a lot and I email him a lot of info… So I interact with him a lot and I do a lot of that giving him a lot of information. I have known him a long time, 18 years, because he used to work for the MoD as well and I knew him before he was a full time official for the union. So I class him as a friend, and it's nice to have. He gives me a lot of good answers and gets me answers that I could never get myself, so he's a good sounding board.

Another of the larger site convenors added some context to this, stating that he had some interaction with their regional officer, but explaining that this interaction was not as regular as maybe it could be:

> Well obviously we have regular contact with our regional officer, through the RISC. To be fair to him, he has a busy job, with the postcodes and the industry that he has to cover. But I suppose, he's enjoyed MoD taking care of itself because we have been so lay member led. But, you know, he is available. If you need him to come in or need advice, then he is there and available. We don't tend to use him, we didn't used to use him as much as we could of, 'cause we were well organised in ourselves (Con4).

The way industrial relations operate in the MoD, through the centralised Whitley System, means that it might be expected that interactions at the regional level would be lower than in other sectors, where more negotiations take place at regional and plant level. As stated by one respondent "because it's the MoD and as you well know it's a strange phenomenon, we have to work with the national officer a lot" (Con7). However, here again there are differences between the sites with convenor 6 stating, for instance, in relation to the interactions he had with the national officer:

> Lots. Daily basis. Especially at the moment while we are going through this here sale process. It's in my interests and certainly in my best interests because of the people I have to look after that he has every bit and piece of information. Quite often he will phone me to ask for more info so he's on top of it".

Another convenor (Con4) also spoke of the relationship he had with the national officer: "we enjoy a good relationship with our national officers, have done for ever really, back to when it was [officer's name] for the T&G and [officer's name] from

Amicus. Since then, with [officer's name and [officers name] and then [present National Officer] they're all willing to help and useful and knowledgeable"

Some of the other convenors outlined a less interactive relationship. Convenor 2 from one of the smaller sites, for example, expressed some frustration saying:

> We haven't seen a National Officer here since (Former National officer) came quite a few years ago. I have mentioned it to our present National Officer but I just don't think he has the time. But it is a shame as even if it was just a half hour meeting it would do a lot for the members, it invigorates people. Familiarity breeds contempt. If I say something it doesn't have the same impact of someone from outside.

Convenor 8, from one of the medium sized sites also stated, that he only had very limited access to the National Officer, explaining that most interaction took place at meetings away from his site, whilst the majority of the information he received, of a national nature, came via the national union focal.

The role of the full time officials is explained well by Convenor 8 who stated that:

> I see it as if my Regional Officer can't deal with something then I go to the National Officer and if it is MoD specific then the National Officer may have a better understanding as my regional officer is spread across all industries and might not have info I need.

This again demonstrates some of peculiarities of the MoD industrial relations system, as in most industries the regional officer, with responsibilities for that sector, would have sufficient knowledge to answer most questions raised by the representatives that they cover. In the MoD Sector this is not seen as the case. As convenor 4 explained: "obviously the National Officer is at the heart of all the policy

stuff, the compensation stuff, the overarching outsourcing piece and that, [name] as the National officer along with the national Lay representative, they're at the heart of that really." He expanded on this, outlining the duties that may have been appropriate for the Regional Officer, such as attending grievance and disciplinary hearings, were carried out by the local representatives.

Therefore, the picture being formed here, in terms of the MoD sector, is one where the regional function of the union, in terms of the representative role is not, or at least until now has not been of great importance. This, however, may change as the facility time elements of the Employee Relations Review, which will be explored later in the chapter, begin to take hold. In addition, to this, most interactions, between FTOs and convenors take place via committee meetings of some type, rather than through visits to the convenors' sites. This means that, particularly in the case of the smaller sites, such as Warminster and Catterick, visits by national officer are rare.

The interactions that convenors have with other lay representatives can be split into two groups, the first group being the stewards at their own sites, who have elected them to be the convenor, and the second group being lay representatives from other workplaces, including other convenors. In terms of the representatives at their own workplaces, interactions were relatively high at all of the sites. However, there was a tendency for them to be higher at the smaller sites, where there was a smaller number of shop stewards. For example, at one of the sites, where there were only a small number of representatives, the convenor (Con5) stated "We see each other every day. If I have been to a meeting I pass this on. The national focal sends me info, which I filter a bit sometimes, as some of it isn't relevant. I try to be sensible. Email works well but can't beat face to face". It was the same at two of the other

small sites. None of these sites had formal shop stewards' committees, instead as one Convenor (Con2) said:

> I only have 2 reps and I see them every day. We have a handful of GMB members on sight but no rep. There is a PCS rep. I speak to my reps a lot but not others. There is no structured Shop Stewards Committee as we don't have the people. We used to, but it doesn't work with only three of you so I email info and talk to them at least once a day to keep each other up to date.

The larger sites, where there are larger numbers of representatives, had more formal structures, with day to day contact between the convenors and representatives, but not with all of them as with the smaller sites. Monthly shop stewards' meetings were the primary means of interaction; supplemented by *ad hoc* meetings when needed, such as after pay talks.

The primary concern of the convenors at the bigger sites, however, was with the interactions that they had with lay representatives at other workplaces or those with national responsibilities. This was mainly due to their stewards' committees being organised in such a way that the representatives underneath them were able to carry out some of the duties, such as representing members, where this would be left to the convenor at the smaller sites. Interaction between the convenors and representatives at other sites was regular, either via phone or email or meetings. One convenor (Con8) explained "(The) Convenors are in touch all the time. Most days I am emailing the focal. Occasionally on the phone. We meet when we can but [have] physical contact every 2 months. Email and phone daily or weekly".

Convenor (Con3) at one of the larger sites explained, in detail the representative structures:

> within DSG things, I think, have improved immensely over the years, because of the combines… we elect a small delegation to do pay and one for Whitleys and what have you and on the back of that…. we have a monthly combine meeting where we all get together and, in theory at least, the person who went to the pay meeting will say that we said this, this and this and we vote and make a decision on where we go forward. That is working a lot better and does mean that we can try and do that leadership role across DSG… wider than DSG we have a thing called the Regional Industrial Sector Committee which brings lay reps together and I found that of very low value. I go there, I give a report on what is going on here, I hear a report from the guy in prisons and a report from the guy from MoD Fire and Rescue, but it is nothing I didn't know or anything that affects us, so feel it's a waste of a trip, waste of a day. And then there is a national industrial sector committee, which is where you meet a wider layer of lay reps and I think that is where there has been an appalling lack of leadership in the union. I find it a tragedy to be honest, because we had structures in place through the Whitley that weren't perfect. I know they were from a different age and more pluralist, you know a Donovan idea of Industrial relations, but they were there, structures that our Brothers and Sisters and colleagues in the private sector could only dream of. We'd got them and we gave them away and part of it is we didn't know what we had got.

The NISC came in for criticism from a number of the convenors. In addition to the comments above, another convenor (Con7) who was a member of the MoD NISC stated:

> As a shop steward committee it was decided that the RISC should get up and running and subsequently NISC membership was wanted so that we had a voice nationally. I was so disappointed. It is a toothless tiger. The national committee should be moving the union forward not just the sector but union as a whole. It's a bun fight. They fight amongst themselves. An example is the committee putting a motion back to the combine calling for support to stop privatisation because it hadn't come through a RISC. It is all show and no go.

When asked why he thought this was he replied:

> They are too set in their ways for too long. They enjoy the trappings but it is self-preservation and they have forgotten the fact that they were put there to exercise leadership. The bickering is shameful and things have been missed as people have not done their job. You need people to be on the ball and sparking. Interested in reading things and making sure things are done properly. Need people to be more proactive but they have been too comfy for too long and don't know how to react to things.

Whilst more positive in relation to the future of the NISC, the convenor (Con4) of one of the larger sites was also critical saying "I think the recent elections to the NISC were timely, because I think the NISC, as was, was a bit prehistoric and that people were on there who weren't very interested, or weren't very active, I don't think it was very effective." Highlighting some of the issues with the way that the NISC was set up, he said:

> I think that it was stale. I think there was people on there that were elected from RISCs because there was nobody else to go, and that might sound awful. We had some people on the NISC from MoD who might only have had 3 or 4 members, who didn't bring much to the table in my view. I always had

> this impression that, I used to go to a few especially around the pensions and compensation, you know, attacks, where the NISC was opened up to the wider audience. I used to think that people, some of the NISC members used to go and speak for the sake of speaking and that they were bullshitting really, you know a lot of what they were saying was just hot air and they couldn't deliver a lot of what they were saying. So I did think the NISC was quite ineffective and I didn't see what NISC played in the wider sector really.

But, the positivity that he had felt, due to the previous elections, was tempered by a number of those elected leaving the MoD after losing their posts in the Employee Relations Review.

Interactions between the convenors and members, like the interactions outlined above, differ from one site to another. As mentioned above, only one of the convenors had 100% facility time, which for the convenor of one of the largest sites, who had seen their facility time reduced from 100% to 50%, was a relatively recent thing. Therefore, all of the convenors except one spent some time working alongside the members. The extent to which this was the case though, differed from one situation to another. The convenor of a small site, for example, who officially had 25% facility time, said "I work on the shop floor. I have about 80 members and 70 see me every day. So I would say I have a very good daily interaction with them. If they want me they can pull me to one side. I am there for them" (Con8). The narrative of convenor 6 was similar:

> I'm lucky. I have 50% facility time. Half of my day I am the union man and nothing else, half of the day I am supposed to stand at my bench… the members that we have know that I'm on the bench and they come and have the crack with me, like they do with all their other mates. Some days it's have

> you heard this joke that's going around did you see the footie on the telly last night, or what's the management saying about this? So my interaction is very good because not only am I their representative that I am by their grace, and I do thank them for trusting me, always will. But they're my friends as well. That's more important perhaps.

Alternatively, convenor 3 from one of the larger sites who had recently had his facility time reduced from 100% to 50%, argued that, given the size of the site and its multiple buildings, he was inhibited from having daily contact with as many members as the convenors at the smaller sites. In another example of this, convenor (Con5) stated that: "till two months ago I was on the shop floor so would be accessible all of the time. Stop me and buy one sort of thing. I am now in a different building and have less time on the shop floor. This hasn't been as problematic as first thought. The plan is to hold a surgery and always have my lunch in the break room. I am trying to maintain a presence".

One convenor (Con4) had retained his 100% facility time post the Employee Relations Review, albeit due to being part of an in-house bid team. However, whilst he may have retained 100% time off, the interactions with members had actually reduced quite significant, due to him being off site for two to three days a week. He explained how things had changed, since the results of the ERR had come into force:

> before the 1st July we had very good relations, face to face relationships with the members. You know if I'm being frank, back when I joined the union and the department, if the convenor had been coming round the buildings something was wrong. Either they wanted to take the flexi off you, or there was something big going on and everything else would be conveyed through

> the shop stewards' setup… But, as I say, over the years, the shop stewards have become less and less dedicated and if we can talk frankly, which I'm sure we can in this interview, now when we hold a shop stewards' meeting, you could say a lot of them stewards come over and treat it as privileged information. They get to hear it from the horse's mouth, but then don't really go back and tell the rank and file members, which is what they should be doing… We got to the position that on a six weekly basis, myself and another full timer were putting together a programme to go around and hit all the buildings over a two day period, to update the members on what was going on. Really doing the shop stewards job you could argue…Now I'm down in Bath that has suffered a little bit… I have now pretty much gone to trying a different tactic, of every month doing a written update brief of what's going on and getting that distributed through the shop stewards' network cause quite obviously they are happy to hand out a bit of paper, rather than stand up and talk about it.

As demonstrated by this section, the convenors are at the centre of the representational structures of Unite. They interact regularly with the stewards beneath them in the structure and with representatives, from other workplaces, through combine committees, within the structure of their organisations, or thorough union committees, such as the RISC and NISC. They also interact regularly with members in their workplaces and with full time officials, being the main conduit through which information from the national union and the union's officials is passed. Size does appear to matter; with convenors at smaller workplaces having more access to the membership as a whole and the other workplace representatives, on a regular basis, but less interactions, directly, with full time officials. The next section

will examine how representatives, with national responsibilities, interact with the other representational functions of the union.

Lay Representatives with National Responsibilities.

Operating in the area above the site convenors but below the union's FTOs, the roles of those representatives with national responsibilities differ quite significantly from the convenors.

In terms of the relationship with the union's FTOs, this group reported more interaction than any of the others interviewed for this study. The DSG National Focal stated that he had regular meetings with Unite's National Officer for the MoD and also with the National Officers of the other recognised unions, such was the joint nature of his role. He explained that some of the work that he did allowed the National officer to deal with other things. The former National Lay Representative presented a similar narrative, explaining that:

> I used to spend an awful lot of my time doing case work that officers should do. Lots of regional officers and others didn't like me but they used me. This made attending some of the national union only meetings at Esher and places impossible…. as I would be dealing with case work from officers. I'd be having to go all over the country and had love hate relationships with many officers. A lot of them didn't really want me there but were also glad that I was [there].

The National Branch Secretary for MoD Fire and Rescue also spoke of the relationship that he had with the union's FTOs, explaining that he had a large amount of interaction with the national officer and also the regional officers, due to it being a national branch:

> if we have any issues and have to contact MoD main building then we go through the national officer, but because our branch membership is based in Bournemouth if we have an issue with DEFRMO [Defence, Fire, Risk, Management Organisation]. For instance, if DEFRMO want to bring out a CD [consultation document] on manning levels at such a such a station, it would go to our lead official, who is [name] in Bournemouth and then [name] sends it to myself and I send it out to our executive committee and the station concerned and then obviously it comes up the chain that way.

In relation to other lay representatives, the national representatives reported different amounts of interaction. The former national lay representative demonstrated a number of levels of interaction saying:

> I attended meetings at the sites and would go to any site that I was invited too. I attended one Whitley a year at all RAF bases, and would get Whitleys going where we didn't have them. Plus by phone regularly and by email where possible. I encouraged people by getting them together. This was easier with some National Officers than others.

The DSG national focal, however, outlined their interactions in terms email communications and the combine committees discussed by the DSG Convenors. The national Branch Secretary for MoD Fire and Rescue explained that he had a range of interactions with stewards from different organisations and at different levels of the union. Geographically he was based at the Donnington site, which he saw as an advantage:

> I think fundamentally we are very fortunate in the location that we are, being at Donnington as a branch secretary. Because, I firmly believe that the two strongest parts of the MoD and Government departments are based here.

> What I am trying to say is that LCS and DSG to me are fundamentally front runners in the way that our MoD and Government departments sector is run. I think they are a very big influence. I think that you work with these guys, learn off these guys and working together does go a very long way.

As with the convenors, the NISC came in for some criticism from this group of respondents. Only the National Branch Secretary, who was relatively new to the NISC, was positive towards it saying:

> I think the role of the NISC is quite important within our organisation, fundamentally within the MoD and Government departments it is the strongest committee... So from policies, issues, I think fundamentally that is the most important committee within the Government departments sector. How it's working at the moment? I think that it's working quite well… as things have gone on and the communications network has been set up, over the last two or three years things have gone from strength to strength. When the NISC is working well, as it is now, sending down information to the RISCS, to go out to the sector, it is absolutely imperative that it is, and it is the most professional working element of our profession.

This, however, was not in line with the views of the other representatives with national responsibilities, who had more negative things to say in terms of the contribution of the NISC, in terms of representation. The DSG National Focal did not feel that the NISC was functioning well, stating:

> The NISC should be the body that organises the sector. Should be the key players and right people for the job, but it is not always the case. Things need to be driven but aren't. The NISC Chair, EC member and national officer should be driving things but are not… VER [voluntary early retirement] is rife

> and many NISC members are going. What will be left? Rumours are already circling of who the next chair will be and he is not the right person as has a very narrow view of one part of the sector.

The National Lay Representative was also relatively scathing of the NISC and in particularly of the quality of the members, hinting at a dilution by the TGWU:

> To be frank the quality of the people on it is an issue. On the Amicus NISC the only non-craft person was me and the quality was high. The merger meant that people dropped off and those on it are sometimes parochial and non-effective. There are not enough quality reps on it.

Going into more detail of the NISCs limitations the former National Lay Representative argued:

> The NISC had all the senior reps who spent a day or 2 debating, listening to reports which I could have done via email. I didn't see why I needed to be there when I could be doing something useful as there were no outcomes. We couldn't even sort out an industrial action ballot…the committee meetings were full of people trying to fight the good fight but it was like a salvation army meeting without a band, there certainly wasn't a conductor. I think there was a golden opportunity and a few years ago, when we had people with the skills and beliefs, they were worthwhile but now I think things need to be done different[ly]. I saw an email a few days ago from a few reps and their main issue was that they couldn't have a pudding as well as a starter and I think that sums it up.

These comments, along with those of the convenors, appear to show that the NISC, an important body in terms of the union's representational structures, is not working.

The extent to which this has been caused by internal issues, such as the Unite merger, or by external issues, such as the Employee Relations Review, is addressed below.

The levels of interaction with the union's members differed for these national lay representatives, depending on their role. The National Branch Secretary, for example, responded to being asked what interactions he had with the rank and file members, saying:

> A lot. Fundamental part for myself is because I am still a shop steward, which is the most important thing for me. I still enjoy doing the shop steward's work. I do enjoy the branch secretary work, but the shop steward work to myself is the biggest, erm, satisfaction I think I get out of it… If not for your members wouldn't be elected, and if not elected you can't be branch secretary, you can't carry on with any other commitments whatsoever. So that is a massive, fundamental part of being a shop steward, working with your members.

This representative, whilst having national responsibilities, varied from the others in this respondent group, in that they had 50% facility time not 100%. Therefore, he actually had more in common with the convenors, in many ways. However, whilst he represented twenty members at the Donnington Site, he was responsible for a branch membership of six hundred and seventy four.

The DSG National Focal, who before being elected to the role had been the Unite Convenor of DSG Bovington, reported having very little to do with the rank and file at that site since taking the position:

> At Bovington I am still out on the shop floor often but it is difficult as now a corporate asset. I'm still a safety rep, involved more with rank and file at other

> sites backing up the convenors. It's difficult at Bovy as I don't want to undermine the position of Bovy reps. Therefore, I tend to stay away.

This highlighted the tendency, described by Darlington (1994), for interactions with members to become less the further the representative gets from the shop floor. This was seen with some of the convenors and then again with the national representatives. Whilst all of them were elected, in some capacity, at their original workplaces, they all, with the exception of the National Branch Secretary, who had more in common with the convenors, had only very basic contact with the members they had been elected to represent. The National Lay Representative stated:

> Maybe not so much. Structures are that the convenor at Donnington is between me and the members. So I don't get bothered about the small things. But have to do enough to get elected. This is the same challenge for a lot of people with a national role. Luckily the members are loyal and not troublesome. So don't have too much in the way of interaction.

This statement almost points to the members and the need to be re-elected as a hindrance to him. When asked if re-election had ever been a problem he replied "Not as yet but it's always on your mind. It's difficult for the members to see you very often. I make a point of going to the section whenever possible for a bit of banter". The former National Lay Representative stated that he would sit down with the stewards and members, on a site, prior to meeting with management, in order to see what the issues were but, other than this, interactions with members were a minimum.

Shop Stewards.

Of the shop stewards interviewed, almost all reported having very little, if anything, to do with full time officials, with some indicating that this was something that had changed over time. This was summed up well by shop steward (D5) at DSG Donnington who said, when asked if they had any interactions with FTOs:

> I have met them when doing other things but not through the union. And as for [the present National Officer], I have never met him. Which is bad as I saw lots of (a former National officer) and he was supposed to the fucking anti-Christ of union officials.

Asked if the lack of interaction was a new thing, or something that had always been a problem he said:

> I don't know. When [former National Officer's name] was national officer I saw him a lot and did speak to him. I was told he was a moron and he did a good job of showing himself to be a moron but at least he came in to be told he was a moron. This one I have never seen and I don't think I saw the previous one either. Maybe once.

A shop steward at DSG Catterick (C2) responded "Only indirectly. The Regional Officer didn't even know DSG was up for sale. No interaction with National Officer. I don't even think I know his name", whilst a representative at LS Donnington stated "I have rung the Regional Officer a couple of times when they were trying to privatise us, but never a National Officer, I wouldn't know how to get hold of one" (LS2).

For some of the stewards interviewed, the lack of interaction with the national officer was a negative, whilst others did not see it as an issue. For example, a shop steward in Catterick (C1) asked if seeing more of officials would be helpful, said: "it would be nice for us and the lads to see them as it would give confidence rather than the

normal faces. Members question why they are paying their £13 a month", whilst a shop steward at DSG Donnington (D4) said:

> I know the Regional Officer and have seen the National Officer once or twice but don't really have dealings with them. I don't feel I need to…I understand that if they are a Regional Officer then they organise the region, but in terms of me if they were not there I don't think it would bother me. I don't think anything they do affects me here.

Another observation was that many of the shop stewards felt it was the job of the convenor to deal with FTOs. For example, Catterick Steward (C2) said "I don't think we need interaction. We have the members, us, then (Con2's name) so don't need it".

Interactions with other representatives can, as with the convenors, be split into two groups: other representatives in their workplace and those from other workplaces. In the case of the convenors, this had been quite equally spread, with face to face interactions with representatives in their workplace but also daily interactions with representatives at other sites, either face to face or via email or telephone. The interactions that the shop stewards have with other lay representatives are mainly the first group, with very little interaction with stewards from outside of their workplaces. On the smaller sites, as highlighted by their convenors, interactions between all of the stewards can happen on a daily basis. Shop steward S1 from Stafford said "We speak to each other generally as [we] see each other every day. Only see other reps if they are down for a visit". A Catterick representative (C2) indicated that he would like more interaction and saw the merit in it, stating: "The only ones I really know are the ones here and the ex-ones. I don't know any from

other sites. I think it would be useful to meet them because if you can separate people you can batter them individually but if we all stand together that is harder".

Stewards at the larger sites saw less of each other, increasing the importance of the convenors on these sites. As shop steward D5 at DSG Donnington said "Mainly in the meetings. I don't really see them and see even less of them now as we are all locked in our little worlds. I ring the convenor if I need to know something". Here, as at other larger sites, in addition to the convenors were a number of senior stewards, who could also be called up on for advice, when needed. As shop steward D6 at DSG Donnington stated, in relation to the interactions they had with other representatives; "Locally I have a lot. Especially with (Senior Representative one, senior representative two and the convenor) … (Senior representative one) is very knowledgeable as are the other two. They are very active" This lends itself to the Batstone *et al* (1977) quasi-elite typology of steward.

The shop stewards had more regular interactions with the members than any of the other groups interviewed. The shop stewards worked alongside their members and had often done so for many years. As such members were also friends. All those interviewed reported holding regular meetings with their members, in order to keep them informed of issues affecting them and others. However, as they were friends with the members as well as their representatives, the relationships were far less formal than those between some of the other levels of representation. For example, a DSG Donnington Shop steward (D5) noted "when there is a meeting I talk about it with them and when there isn't I talk about football". Some stewards favoured informing members about issues on a one to one basis or in small groups, as indicated by this representative from DSG Bovington (B3): "Members come up to me when they want to know something". Other representatives, such as D4 from

DSG Donnington favoured getting them all together regularly, seeing it a vitally important to be seen as one of them:

> I hold a shop floor meeting after a meeting and put the minutes of all meetings on the board. Throughout the day too. You get respect from being alongside them. The members see that the union is not a guy in a suite in a car; it's a guy in overalls working alongside them. I don't do email or leaflets.

This was also reflected in the approach by steward LS2 from LS Donnington, who said: "If I get something off the convenor I get them together for 10 to15 minutes. I don't like getting them on their own as things get twisted".

This section has demonstrated that the role of the shop steward is vital in terms of workplace representation. However, interaction between this level and the union's full time officials is almost non-existent, as is the interaction between the shop stewards and representatives at other sites. In terms of the interaction between them and FTOs, it was felt by a number of the stewards that this situation had deteriorated over time, with the situation previously being that FTOs, particularly National Officers, had spent more time meeting with representatives at the sites.

In addressing the question relating to levels at which representation takes place within the organisation and union structure as well as the extent to which this requires effective interactions between different levels of representatives, four important issues will be examined following the findings set out above. Where does representation take place? Who is involved? How do interactions work? Are these interactions necessary for representation to be effective?

Representation takes place at a number of different levels as set out above, but is mainly confined to national level, in terms of policy, pay, and conditions and plant

level, in terms of representing the members in areas such as disciplinary and grievance hearings. Whilst there is some involvement of the union's regional structures, this tends to be confined to attendance of the RISCs and, in some cases, the provision of advice. However, there is very little evidence of Regional Officers being used to actually represent the members.

Those involved in representation at the workplace level are the shop stewards and convenors. Size is an important factor here. Stewards at the larger sites are more likely to be involved with the representation of members at hearings than those at smaller sites, where it was seen as part of the convenor's role. Many of these stewards stipulated, in line with Batstone *et al* (1977) that they saw their role as being at the informal stage of the disciplinary process and that case work would be passed by them to the convenor if the process entered the formal stages. However, in contrast to Batstone ***et al'***.s (1977) findings, the convenors did not express any negative feelings towards this, instead accepting it as part of their role and, in some cases, expressing that they would not want the stewards to take on more challenging roles, putting them more in line with Goodman and Whittingham's (1969) findings.

A number of the shop stewards and convenors agreed that they took a leadership or representational role, in reference to the way they dealt with their members, accepting the need to sometimes tell members things they did not wish to hear. These respondents took a representative role at the stewards' committees, taking decisions that they were then happy to defend to their members. On the other hand, there were also a number of shop stewards and convenors that took a more delegate style role, although this was relatively rare with the convenors. These respondents stated that they were in post to deliver the wishes of their members,

and would always seek their views before making a decision and would push forward the wishes of their members, even if they did not personally agree with them or feel that they were deliverable. This appeared to be broadly in line with Batstone *et al'*s (1977) study, in that the most prevalent types of representative were the populists and leaders, However, this differed considerably from site to site and also demonstrated elements of what Darlington (1994) stated was blurring between the typologies, with representative displaying elements from different ones.

Due to the Whitley industrial relations system, the majority of negotiations covering policy, pay and conditions take place at a national departmental or agency level as set out in chapter five outlined by Coates and Topham (1988) and Parris (1973). For this reason, the role of the Union's National Officer is obviously a very important one. However, the MoD sector also boasts a number of lay representatives with national responsibilities. This included the National Branch secretaries, a National Union Focal in DSG, and a National Lay representative, based at the Civil Service head offices, in Whitehall. These representatives, particularly the national focal and those based at Whitehall, aid the National Officer, attending meetings in their place and covering much of the administration, such as distribution of, and collation of responses too, consultation documents.

The National Officer was criticised by a number of respondents for not spending enough time working in the sector, with some stating that this had changed over time, with previous National Officers being more diligent. However, it is also pointed out by some respondents that the national officer has had their area of responsibility widened to include education, meaning that the time they have to devote to the MoD has been reduced. The evidence collected demonstrates that the argument of Kelly and Heery (1990), that the relationship between shop stewards and full time officials

is a contracting one, with both trying to expand their involvement at the expense of the other, is not valid in this case study. If anything the stewards would welcome more involvement by full time officials, however, the centralisation of Whitley, traditional independence of many of the research sites and the workloads of officers, has worked against this.

Interactions vary between the different levels of representation. The convenors have the most interactions. Being the lynch pin between the national union and the rank and file, the convenors interact regularly with the union's members and the other lay representatives, be it in their own workplaces or outside, and also have regular dealings with the union's officers and national representatives. The convenors are, therefore, vitally important to the representational structures of the union. Their interactions with the members mean that they have a very good understanding of the issues that are important to them. This can be fed into union's representational channels, such as the combine committees and can, therefore, be used to inform the actions of the representatives that sit on the main negotiation committees, such as the National Whitley Committee and Pay Committees (outlined in chapter 4).

As outlined above and in chapter 2, Turner (1962) theorised that type of government adopted by a union depended on the relationship between the three groups: namely the full time officials; lay activists; and members. Analysis of these relationships, it was argued by Turner, would allow the governance of the unions to be devised as an exclusive democracy, aristocracy or popular bossdom. These themes will be returned to later in the chapter. However, it is important to begin looking at this here.

Unite, from the evidence provided from this fieldwork, is not an exclusive democracy. Participation amongst the members of the union in the MoD sector is low, as is, to a major extent, participation outside of the workplace for most shop

stewards. However, it does not purely fit the aristocracy or popular bossdom typologies either and there is also some ambiguity due to the union's federal structures. The union nationally will be discussed later in the chapter, in relation the amount of influence that respondents believed they had within it and their perceptions of the union's leadership. However, the federal structure of Unite means that it is possible to see both traits of aristocracy and popular bossdoms within the sector. In reference to it being an aristocracy, there is some evidence of this in terms of a definite Amicus 'bias' in the sector. The Executive Council member and NISC chair are both formerly Amicus activists, as are the majority of NISC members, convenors and senior representatives interviewed as part of this study. In relation to the popular bossdom typology, the low participation and open structure of the union and, thus, membership base in the sector, would appear to lend themselves to this formed of union government. However, the influence of FTOs working in the sector is not apparent. This may be offset by the tier of national lay representatives, who have influence over the sector due to their positon in relation to national bargaining and the influence they have, due to their access to the union's national officials. These topics will be returned too,

The key interactions for the shop stewards are with each other, at a workplace level and with their convenors. They have very little interactions with stewards at other sites and virtually no interactions with the National Officer. Interactions on the smaller sites tend to be more *ad hoc*, with daily meetings taking place between representatives on the shop floor. However, at the larger sites, interactions between the stewards are more structured, with monthly shop stewards' meetings being the main way for them to come together, fitting closer to the Batstone *et al*'s (1977) model of the sophisticated steward network, where shop stewards rely on their convenor or senior stewards. The shop stewards speak regularly with the members,

working alongside them and sharing their experiences. Often, as stated by Batstone et al (1977) and Lane (1974) they are the only contact the members have with the wider union. This makes them a vital part of the representational structure as the information they process can be fed into the structures, in order to inform the negotiators. Without this important insight the representatives on the national committees would not be able to advance the aspirations of the members as well as they can with the stewards input.

The key interactions for the representatives with national responsibilities were with the convenors and the union's full time officials. They had very little to do with the shop stewards and representatives below convenor level and less still to do with the members, interaction with whom was mainly focussed around the necessity to be re-elected. Therefore, for these representatives, the link to the aspirations of the union's rank and file came almost exclusively via the convenors. These national representatives did have more interactions, than the other two groups investigated, with the union's FTOs. They represented the National Officer in meetings that he could not attend and were the National Officer's link to the convenors, shop stewards and members. Without the National lay representatives to aid him the National Officer would need to radically change the way that he worked, if he were to be able to support the members in the same way that they are able to do under the present system.

This analysis fits with Darlington's (1994) argument that some shop stewards can become estranged from the members in their workplaces and become quasi full time officials. However, Darlington's analysis was based on senior shop stewards, in a plant, rather than at a national level, such as these. There is not so much evidence that this is the case at workplace level as, although some of the convenors

on the larger sites reported lower interactions with representatives and members, it was not to the extent discussed by Darlington.

The interactions between these levels within the union are therefore essential in order for representation to be effective. Without the interactions between the shop stewards and the convenors, it would not be possible, at least at larger workplaces, for the convenors to be able to canvas and understand the issues concerning the members in their workplaces, without the use of quantitative data collection methods. The interactions between the convenors, other convenors and national representatives allow for the setting of national policy in the sector, based on the information passed up to the convenors by the shop stewards and the links between the national representatives and the National Officer, mean that the views, and aspirations if the rank and file and local stewards committees' can be passed all the way through the representational chain. Therefore, to be effective, the interactions between the representational levels highlighted here are essential. Later in this chapter, the effect that the Employee Relations Review has had in reducing facility time on representation will be analysed in light of these considerations.

The next section, however, will now turn to internal change, in terms the merger that bought the TGWU and Amicus together to form Unite, focusing on how the merger has effected representation: industrially, regionally, nationally and in the workplace. How has it affected democracy in the union? And how has the size of Unite affected the ability of the members to identify with it?

The impact of the Unite merger on national, regional, industry and workplace representation within the case study research sites.

Having looked in the first section at how and where union representation takes place, this section seeks to explain how representation has been affected by the

merger of the TGWU and Amicus to form Unite. In order to achieve this, the views of the participants will be examined with reference to whether the merger has been perceived to be positive or negative for union representation. Has the union become more or less democratic?; is it member or officer led?; and does the size of the union cause problems in terms of its structures and the way that members are able to identify with Unite?

The merger, as outlined in chapter 3, bought together two historically and culturally different organisations. Convenor 3, highlighting differences in the way the union is perceived, noted: “I think the biggest change has been obviously the T&G because the culture does seem different somehow. And I don’t quite know why, but it seems a different union somehow when you go to head office, maybe because you’re going to T&G offices”. A number of the ex-Amicus representatives raised issues in relation to what they perceived to be a TGWU ‘takeover’, whilst interestingly the respondents that had formally been members of the TGWU reported that they did not feel the merger had really changed the union’s structures. For example, the National Branch Secretary for Defence, Fire and Rescue noted that as his branch had only ever contained TGWU members and, therefore, he had not noticed any effect. “I know there are moans that the union is too Amicus or T&G orientated, but I have not seen this myself”, whilst one of the convenors (Con 4), who had formally been a TGWU member, stated “as an individual I don’t feel that the merger had that much impact on me as a member or me as a rep”.

This was at odds with some of the ex-Amicus representatives, who felt that things had changed. The National Lay Representative responded frankly:

> It’s [been] a T&G takeover. I have embraced Unite and have had support from T&G colleagues. But more and more higher positions are taken by ex-

> T&G [officials]. The tradesmen are being dominated by the non-craft. Early days we would be at a meeting to look after the craftsman but not now. Not now we have bankers and air stewardesses in the union.

This highlights some of the cultural challenges caused by the merger. This was further explained by Convenor 3 from one of the larger sites, who discussed a meeting he had attended prior to the merger taking place:

> I remember a terrible meeting I attended when we were talking about merging with the T&G and it was organised by the Gazette group, which was the broad left grouping in Amicus…for the old guard in the AEU election of officers had been this sort of badge of honour, you know we want election of officers, officers will be accountable to the members not the general secretary. So they said if we are going to merge we want election of officers, and this T&G guy said it's never been an issue in our union and honestly he said 'cause in your union you have a lot of skilled workers, and they're quite intelligent and a lot of them come through the ranks, steward, then convenor then they get elected to be officers, our members are mostly thick so we bring the officers in.

The Convenor went on to clarify his understanding of the TGWU position:

> "[I] don't want to portray their members as thick but there is that different tradition within the T&G as I understand it, with officers being bought in, whilst in our union they emerged, they did an apprenticeship and became officers, and so there is that different style. Whether it's partly that tradition that he's the leader and we all follow, where with the old AEU it was more, well he's the leader but I could do it just as well.

One of the Bovington Shop stewards (B2) summed up well the position of many of the ex-Amicus representatives:

> I think the T&G won this one as most of the Amicus people have been chucked out. I think Amicus came out very badly from the merger and it is disappointing to see good people go because their face doesn't fit. I don't believe it is a good move and don't think McCluskey is the right bloke. He was only going to stay for one term and then changed his mind.

Explaining what he believed to be some of the main problems in relation to the union's democratic structures, he added:

> [I] think it is very difficult. I don't think the right people are on the right committees. You have to fit particular criteria. He gets a position, she does, but DSG are only allowed one. It's all about a tick in the box. Are the right people there or are they just ticking a box? They only want you if they like you. There are good people that can't get on. You have to be in their club. So it's a bit of a syndicate. A lot of people don't know what they do at those levels. Once a year we used to have a regional meeting but that's now been cut down. A lot of people on the regional and national meetings don't want those to happen as, god forbid, someone might come up with a good idea. It's not all about certain individuals it should be about listening to everyone. I know there is not a mad rush to do it but, even so are the right people there? It seems to be committee after committee but what are they actually achieving?

The union's democratic and representational structures where seen by a number of respondents to have been detrimentally effected by the merger. Shop steward (D1) at DSG Donnington said: "not much experience of it before, but don't feel it is very

democratic" whilst a shop steward from LS Donnington replied "Less (democratic) really. You can't get support now from the members because of how things have gone" (LS"). One of the convenors (Con2), when asked if he felt the union had become less democratic, stated:

> Yes I do. You can see it happening. I can see someone now who is carving their way to bigger things, but he is being used as a pawn by the people above him and, if he gets anywhere but then doesn't do what the people want who got him there; he won't be there for long. When there is an election you have people ringing you up telling you who to vote for and if they don't win then they get shafted and moved to an area of no influence.

The concerns that many of the respondents had in reference to democracy led to a feeling that they had little, or no, power to actually influence decision making in the union. Whilst some felt that they could influence things at the workplace level, very few felt that they could influence policy within the union. This was highlighted by convenor (Con 8), who, when asked what power he had to influence decision making within the union, stated:

> Virtually none. I can influence things in my workplace but within the broader scheme of things…. I can sit in on the RISC and have an input but overall it is very limited. In theory I can do things but in practice it is unlikely… Unless you get a group, which then means you lose your identity, you cannot do much. Maybe at the southwest RISC but then if I put a motion forward it may be accepted, but it will be watered down and changed and would not be mine.

The problem of issues being lost as they are passed up the union were also raised by one of the DSG Donnington shop stewards, defined as being a member of a quasi-elite. "I think we can (have influence) in terms that we can have a policy idea

here, discuss it at the SC and take it to the RISC and then move it up, but for me we can raise it to the RISC but then there is not much visibility and if someone wants to make it go away they can" (D2).

An issue often raised by respondents, when discussing the democratic and representational structures of the union, was a problem with the union's size. For example, shop steward LS2 at LS Donnington, in response to being asked about their influence, answered, "No not at all. I am a very little fish". A large proportion of the interviewees saw the size of the union as a problem in reference to the industrial sector and, for those whom described themselves as skilled, in regards to their skilled position in the union. It was felt that this was particularly of concern, in reference to the way that individuals identified with the union.

The vast majority of those interviewed felt that the union had become too big. The DSG National Focal summed up the feelings of many of the respondents when he said: "Yes. It is too big and has lost its way. It is far less democratic and members are being forgotten". These feelings were echoed by an LS Donnington shop steward who said "it is so diverse now that I feel it has lost the plot a bit. It's lost its purpose" (LS") and a shop steward at DSG Donnington (D1), agreed stating "To me the union is getting more remote. I think that the union has either got too big to control or there isn't the will at the top to bring it to the shop floor". Convenor (Con2) at one of the smaller sites, referring to high number of mergers that he has experienced said "it's become faceless with all the amalgamations", whilst a shop steward, from DSG Stafford (S1), who was more open than most to the idea of amalgamation, argued there were "two ways of looking at it. Bigger it is the more powerful but it can lose its grass roots influence and can lose its identity a bit".

The issues of identity, raised by the Stafford steward, were an area of concern from many of the respondents, particularly in reference to the way that skilled members felt Unite was representing their interests. For example, shop steward (B2) at DSG Bovington said:

> When it was a skilled union, this was what it was about, protecting your skills. But that has all gone. There has been a lot of dilution and we have let a lot of that go. That's not forward looking but maybe the past was the best… I have issues about managers and workers being in the same union, but to the union their money is as good as ours. But that line should stay there. When they were in separate unions they were easier to deal with.

Another Bovington Shop steward (B3), discussing the diversity of the union said "it used to be to protect your skills but that has all gone now. That's a problem with big unions isn't it? When you represent everyone, where do you draw the line?"

One of the more senior DSG Donnington stewards (D2) also highlighted the problems that had arisen from the union becoming more general, linking this to issues that the members had with identifying with other sections:

> When we were a more specific type of union we had a connection to other engineers and we had commonality due to the job specification. We are now so general that I feel some of that has been diluted. We had more identity as a group of engineers or electricians, and identified with people at other factories. Now, people see what is going on outside of the workplace within the union but whilst interested they are focused on what is happening to them here at Donnington. There is less enthusiasm to look at what is happening outside.

The issues members have identifying with the union were also discussed with by other respondents. A theme that emerged was that many of the members saw the union primarily as their workplace and not as a wider organisation, and also saw it primarily as an insurance policy. One of the DSG Donnington shop stewards stated:

> maybe the union is seen as not looking after us anymore. I know we are the union, which is something that is thrown at us all the time, but as you can see from the size of the shop stewards' committee, people don't want to be the union. They just want someone to hold their hand (D5).

Similarly, a LS Donnington shop steward (LS2) said "I think that they see it as an LS Donnington thing. It is only when you see strikes on telly, that don't affect us that you see the union outside. You don't really realise that there are other sectors. You just see it as the little bubble we have here".

One important issue that has arisen from Unite being a large general union, as opposed to the craft based predecessor unions, are members not being able to identify with other members in sectors that can be vastly dissimilar. Two of the shop stewards interviewed at DSG Donnington raised this issue. The first (D6) said that "they [the members] definitely identify more with other engineers than they do air hostesses. You mention it to them, but they are not interested. They say they don't support us so why should we support them." The second (D3) expanded on this observing that "people don't feel bothered as it doesn't affect them. That's how things have changed…You don't associate yourself with trolley dolly's or oil riggers". When asked if this was a possible problem he replied: "Yes as you won't get the backing if people cannot identify with them. If people see engineers on strike then they can understand the dispute. But outside of engineering it's harder. This is down to the fact that the members only see the union as here or the shop steward".

Linked to these questions of democracy, structure and identity is the issue of whether Unite is a member led organisation, as it claims to be, or officer led. As discussed in chapter three, Unite makes big claims around its credentials as a member led organisation, but the evidence collected from this case study research points to this being rather overstated, with the merger delivering an organisation that was more based on the officer dominated TGWU model. However, whilst many of the respondents agreed that the union was not member led, they were not all in agreement at who did lead it.

Some, such as convenor 7 at one of the small sites felt that it was run by the representatives, rather than the union's officers. He stated "it's not officer led. Much of the organisation of the union comes down to reps, without whom the union wouldn't be able to function. Without the input of reps at Stirling there would be no union". This was a minority view, however, with most of the respondents believing that the union, at some level was officer run.

Other respondents believed that the power in the union was found in the regions. For example, convenor 8, at another of the smaller sites, argued "I would say they are almost middle led. Middle up, middle down. Rather than top down or bottom up. I think the officers lead rather than the members. Not Len McCluskey, but the regional officer types. I think they tend to lead. They point you in the direction they want you to go in more to the point". The view seems out of line, however, with the information presented earlier in the chapter that demonstrated a severe lack of involvement by the Regional Officer in the MoD sector.

Another view, in respect of where the union is led from, was that it is politically driven. Examples of this were given by the National Lay representative, who explained his experience of being on the union (national) executive committee "Its

United-left run. There are 60 on the EC and 40 are members of United Left with 20 independent or members of [the moderate grouping] Unite Now". When asked how much influence the General Secretary had over the United Left faction he replied "The Chair is Martin Mayer and whilst he and (former chair) Tony Woodhouse try to bring everyone together, Len doesn't. He knows who put him there and, whilst jovial, he always knows. I get frustrated with some people as they don't see the politics and don't understand it".

The former National Lay Representative explained where he felt the union was run from, highlighting the importance of factions:

> "It is led by the people on the top table. I have seen some sorry things in my time, but no it's not [member run]. It's led by political factions and union barons as they are called. I don't think it portrays well in the public environment. I don't think the image is helped at a time when I think the opportunities for the members have been lost. Amicus, with the bringing in of MSF, was a big thing as you bought in people who dealt with managers and represented them which was a good thing. Representation should give you the opportunity to develop and MSF, for me, bought in some professionalism. Ian Waddle was professional in the way he approached things and dealt with people without having to use foul language and bang the table. Same with Laurence Faircloth. But it has changed, there were elements of the 70s which were great and whilst it led to Thatcher changing the laws it also saved a lot. I think we have lost sight of trade union values and have not got the competent efficient people needed to lead the union.

These descriptions in relation to the importance of politics in the union demonstrate the power of the left wing faction has over Unite. As discussed in chapter two, the

merger bought together a union in Amicus which was highly factionalised, due to its history and one in the TGWU, which had become dominated by the broad left and London left groupings. It is evident from the above descriptions, in-line with McIlroy and Daniels (2009) that the right does appear to have been beaten in Unite. However, the lack of a serious alternative to the leadership of the union will consolidate the union's popular bossdom form of governance.

As discussed above, the majority of respondents felt that Unite was officer led. One of the DSG Donnington shop stewards (D1) stated: "It's officer led. Definitely. It takes so long to change anything and if you have an issue then it is hard to get the backing". One of the convenors (Con2) added "I think in my experience it is an officer led union. The people on the top table and then next couple of layers have their own agenda and put out what they want to get things to go their way". Another of the DSG Donnington Stewards (D2) responded, giving some examples of issues where he had felt the officers had impeded what he was trying to do:

> Using the recent pay ballot as an example, in my opinion when I have tried to push something and the people above do not agree, they just ignore me…if [the] EC and the such don't want to do something then they don't. They can easily burst that balloon. We saw that in the pension's issue. Lots of angry people being wound up and then silence, so it was clear the people at the top didn't want us to do anything. So I felt that is wasn't member led in that way. They got us all wound up and buzzing and rabble roused us but once the action had taken place it was like we had had our day, now don't do it again.

The Regional Officer who was interviewed also agreed that statements from the union arguing that it was member led were a little wide of the mark, but put some of the emphasis back onto the representatives and members:

> The structures allow the activists to participate but how many reps will try for instance to get members on a coach. And the committees that exist are not performing. Some of the reps on them are there because they have done deals but they don't go back and ask their members what they want or think about things. It is a member led union in parts but that's down to how open the reps and officers are. But how do you get 1.5 mil members to participate? The members don't want to be involved. And where there is a debate the factions have done their work first and you won't get anywhere if you are not on the slate.

Adding to this, he gave a very frank critique of the situation in Unite:

> I think it has been a disaster. In some plants the ex T&G and Amicus reps had very good relationships. In other places there has been a huge fall out over senior roles and in some cases people have moved to other unions. The administration is a lot poorer. The way the branch restructuring has been handled is bad. Staff are really demotivated. The leadership is seen as a little clique, who make decisions in isolation rather that engaging. At least [Derek] Simpson came round once a year and spoke to everyone. Too many people they get their news from the media and blog sites. It might be too big for its own good. It is too remote at times. I did vote for the merger. Some of the businesses I went into were either all Amicus or, where they were mixed, they all got on. The way T&G organised themselves doesn't fit with how Amicus used to run itself. I don't think it has been great. Legal systems have changed, procedures have changed. Even officer expenses have changed. I've seen some former Amicus reps being excluded from things. If Amicus people wanted to get on they would have to bend the knee to the United Left and

> swear elegance. When I go into former T&G places I have to explain everything to them, in Amicus sites I don't as they understand it already. Some of their reps (TGWU) are migratory and they have no allegiance to their job. They work in Tesco's but see Morrison's offering more money so they move there. Plus they don't have the mental capacity to deal with things. They call you in all the time. You end up being the senior shop steward.

This respondent also criticised the Executive Committee, in relation to the power of the general secretary:

> There was an officer in the Mids who backed Kevin Coyne in the (general secretary) election and he applied for a role in the East Midlands. He was vocal against Simpson and was appointed to the role by the EC, but Simpson said no. But, after much wrangling the EC won the day. So it's as good as how strong the exec wants to be, whether they are happy to take on the GS. [Now) It is a self-serving oligarchy. Many of the EC election manifestos will have Len's name on them saying he supports them or they support him. So this Exec, I think that they are often slating officers but they all want to be an officer. Some of them understand that if they get on with the GS then they may become officers. If they wanted to they could call the GS to account but they don't and they are too close. Some of the EC members are elected unopposed".

Differences between the two merged unions were also raised in terms of the way that the union conference worked, with Convenor (Con3), from one of the larger sites, explaining:

> One of the shocking things was going to the last conference that I went too. In the AEU there was a left and a right and you know, there was a distinction,

> there was an argument going on to win the soul of the union. And yes it was an electoral machine; we put our idiot up against their idiot. But at the last conference I went to it was very much Lenny's show, and there wasn't that feeling. It was quite strange the amount of "well we all love Lenny". There were very few issues. It was a boring conference really, I think the nuclear power-nuclear weapons debates were the only chance where there was any dissent, and a few hard core old lefties got up and broke ranks with Lenny, and then the Trots of course, but not the ones Lenny used to be in with [Laughs].

In addressing the second research sub question, the evidence collected here, and from the previous question, demonstrates that the merger has had an effect on representation within the case study research sites. However, this has mainly been in relation to the union at national and industry level, rather than regional and workplace.

The merger fits within the Undy *et al* (1981) framework of a consolidatory merger. As discussed by Foley (1992) and Callow (2011), it has long been the ambition of union leaders in the engineering industry to consolidate membership in one union. The Unite merger bought the union movement in the UK closer than it has ever been to this goal. It should also be noted that there was also a political dimension to the merger, as set down by Waddington and Whitson (1997), with the General Secretaries of the two merging unions, Simpson and Woodley, both seen to be members of the left wing "awkward squad" of leaders (McIlroy and Daniels,2009:150).

Undy (2010) states that in a balanced partner amalgamation, which it can be argued the Unite merger was, as neither Amicus nor the TGWU seen as dominant, going

into the merger it is possible that a new union can be produced with different structures and governance to the merging unions. However, at an industry and national level, the evidence suggests that the TGWU leadership is perceived to have 'taken over' the new union. It would appear that participants believe that the TGWU leaders have managed to secure many of the key positions of power, demonstrating the complex hierarchy that Kelly and Heery (1994) explained can emerge from the bolting together of two organisations

The size of the union has meant that the union nationally is perceived to have become very remote from the members. This is especially the case with the skilled engineering members, who find it difficult to identify with a union that is so diverse. It is argued that members do not see the union as a national organisation, instead primarily conflating the union with the workplace, with the shop steward being its face. Further, they do not associate with disputes outside the workplace such as the high profile ones that had taken place at Hovis and British Airways.

Unite is predominantly seen as officer led, at a national level, either by the union's national leadership or by the political faction that surrounds the General Secretary and his senior team. As discussed in chapter two, the Unite merger was the product or a particularly factionalised union in terms of Amicus and a left dominated one in the TGWU (McIlroy and Daniels, 2009). The merger appears to have consolidated the influence of the united left grouping. However, it is inferred in the interviews that some of the active members within the faction are more rooted in a tradition of keeping the former TGWU in power within the union, than they are rooted in left wing politics. This has concerning connotations for democracy in the union.

Whilst some of the respondents said that the union should be member led, the majority agreed this was not the case. There was criticism of the union nationally,

with respondents stating that officers were often unresponsive to their needs and that this had become worse since the merger. It was mentioned for example, that the previous General Secretary, Derek Simpson, had toured the regions, once a year, something that had not been replicated by the present General Secretary. The National Conference and the Executive Council both came in for criticism for not holding the General Secretary and his senior team to account.

Retuning to Turner (1962), this appears to describe a form of union governance with the characteristics of a popular bossdom, calling into question the claim made by England (1981) that the era of the popular bossdom in the TGWU was over. Whilst it may have been the case in 1981, when workplace democracy was expanding in the union, this appears to have been pushed back, with the popular bossdom as prevalent as ever, by the time of the merger, in 2007. However, it is also notable that within the MoD sector, as outlined above, there is evidence of some forms of aristocracy, demonstrating the limitations of Turner, when evaluating a huge conglomerate union, such as Unite.

At regional level, the merger appears to have had less impact than it has had at national or workplace level. There is evidence of some regional officers having left the organisation or having had their briefs significantly changed. This, in the main, appears to be due to the doubling up of officer numbers post-merger, but could also be down to political differences (Kelly and Heery, 1994). However, whilst a small number of the respondents reported contact with the region, this was a rarity. Therefore, the impact of the merger on the research sites was relatively minor, in terms of regional representation.

In the terms of workplace representation, the merger has had more effect on some sites than others. In terms of DSG, prior to the merger there were very few TGWU

members or stewards and, consequently, the integration that had to take place in other areas appears to have been smooth. This was mirrored in the MoD Fire and Rescue Branch, where there had never been any Amicus members. LS Donnington had needed to integrate Amicus and TGWU members and stewards into the one union, but the two organisations had a history of working well at the site, with no evidence of the issues raised by the Regional Officer in relation to, other sectors, in terms of representatives competing for positions. Therefore, whilst at a national level a new union has been formed, perceived by the activists to have adopted many of the traits of the TGWU (Undy, 2010), and with a more complex hierarchy to that of the merging unions (Kelly and Heery, 1994), these issues do not appear to have filtered down to the workplace in the MoD sector.

Having described how, and where, representation takes place and how that representation has been effected by internal change, in terms of the merger that created Unite, the following two sections will now look at the effect on trade union representation of external issues, firstly looking at the impact of structural changes and privatisation in the MoD and secondly looking at the effect of the Whitley system of industrial relations and the recently implemented Employee Relations review.

The impact of structural changes and proposed or actual privatisation upon representation

This section will now examine how external changes to the MoD sector, in terms of structural changes supported by the introduction of Human Resource Management (HRM), as part of the New Public Sector Management initiatives and the ongoing privatisation process, has affected Unite's ability to represent its members. This will begin by examining the effects of the sale process on the representational processes in DSG.

At the time that the fieldwork was carried out, DSG was going through the process of being sold by the Government. This was raised a number of times by respondents and gave interesting insights into the effects that this process had on the representational structures. For convenor 3, from one of the larger sites, it was an opportunity for collective bargaining. He explained that, the day before the interview, he had been in attendance at a meeting where the Agency's management had backed down from making unilateral changes to the flexible working agreement due to not wanting the adverse publicity that industrial action may bring:

> because DSG's up for sale the last thing they want is us out by the gate, so we have a bit of leeway… the very threat of us taking industrial action has been enough to bring management to the negotiating table, which is great, we can sit down and talk to them. A threat that we might take action is our strongest card.

On the other hand, one of the shop stewards at DSG Donnington saw the sale as weakening collective bargaining, as they felt the members were fearful for the future, making them unlikely to take action "There are a lot of frightened people here because we are up for sale. People say they will strike over pay but will they? I am not sure" (D1).

Convenor 6, from a small site, discussed a number of issues in relation to the sale process. This convenor was one of the few respondents who reported having regular interactions with their regional officer. The sale process increased these interactions, as it did the interactions that they had with other DSG representatives. "As you know, we work really well together, nothing's changed. In fact, I think we might even be a bit better now as we have the common bond of this sale process and everything else that's going along with it". However, the convenor of another

site raised concerns that the sale had weakened the position of the industrial combine, due to it being opened up to the non-industrial trade unions. “The combine plus started as an issue around the sale… and was an industrial meeting with the non-industrials invited. It leaves the industrials without their meeting. Maybe it should be alternated” (Con5).

The effect of the sale process on representation was, therefore, mixed. On a positive note, the process is seen by some as strengthening representation, by bringing the sites closer together, due to them having a common purpose and increasing the power that the unions have in terms of collective bargaining. However, counter to this are the arguments that the power of the industrial unions has been diluted by the introduction of non-industrial unions onto the combine committee and a concern that members may be too frightened for their jobs to engage in industrial action, in order to defend their terms and conditions. The next part of this section will now look at some of the structural changes that have taken place in terms of how MoD civilians are managed and will explain how these changes have effected union representation.

The key changes identified by respondents, in terms of the way industrial relations is coordinated in the MoD, differed from one research site to the next. However, issues such as the introduction of HRM practices and increasingly negative managerial attitudes were reoccurring themes.

Whilst in the private sector HRM may not be something that is new, its introduction into the Civil Service and particularly the MoD has been less than uniform. One of the convenors explained how some of the stewards in that organisation had not, in his opinion, understood the significance of the change from Personnel Management to HRM “The new HR director is bringing in these sweeping changes, which

unfortunately, I think a lot of my colleagues still don't get and think it's a new name for personnel" (Con3). Part of the changes associated with the introduction of HRM had been the removal of local HRM departments in large parts of the MoD, with employee relations advice administered via centralised call centres, operated by Capita. In DSG the HRM function, whilst not centralised to the extent of the MoD centre, has been centralised onto the larger sites. For example, DSG Catterick administers HRM for Catterick, DSG Stirling and DSG's Northern Irish interests, whilst DSG Bovington does the same for Bovington, DSG Lulworth, DSG Colchester and DSG Warminster. This has had a significant effect on the way that the stewards operate. In terms of DSG, the National Focal stated:

> there has been restructuring of HR departments. Some sites have no HR departments now. Convenors can't do informal things to resolve conflict at local level as there are central points of contact and none on the sites. Stress levels are through the roof. As you tackle one issue another comes up.

Convenor 3 explained, in detail, how things had changed in the time that he had been a shop steward:

> when I first came here as I say, it was a very much more paternalistic approach… I went to my first Whitley meeting around a big table and there was a picture of the Queen and Prince Philip at the head of the table, and a guy comes in wearing an army uniform who is head of the site and it's all very deferential and I was told by [another Shop Steward] that a year ago, when an officer came in we would all have stood up. So on the one part you had all that, but on the other you had personnel departments where it was very much about administering people's sick and leave [and to] make sure the discipline procedure was followed to the letter. It was very much seen as to

do the job you'd cosy up to personnel, in fact you'd do the bargaining stuff. You would go in and say, well you're going to charge our mate with whatever, we are going to represent him, that means you are going to have to set up a hearing with outside people, you will be washing your dirty linen in public, we're going to say that you haven't followed that rule and you're going to say that we've done this, and it's going to cost a lot of money. But if we got him to say that he done it and you would assure us he would only get a slap on the wrists or, depending on the severity, one day's loss of pay, when the maximum penalty could be a week, I'm sure that we could get him just to admit it. And you could do a bit of the horse trading and you dealt with things like that, because that's the way it was seen… Now it's going to be hard line, they've got a strategy to deliver efficiency savings, strategy to restructure the organisation, strategy to streamline it etc. etc. What is HR's role in delivering it? What policies are needed to be replaced what terms and conditions need to be ripped up. The role is to get people out and that's going on in the wider MoD. I mean the new restoring efficiency procedure just makes it so much quicker to get rid of people for absence and inefficiency and get them out the system. It seems to be they are thinking "we are fed up of paying redundancy payments and VER's to civil servants, we'll just sack them". And that's pretty much it. Colleagues in other HR departments across DSG and other reps have been late in seeing this and still see there HR departments as neutral and no matter what you say they don't get it. So if HR say that something is not contractual they accept it because HR have said it so and you say but HR would say that wouldn't they, management don't want you to think its contractual, but they are HR. So there has been a shift there, there has been a shift in collective bargaining. Site Whitley's used to have more power, you

> could go to a Whitley, make a grievance, make local agreements and you can't do that now, all policies are centrally done, or at least are centrally approved and vetted and seen. So that's gone.

One of the Donnington shop stewards (D5) also raised the changes that had taken place, with the introduction of HRM "HR is HR now and not Personal. There are probably more rules…They manage for them now they don't look after us. They manage for the management. (Former DSG Donnington Personnel Manager) was one of us; (Current DSG Donnington HR manager) is one of them. They see their job as being gestapo not Salvation Army".

The former National Lay Representative also discussed the impact on representation of the changes to a centrally administered HRM function, amongst a number of other important issues. He also explained, from his perspective, some of the inadequacies in the way the union handled itself:

> The department became fragmented. The outsourcing and capability studies. They murdered us by study. We didn't have the facilities to challenge what they were doing and when we did they did it in a different way. We didn't have people with the right calibre to challenge what they were doing based on facts and evidence as they were not competent to do it. And we had people that were not in tune with the changes. You can't fight the First World War with weapons from the Stone Age. Death by study, death by outsourcing and we couldn't come up with other ideas to do things different and stop them going out. We just told them they couldn't do things but came up with no alternatives. The endless reviews, outsourcing, removal of HR and lack of competency. Sometimes you have to embrace change and also influence change…One senior Representative signed up 560 members in catering and

> there are 14 left because the reps that were set up in those areas all tried to get the National Officer to do the right thing and fight for them but he didn't do anything. We are not structured because of lack of involvement by Regional Officers and reps can't do everything.

The issue of the stewards' workload was raised by other respondents. Convenor (Con7) from a smaller site stated "In the last 18 months, mechanisms to deal with issues have changed considerably. [The] job of the shop steward has changed with far more work involved. Reps are firefighting and can't cope with everything being thrown at them. Managers don't understand jobs and processes. Managers think they can get away with things and are trying to dictate to union how it does its business. The union has not addressed this well".

Linked to the increase in steward workload is another issue raised by some respondents; the problem with recruiting new shop stewards. As one of the larger site convenors stated "The problem we have got is we haven't got enough bloody shop stewards, and we haven't got enough competent shop stewards" (Con3). The reason for this was attributed directly to workload by one of the DSG Donnington stewards (D6), who stated that "members are frightened to take on the responsibility…people see what you do and think they wouldn't want to do everything we do". However, some respondents also highlighted structural reasons for the difficulties in recruiting shop stewards, with one of the convenors (Con5) highlighting Unite's media image as an issue. "In recent time people have been put off. Possibly by Unite's media presence which is very negative. Strikes etc. They don't want their name tarred. It may have put me off…People don't want to be tarred with the Unite brush as trouble makers".

However, the most common reasons given for not being able to recruit shop stewards were the attitude of managers and the reduction in the regard that members hold their shop stewards, mainly due to the reduction of bargaining at the local level and the dependence on convenors and senior representatives for representation at grievance and disciplinary hearings. The second of these common reasons was addressed by one of the convenors of the larger sites who said:

> You know if this was the 1970s and stewards were negotiating the piece work rates, we wouldn't have the stewards we have got now. We have got guys elected because "oh well he wants to do it" and all that but part of having the full time, or used to be, convenor positions is that Fred knows if the shit hits the fan and they are in trouble it won't be Fred meeting the management it will be somebody more competent that can do it…when I first came here, as I say, back in '88 there was the vestiges of the type two productivity bonus so we had a thing called the JPC, which was the joint productivity committee and each branch as we were broken into, each department had its own, branch 20, branch 30, branch 40 JPC and at that meeting the branch manager would sit down with all the shop stewards and talk about production, how many widgets we got out, the machine is down that polishes the widget and the stewards would go along. Sometimes stewards would go along as it was a thing off the shop floor, but there was still a link which was coming ever more tenuous on the type two that actually if we haven't got the widget it could affect the bonus and the steward would be the person raising that issue at the JPC. So each cost centre, each team, as it would be now, had a steward (Con3).

In terms of the attitudes of managers putting members off being shop stewards, due to the negative connotations perceived to be attached to being a union representative, one of the DSG Bovington Shop stewards (B2) stated “as we are going through sale a lot of lads see it as a bit dangerous to get involved” and one of the smaller site convenors (Con8) observed “people don’t want to put themselves forward sometimes as they think management will think they are a trouble maker”.

The attitudes of managers were raised by a number of respondents in relation to the way that industrial relations have changed in the MoD. One of the shop stewards interviewed at DSG Bovington stated:

> the management always abided by the rules, now they just say tough, get on with it. We are powerless. We can argue the case and take things through the channels but they have bent the rules so much now. A few years ago they would stay within the rules, their rules but now they don’t and there is nothing we can really do (B3).

These issues were also discussed by one of the DSG Donnington representatives, who noted that “it has changed massively. Years ago you would speak to a manager and they would speak to you. Now they close the door on you. It is hard to communicate…It’s a new level of management. People are new to the game. Before I felt that they were in a position because they wanted to go places for the company. Now people will stand on top of each other. You can only now speak to your own manager and some people can’t even do that” (D3). Some of the respondents did not see their relationships with management quite so negatively. One of the convenors (Con5) illustrated this saying “I always think you are doing well as a rep if your members think you are too close to management and management think you are too close to your members. You need to be somewhere in the middle. Can’t be

completely with the members as you won't have any management trust but can't be with management as your members won't trust you. If neither trust you fully you are doing something right".

Some of the respondents, meanwhile, discussed having amicable relationships with their management, in some cases at odds with the experiences of other representatives in their workplaces. This was the experience, for instance, of one of the LS Donnington shop stewards (LS2), who reported that:

> you hear what some of the other reps are saying [and] they seem to have more problems. Some of their managers seem to be anti-union. Ours are quite pro union so it is easier for me. It seems to be personality rather than policy driven. So I am quite lucky", whilst one of the Catterick representatives replied that "I think that the management are talking to us a lot more. Maybe not listening to what we say but they are talking to us (C1).

In summary, the proposed and actual privatisation policies of the government, conducted by MoD management, have been shown to have had a significant impact on representation. The participants' perceptions of how representation has been affected can be divided into two groups. In the one group there are the participants that saw privatisation, through the lens of the DSG sale, as strengthening representation. The common purpose that the sale process gave to the DSG sites meant that relations between the sites vastly improved, as representatives from the different sites worked closer together. The collective bargaining environment improved, as these closer relations meant a greater ability to organise collectively. Linked to this, the desire of the DSG management not to have any major conflict prior to the sale gave an added boost to the union's ability to bargain, which had seen success in forcing the management to back down over a number of issues.

However, whilst the union was in the position to bargain, due to the pressures described above, the union did not have the strength to exploit this with those in the second group explaining that the sale process, from their perspective, had weakened the union. These respondents explained that the fear that members felt for their jobs entering a very uncertain period, meant that the union's members were not willing, or at least very reluctant, to do anything that ultimately could be detrimental to their working lives. This resonates with Goodman and Whittingham's (1969) argument, that the strength of union representatives comes from their ability to carry the members with them. This, therefore, weakened the position of the union, as the union's ability to take industrial action, as part of the collective bargaining process, was greatly restricted, echoing Lane's (1974) claim that union representatives have no direct power over their members.

The key structural changes that had taken place in the MoD, and which could be seen as having had an effect on representation, were associated with the introduction of HRM and changes in the attitudes of management towards the union. HRM, whilst not a new concept by any means, was, according to the evidence collected through this study, relatively new in the way that it was being rolled out in the MoD. The shift from the old style, paternalistic, personnel management to the new HRM had an effect on representation. Participants highlighted the change in perceptions that whilst personnel managers, rightly or wrongly, were perceived to be somewhat neutral, HR managers were very much seen to be on the side of management. The shift to a more strategic HRM bought with it a centralisation of industrial relations. The use of local agreements and bargaining has been largely stopped, with pay and terms and conditions, being negotiated at national level so that there are now only a small number of national agreements, rather than the plethora of local agreements that were formerly in place. Some sites no longer have

a HR department with which to bargain, removing a major part of the steward's role, as outlined by Clegg *et al* (1961), whilst it was reported that the workload of the more senior and national representatives had increased markedly.

The increase in the workload of senior representatives and the centralisation of industrial relations have both contributed to a problem for the union, in being able to recruit new shop stewards. The centralisation has had an effect on the numbers and quality of shop stewards. There is less importance placed on the role of shop steward by the members, as the importance of local bargaining has diminished. With no piece rates or workplace bonus system to be negotiated around and a system which has had a tendency to rely on senior stewards and convenors to carry out representational duties, it was argued that the shop steward position has often been given to a willing individual rather than the person that was the best fit for the job. Whist all sections or teams had shop stewards when the local bonus schemes were in place, this has again diminished with most of the research sites reporting falls in the number of workplace representatives. This has effected representation as the reduced numbers, and reduced quality, of stewards has meant that the workload of the senior representatives and convenors has increased.

Linked to the introduction of HRM, and the reduced number of shop stewards available to police the adherence of local and national agreements, has been a hardening of managerial attitudes towards the union and its representatives, with the bargaining relationships of the past, discussed by Batstone et al (1977) breaking down. These are linked to the changes to the Whitley system and the removal of union facilities, discussed in the next section, and which the union did not have the capacity to fight. Respondents reported that where managers had been accessible in the past this was no longer always the case, as managers were becoming less

keen on working with the unions, preferring instead to access the members directly. Whilst not universal, this tendency towards unilateral regulation has meant that management have not always been forced by the union representative to follow all of the rules, with some of the respondents expressing a frustration that they did not have the power to do anything about it.

The effect of Whitley and the recent Employee Relations Review on structure and representation?

This section will analyse the effect that the Whitley system of industrial relations and the recent review of employee relations (ERR), which is often referred to by union representatives as the facility time review, have had on the structure of Unite in the MoD sector and its representational structures.

The impact of the Whitley System of industrial relations has already been seen in the other three sections discussed above. The centralisation of bargaining, poor engagement with regional officials and weakness of workplace level stewards' organisation can all be linked to the traditions of Whitley. However, since the Employee Relations Review was implemented in May 2013, linked to the Coalition government's austerity drive, things have been changing in a significant way, exacerbating these weaknesses.

The convenors and shop stewards on the larger sites had felt the largest effect as their steward organisations were more sophisticated, with larger numbers of shop stewards and more formal structures. However, almost all of the representatives had been affected in some way. One of the larger site convenors (Con4) explained that, in his organisation, he was the only representative remaining on 100% facility time out of an original eight, whilst another stated that his organisation had gone from two to one representative on 100% release. This had affected these sites

directly, in terms of the union's ability to organise, but had also had an effect on the other sites within the wider organisation, whose convenors and stewards had looked traditionally to these 100% representatives for advice and guidance.

The larger sites, therefore, which had convenors on 100% facility time prior to the review, felt the impact of reduced facility time directly. One LS Donnington respondent (LS2) explained the way that the review had affected them, particularly in relation to the loss of their 100% representatives. "It's a little negative really, as we always had someone here but now it can take ages to get hold of [the convenor] and with me being a newbie I feel that I need some guidance". Meanwhile one of the DSG Donnington shop stewards stated "Yes as it has had an effect on me as they [the convenor and senior representatives] don't have time to get me information, so I have to get it myself and don't have time" (D1), whilst a safety representative at DSG Donnington (D3) explained how he perceived the effect of the review on the other Donnington representatives. "My facility time hasn't been touched, as it is health and safety [related], but the shop stewards have struggled. Plus, having a 100% convenor meant they could get out and about. But now it is more difficult to be active now".

The impact of the review on the sites where no 100% representatives had existed prior to the review was not as direct as it was at the larger sites. There was, all the same, some indirect impact. For example, one of the smaller site convenors said, in relation to getting advice from a 100% convenor at another site "[Large site convenor] not being in the office all the time makes the network take more of a strain" (Con5). However, for the majority of the stewards who participated in the research at the sites, the impact of losing 100% representatives at other sites was minimal.

The current National Lay Representative explained how removal of 100% facility time representatives had had a major effect:

> Yes it has because buffers have been removed. [Former 100% representative at LS Donnington] has gone and [LS Donnington Convenor] is on a project, so not in Donnington 2-3 days a week. Members from Donnington are, therefore, calling me when they have a problem. Work is needed to be done as members are used to having a 100% convenor and now don't have. [This] could blow up in our face if we don't get engaged, but finding time is hard and the members don't understand.

LS Donnington shop steward (LS2) explained how the changed role of their convenor had affected the steward organisation at the site "If [the convenor] gets a chance he calls one [a JSSC meeting] but they are not as regular as they used to be as [Con4] isn't here. And the last one I went to there didn't seem to be many stewards there".

The largest impact of the review, identified by stewards and convenors from all the sites, was on representation, both internal and external to the workplace. However, the extent to which the different research sites were affected varied, with respondents on sites that had more difficult industrial relations prior to the review, reporting more impact from the review than those that had good relationships with their managers. One example came from convenor 7, from one of the smaller sites, who claimed that the review:

> is a farce. There are massive issues at [the convenor's site] due to mismanagement. The manager is jealous of the contact I have with senior management. The 40% [time off] that I had has been cut to 25% including Health and Safety. Whilst H&S shouldn't be included, the management

> disagree and 25% is not enough time. Combines alone take up two days each. The role could easily be 100%, given the amount of work that there is. I can't talk to HR as the relationship is so bad.

Conversely other representatives claimed a limited impact of the review. Convenor 5 observed that "we never took the piss so haven't seen the hit as big as we could [have]. Things change, we feel the cuts and austerity", while convenor 8 admitted "At this moment in time no (impact of the review). [But] in time I will have to fill in a lot more paper work to detail what I am doing". Stewards also reported feeling that they were under more scrutiny since the review. Shop steward D2 at DSG Donnington stated "I feel under more scrutiny now. I have always kept a diary in order to nurture a good relationship with my boss, but it is a massive attack on our ability to be active as trade unions and that is what we are facing".

A number of respondents also highlighted the impact of the review on external representation. The former National Lay Representative raised a number of concerns in relation to how members would be represented following the implementation of the review:

> The members won't get the service because officers don't have a good understanding of the department, one because we had such a good set up that we looked after ourselves and officers never got involved but also they never had sight of the procedures as we couldn't send them out and also many were not willing as it was too difficult for them.

The Regional Officer that was interviewed explained the difficulties faced by officers due to the review, highlighting some of the issues raised by the current representational structures. Asked if the ERR would increase his workload he said:

> Yes. It will increase in short term as there will be confusion as to who[m] the members go to. The thing is there are still reps on the sites, but they are over reliant on the senior reps doing everything for them. In LS the senior reps even did all of the members' briefings. I expect that as soon as things get to the second stage [of a procedure] I will be called in. The branches at the moment are providing extra funds if they put someone forward to do first stage. So some of my post code work could be moved to this.

Asked if the increased workload, on top of what they already did, would allow the time for this organisation to take place, the Regional Officer explained the issues that existed around organising in Unite:

> They [Unite strategists] say that 20% of our time should be spent organising but we have to be selective. The T&G model is different to the way the Amicus model was. For instance, if you are in a company with 60% density and you know as a rep that you will not be able to recruit the others. If there is an issue you get a call from the rep and deal with it. That's the end of it. The T&G model. They phone you up and you say I won't sort the issue, I will campaign around it. You make it visible and don't solve it. Raising the profile so that hopefully non-members see you doing something. So a day a week we should be doing that. But as Amicus, we feel uncomfortable with it. As you may have a good relationship with the management which could be upset and you want to get it resolved quickly so as to move onto next issue. So in answer to you I think it would be very difficult.

This answer highlights a number of issues. It demonstrates the issues that exist in Unite in terms of tension between organising and servicing, tensions between elements from the former Amicus and TGWU officers and also the tensions that

exist between stewards, who know the scope for recruitment that exists in their workplaces, and officers who are driven by a need to recruit members in order to reach targets, linked increasingly to the 100% organising campaign.

The overwhelming view of respondents was that the union did not do enough in its attempts to stop the cuts to union facility time, although a number of them also acknowledged that the government-led nature of the attacks made them difficult to fight. One of the smaller site convenors (Con8) stated:

> they (Unite) seemed to go to sleep on it. We all seen it but, apart from a couple of us, we all ignored it and hoped it would go away. There were other things going on too, such as changes to flexi. I think we missed a trick but as it was ministerial led I don't think we could do much. The members would not have come out over it. We maybe could have changed the wording or the timescale but the outcome would have been the same.

This was echoed by the National Lay Representative who stated that "A fight was put up in the MoD, but the battle was always lost as it was being driven by the Cabinet Office. The Unions should have collectively fought it at a national level, but we were always screwed as soon as it got to departmental level. All the points were raised at the meetings, but the MoD were not listening and consultation was meaningless". Similarly, LS Donnington shop steward LS1 said "I think we tried to be proactive but I gather that there was not much we could do anyway as it was a government driven thing".

Whether or not the Government led nature of the review meant that a fight back was doomed to fail, a prevailing view from respondents was that the union had not fought hard enough against it. One of the convenors (D3) gave a very detailed account of a meeting that he had attended, which illustrates some of these perceived failings:

> We had a meeting on this site, when they were looking at removing the facility time for reps. I had assumed, or hoped maybe, that the meeting would look at: 1- is this something we can resist; plan A - how to resist it; plan B - what structures so we need to put in place, how can we build on it. What opportunities are there? We are losing 100 percenters, can we get more reps in, can we use this as a way of campaigning to strengthen the sector, where do we go with it, what policies do we need, can we get training course for reps so we don't lose everything? That's what I thought the meeting would be. I get there and there is a woman I didn't know there. I presumed she was a union rep, and gave her some leaflets and stuff. She got introduced as the HR Focal for MoD HR. So we have a strategy meeting to say what we are doing, our national lay guy can't explain the policy that he has been the union rep allegedly in negotiation with the company on. So he has had several meetings to try and argue against these policies and proposals, but he doesn't understand them, so brings this woman there. He gets up and says "well I know we don't like these changes, we went to the minister and said we didn't like it but he said he wasn't going to change them, so from that day on the battle was lost". Well first of all we didn't even have a battle as far as I can see, we gave up before the battle, Secondly why do you say in front of the opposition, the MoD's HR, that we're not going to fight?

This convenor went on to explain some of the other ways that he felt the union had let the representatives and members down, contrasting it with the PCS:

> When they came for the 100 percenters we [the representatives] were told that we only have 100 percenters in the public sector and the MoD, no one else has got them. But I can go to [large engineering works] up the road who's

> got a 100 percenter, the bus depot that's got a 100 percenter in the private sector, public sector council which has about four, but they thought it was just us, so they gave it up. But I went to those meetings and what would frustrate me is we'd got within the MoD a national officer, an EC man on 100% facility time, [two national lay representatives] on 100% facility time, [Senior Defence Equipment and Support Representative] on 100% facility time, with a national role. And yet nobody seemed to have a real function, and I contrast that with a PCS meeting I went to, and I am not saying PCS are perfect, but I went to one of their campaign meetings and each of them lay 100% reps gave a report on exactly what they had been doing.

The issue of under-employment was raised by a number of participants who felt that the union had not always acted in its members' best interests, in terms of the way the facility time available was used and, in some cases, even sympathised with the review's architects. One of the convenors (Con4), for example, explained why he was disappointed by the union's response. In terms of the facility time review the management were effectively saying:

> why the hell are we, the department, paying for full time trade union people to oppose what we're trying to implement. [They are] not saying you can't have any time to do union work, what they are saying is we're not going to pay for it. So, really, saying to the unions, if you want these guys, you fund them you know, 'cause we're not paying for them anymore. If I'm honest, and this might be me not being politically driven, I can see where maybe they came from: "We're trying to bring in all these changes and these guys who are opposing us, we're paying them". I can get it really, but what I couldn't get was that, obviously Unite couldn't afford to pay for them people, or had

> no desire to pay for them people, but what I couldn't understand was why they never fought to keep them people, because even if it was just them saying "no fuck off, were not having that, you're not attacking our reps" and then they'd lost I could have probably had more respect for them doing that. The fact [is] that they didn't really do anything and never, even as a collective, all the unions never came out and, tried to say "no government you can't do this". I was disappointed with them, because I thought we acted on their behalf, some for 10 years, some for 20 years, and have tried to promote the union and when we have come under attack they haven't really come out fighting for us.

Another of the convenors (Con5) also explained that he felt the union could have used the facility time better. "You are aware that there is a bit of slack in the system and it's hard to defend that. Could have tightened our belts and it bit us" whilst a different convenor (Con4) gave an account of a meeting he had attended where the union had been less than sympathetic:

> we did raise with [an assistant General Secretary] at the top of the union to say look at these attacks on us, what can we do about it and her words, and her words were "welcome to the real world". In other sectors they don't enjoy all these full time reps, it's the regional officers and stuff that pick up a lot of the work you do. And when you step back from your own environment and look then maybe you realise that we have enjoyed, you know, massive resources within our own organisation. I still don't think that should have stopped the union from trying to protect the as is. Even if they knew they were going to lose they could have been seen to put up a good fight, but they didn't to be fair, and I don't know if that has come through in any of your other

interviews but it was frustrating for me really, and talking for people that aren't here anymore, it was frustrating for them too.

In summary, it can be argued that the effect of Whitley and the Employee Relations Review on structure and representation has been substantial. In terms of this study, it is possible to say that the evidence collected suggests that, of all the issues examined in this chapter, the review of facilities time has been the most significant development, in terms of change to the union's representational structures in the MoD sector.

As explained, the Whitley system of industrial relations is the cause of the centralised, if fragmented, nature of bargaining in the MoD and Civil service (Winchester, 1983). This has shaped the system of industrial relations, espoused by the civil service unions and which has led to an over reliance on national officials, both lay and full time and on a layer of senior shop stewards and convenors, with 100% of their working day taken up by union work. Bargaining on anything of a significant nature, such as policy, pay and most terms and conditions, is carried out at a national level, with a servicing type model of representation, rather than an organising one.

The ERR, which as mentioned before is often discussed by representatives as the facility time review, is intrinsically linked to the Whitley system. The sites with the more sophisticated stewards' organisations, which tend to be the larger sites, felt the impact of the review more deeply than the smaller sites, where stewards operated on a less formal basis. All but a very few of those representatives that had been on 100% facility time have either left the MoD or have had their facility time reduced below 50%. This has had a devastating effect on the union's ability to represent its members in the sector, due to the reliance on these representatives.

On those sites that have lost 100% convenors and stewards, the major impact has been that members are not able to access the support that they are used too. Members at these sites are used to having a full time convenor available to them when needed for representation at disciplinary and grievance hearings and the like, demonstrating a servicing model, as explained by Waddington and Whitson (1997), but with the convenors and full time lay representatives, taking the role of the full time officials. However, it is not just the members that have been affected. The shop stewards have also felt the impact of losing their 100% convenors. Due to the failure of the union to impart an organising model into the sector (Undy, 2008), these representatives have learnt to rely on the 100% convenors and senior stewards for sources of information, advice and guidance, and are now having to adapt to the new situation, of not having these resources so readily available..

Whilst not directly impacted by the removal of these representatives, the sites that have not traditionally enjoyed having 100% convenors have, nevertheless, been indirectly affected by the changes. Whilst the shop stewards at these sites have not noticed any major change, the convenors reported that they missed having the ability to contact the 100% convenors at the other sites, who often had more experience and were, therefore, a mine of information and advice. The removal of the 100% representatives, therefore, had a significant effect on the union's ability to represent its members.

The extent that the review affected representation and structure was not common across all sites. Those sites that were perceived to be militant and had poor industrial relations prior to the review appear to have been impacted more by the review. The research sites where industrial relations had been perceived to be reasonably harmonious prior to the review, with stewards developing bargaining

relationships with management, as discussed by Batstone *et al* (1977), carried on after the review as they had before it. However, it was acknowledged by some of the respondents that whilst they had been left alone, it was not expected to last. On the sites where industrial relations had been strained, it appears that management have used the review to move the frontier of control. Stewards on these sites explained that they felt under more scrutiny.

External to the workplace, the respondents had also noted a number of changes, brought about by the review, in relation to representation and structure. The stripping out of lay representation at workplace level and nationally has the potential to have a major impact on the amount of engagement that takes place between the sector and the union's full time officials. Traditionally, interaction between the shop stewards and the union full time officials has been low in the sector, particularly in terms of the regional officials, although this did differ between the sites. The changes, bought about by the review, therefore, have the potential to put a great deal of pressure onto an officer corps, which is not set up to cope. Regional officials, who until now have been used to the sector looking after itself, with full time lay representatives and sophisticated shop stewards organisations, will now find that they are being called on more often to represent members and give advice and guidance. However, as highlighted in this study, there are the tensions that already exist, with officers stating that they do not have the time to be able to organise the sector, whilst covering their other responsibilities. These were not new complaints. In the work of Kelly and Heery (1994), union full time officials are vocal about the burden that they feel is placed on them by high workloads. However, what differs in this particular case is that while the grievance and disciplinary work that they may pick up is not dissimilar to other sectors, there are other peculiarities that will be more challenging.

It was widely demonstrated that the response the union had made to the review was felt to be inadequate by the vast majority of the respondents. Some accepted that there may have been a little bit too much slack in the system prior to the review, with the facility time available to representatives sometimes not being fully utilised, and others felt that defeat had been inevitable due to the review being driven by the government, rather than by the department. Again, this appears to show the weaknesses in the system that Unite in the MoD utilised, with too much emphasis on the servicing of members by a hierarchical layer of senior full time representatives. Had the stewards been in a position to carry their members with them, as discussed by Goodman and Whittingham (1961), they may have been able to defend their facility time against the attacks levelled at them. However, even the more pessimistic of the respondents felt that the union had not done enough to fight the changes, with accusations that it had not been awake to the threat that it faced.

Together, these changes to the union's facilities have had an enormous effect on the way that the union is able to represent its members at work, with fewer representatives available at national and workplace level to look after the interests of the members. In terms of structures, these have been affected both in terms of the workplace and the wider union. In the workplace, steward organisation has been changed by the review. In addition to the removal of 100% facility time from those representatives that had it, workplace representation was effected in other ways. A number of the representatives that had previously had 100% facility time left the MoD, taking with them the knowledge and experience that they had gained. Therefore, workplace and shop stewards and members will need to turn to the union's officers, particularly those in the regions for assistance, something that this study has demonstrated the union appears unprepared for.

What factors influence effective trade union representation?

Having examined the four key sub questions that were posed in chapter five by analysing the findings from the semi-structured interviews with representatives, this section will now seek to explore the empirical evidence further, in order to address the overarching research question, namely what factors influence effective trade union representation? Previously, it has been argued that for representation to be deemed effective a number of prerequisites are necessary: the union must be recognised by the employer for a wide range of collective bargaining issues, including pay and conditions; the membership must be able to access shop stewards in their workplace and, where necessary, lay representatives outside of the workplace or full time union officials; there should be clear structures that indicate to members and union officials how the union should operate; and finally, and crucially, the union should able to further the interests of its members through joint regulation and legal enactment.

In terms of recognition, whilst the government's approach to the MoD unions has been hostile, demonstrated by the cutting of union facility time, the department has not moved to weaken or remove recognition and, in fact, still encourages new employees to join the union, as part of the new starters' induction programme. However, the government has been imposing a cap on pay, at 1% every year since 2011, which brings into question the union's ability to truly bargain over pay. This is also in question, in reference to wider conditions of service. Whilst the unions are consulted on issues, as set down in the Whitely constitution (Annex A), the evidence gathered indicates that the shop stewards and convenors do not believe that this is meaningful, with the Employee Relations Review as an example of this. Here many of the participants saw this as a "done deal", regardless of the consultation process

that took place. Therefore, whilst this prerequisite is partially met, there is evidence that it is being severely hampered by government policy and management decision-making.

In reference to the second prerequisite, members at all of the case study research sites did have access to workplace representatives. However, this had gone through significant change. Participants at all sites reported having fewer stewards than they had in the past and that is was becoming increasingly difficult to recruit new ones. In addition to this, the removal of facility time from shop stewards, particularly those with 100% time off, meant that, whilst members could access a representative, the time that the steward had to dedicate to union duties and responsibilities had been reduced. This meant that members cannot get the level of support to which they have been accustomed and highlights the Unite's failure, in this sector, to implement an organising strategy. As facility time is (further) reduced, it may be expected that the slack will be picked up by the union's full time officials. However, as discussed above, a number of respondents highlighted a severe lack of interaction with these full time officials.

In terms of the National Officer, whilst interaction took place at a national level, between them, the convenors and the national representatives, there was very little interaction between the National Officer and local steward and members, with some sites reporting that they had not been visited by a National Officer for many years. The availability of regional officials varied from site to site, but usually this was at the behest of the convenors, some of whom did not wish for regional officials to be involved very much at all, whilst others were more accommodating toward them. However, a number of respondents stated that the self-sufficient nature of the sector

meant that officers had not been called upon very often in the past and this was something that was welcomed by some full time officials.

However, the impact of the Employee Relations Review means that this may change. The reduction of facility time and the loss of a number of experienced representatives has meant that it is likely that the workload of officers will rise in terms of involvement with the MoD, adding to a capacity to work, which is, according to Kelly and Heery (1994), already close to being exhausted. It is unclear whether officers will be given the time and resources to organise the sector, in order to return it to self-sufficiency, in view of the financial constraints facing Unite, reflecting earlier research by Kelly and Heery (*ibid*), or whether a servicing model, characteristic of other sectors in the union, will continue to be used and entrenched. As outlined by Daniels (2009), the cost of organising, if done well, is relatively high and the size and low profile nature of the MoD sector has meant that it does not enjoy the same levels of financial support that some other sectors receive. Furthermore, while the ERR and privatisation of DSG are significant challenges, they have not been seen as worthy, for example, of a leverage campaign. Currently, the difficulty facing representatives is the reduction of facility time for lay representatives, a lack of knowledge among union officials (especially regional officers) about the MoD sector and the lack of clarity over these relationships post ERR.

This leads onto consideration of third prerequisite, the necessity for clear and understandable structures, which indicate to the union's members and officers how the union is meant to function. The data collected in this study has demonstrated that these structures exist; in terms of their being a rule book that sets out how the union should function and structures which should permit the functioning of them. However, the picture which emerges from the research is somewhat different. Whilst

some of the respondents were aware of how the union's representational structures were supposed to work, there was a certain degree of criticism about how they actually worked. As discussed by Undy (2010) and by Kelly and Heery (1994), the outcome of the merger process can be that the bolting together of unions leads to problems arising from their dissimilar structures. The federal structures of the two unions that formed Unite, were not remarkably dissimilar, this structure after all being designed to make merger easier, as outlined by Waddington (1995) in the cases of earlier mergers. But, the large number of mergers that had taken place in a very small number of years, particularly in of the creation of Amicus, meant that these structures remained undeveloped ahead of the Unite merger.

The vast majority of respondents did not feel that they had much, if any, ability to influence union policy. Participants felt that they were not listened too and that any attempt they made to change things would be stopped, if it was deemed to be out of step with the wishes of the union's leadership, due to the previously discussed popular bossdom form of governance (Turner, 1962). The National Executive of the union was seen as under the power of the general secretary and the united left faction and whilst it had the power to hold the general secretary to account, it did not have the political will to do so. The industrial structures were seen as equally toothless. The RISCs were seen as talking shops, whilst the NISC came in for particular criticism from a number of respondents who found it to be inadequate and not fit for purpose.

In addition, the size of the union was seen also by some respondents as a problem, in terms of its structure and ability to function. The union was viewed as having grown too big to function efficiently. The officers, who would have formally, in the engineering unions at least, been from a similar industrial background to the

stewards and members in the sector, are no longer so. An example of this is the present National Officer, having come from a background in education. This, linked to the size of the union and the problems that some respondents claimed they and the members had with identifying with a union as diverse as Unite, caused some to question what the union was for anymore. Some did not feel that the union was any longer a union for skilled workers. This was more of a concern amongst those who had been in Amicus prior to the merger than those from the TGWU, who in the main did not feel that the merger had changed anything a great deal, suggesting that the union's structure, post-merger, had been modelled on that of the former TGWU.

Finally, there is the key issue of whether the union is able to protect and further the interests of its members, through joint regulation and legal enactment. In terms of legal enactment Unite, in the MoD sector, is not in a strong position. The government, as can be seen from the Employee Relations Review, is hostile and the sector is not high profile, or large enough, to attract much in the way of support from the union's leaders. Therefore, gaining support from the union, for campaigns seeking to reverse and change government policy is difficult. Had the sector been the size of the motor industry, in the case of Honda, or as high profile as British Airways, in the case of BASSA dispute, then it is likely that more funds and a larger media profile may have been made available. This was demonstrated by the National Lay representative, who gave this account of an Executive Council meeting:

> It (the ERR) was raised at the EC by Gail Cartmail (Assistant General Secretary) in her report. I spoke on what was happening and why it was important and was met with silence. Nobody contributed… I represent 13,000

> members and sit next to someone with 150,000 members from motor components. The MoD is seen as the arse end of the union.

In reference to joint regulation, the industrial relations framework is in place, but is not necessarily used correctly. Bargaining is often centralised, at a national level, and evidence is that this has become the case quite recently for all issues relating to conditions of service, with the centralisation of HR functions meaning that less negotiation or consultation takes place at the workplace level. This goes against the finding of Kelly and Heery (1994) and Brown *et al* (2003), that bargaining generally was being decentralised, demonstrating how the MoD, as part of the Civil Service, has differed from other sectors. The Whitley system ensures that negotiation and consultation should take place on the majority of issues that involve the pay and conditions of employees in the MoD. Therefore, if used correctly, the unions should be able to protect and further the interests of their members, successfully. However, as has been highlighted by this research, these procedures are not always followed by the management or the representatives and, in the case of unilateral management decision-making, the union representatives do not always feel in a strong enough position to force them to follow the rules. One convenor (Con3) stated in relation to this that:

> we had in place structures, the scaffolding of very good union organisation. Every MoD place has a commitment to Whitley. We didn't have to go and win recognition deals, we were recognised. We didn't have to win stewards' facility time; it's in the MoD manual. We didn't have to win time off for conference, it's there. It was all there, but we didn't then populate it and fill it. I don't think that has anything to do with the size of us in Unite. I think that

> the internal politics within Unite probably didn't help. I don't think us being a small sector was the problem. I think it was a lack of organisation.

Therefore, in respect of effective representation, it is argued the first three prerequisites must be met, in order for the fourth to occur successfully. Without recognition there can be no joint regulation and without access to workplace representatives, recognition is almost pointless. Even if there is access to union full time officials, recognition is relatively meaningless without a workplace shop steward, as with nobody 'on the ground'; it is very difficult for unions to police the implementation and adherence to agreements, policies and procedures, as outlined by Goodman and Whittingham (1969). The third prerequisite is equally important, in terms of its relation to joint regulation and legal enactment. Without clear structures to indicate how the union should function, and to allow it to function, it would not be possible for members and workplace representatives to understand how they can influence the union in terms of policy and rules. As explained by Turner (1962), the government of the union is heavily influenced by the relationships between the members and the different representational levels. Therefore, in terms of legal enactment members would not understand how to make the union campaign on the issues that were important to them, as there would be no clear lines of representation between the policy making bodies of the union and the workplace. This is similar, in relation to joint regulation. Without clear structures, how can members and shop stewards further their interests, through bargaining, if they are not aware how they can move the issues that are important to them, onto the union's bargaining agenda?

In terms of the MoD sector, despite the hard efforts of a number of very committed union activists, representation does not appear to be effective. Whilst recognition

does not appear to be under threat, the way that unions are able to operate within the MoD has significantly changed, demonstrating the weaknesses of the union in the sector and highlighting a problem with recognition granted due to the extant industrial relations system, rather than being forced on the employer by a union that is able take sanctions, if required.

The members' ability to access union representatives has been seriously undermined by the reviewer, but in most cases membership levels are holding up. Members on smaller sites, which did not previously have full time convenors, will have felt the effect of the review less than those on sites which did. However, the review was deemed by all respondents to have had an effect and this will, therefore, impact, to some extent, on the members.

In terms of access to full time officials, the autonomous and self-sufficient nature of workplace representation the sector meant that this had not traditionally been an issue of great importance to members in the MoD. However, the impact of the ERR is likely to be significant as the reduction of facility time could lead members and shop stewards to rely increasingly on full time officials, for support with issues that previously wouldn't have been required.

The third pre-requisite, clear structures determining the way the union functions are not present, based by the responses given by many of the participants. While many did not completely understand the structures, those that did stated that they did not feel that the structures were adhered to by Unite's leaders. Respondents felt that 'Unite' had become distant and lost its purpose, highlighting the belief that the union did not listen to its members and was no longer a union for skilled engineering workers. This degree of reification, identifying the union as an external and inaccessible body is a very worrying trend, which needs to addressed, if

representation in the sector is to be effective.

As these first three pre-requisites have been deemed to have not been met, it follows that the union is failing to meet the fourth; namely being able to protect and further the interests of its members through joint regulation and legal enactment. In terms of legal enactment, the small size and limited influence of the sector hinders its representatives in securing the backing of the wider union, in order to financially back campaigns and organise a fight back against the issues that it faces. As discussed above, this is in sharp contrast to the higher profile and more influential parts of the union, such as BASSA and those areas dealing with Cross Rail and Honda, where high profile leverage campaigns have been pursued (Unite, 2015).

In respect of joint regulation, the union is also failing. How can a union be said to be representing its members effectively, through joint regulation, if it is unable to protect the facilities of the representatives that are bargaining on its behalf? The 1% pay cap, imposed by the government with no meaningful attempt by the union to resist, has made pay negotiations null and void and whilst the Whitely negotiating machinery is in place, this is often being by-passed by a management that some respondents believe they are powerless to resist. Therefore, on the basis of this case study research, it is possible to argue strongly that union representation in the MoD sector of Unite is not effective.

Summary.

In summary, this chapter has presented the findings from the field work that was carried out as part of this thesis. It began with a discussion of the research sample, identifying a number of the key characteristics of respondents. This included the time that they have been Unite members and activists and way that they perceived their role and duties. The chapter then moved on to address the four sub questions

that had been developed from the review of literature, before attempting to synthesise the analysis of these themes to address the overarching research question, namely: what factors influence effective trade union representation? Throughout the chapter the attempts have been made to link what has been found to some of the key literature discussed in the first five chapters. The following chapter will now conclude the thesis by providing an overview of what has been covered during this project, highlighting the key findings and explaining the importance of this research, as an exploratory study, and how it may influence future projects.

Chapter 8: Conclusions.

Based on a case study of the MoD and Government Establishments industrial sector of the trade union Unite, this thesis has explored the factors that influence effective trade union representation. This has been done through an inductive study, which has explored this question through four research themes: the levels at which representation occurs within the sector and interactions between union representatives; the impact of the Unite merger upon representation; the effects of privatisation and structural change, pursued through HRM, on representation; and the constraints of the Whitley industrial relations system and impact of the Employee Relations review upon union representation. This chapter will, therefore, draw some conclusions from the research conducted around these themes and assess the central issue of effective union representation. Following from the analysis of the case study findings, the chapter will then seek to explain how this research makes a contribution to knowledge in this area of the industrial relations field and, finally, will outline what future research could be pursued, following to this study's exploratory approach.

Whilst chapter seven, laid out the research findings, chapters two through to five reviewed the key literature and explained the context in which the research was set to take place. Chapter two provided a foundation for the thesis, explaining the key developments that had impacted trade unions in the UK since 1979. These developments were analysed, using the available literature, to explain how they had affected the unions' structure, internal government, democracy, and representation, whilst highlighting issues surrounding a lack of robust contemporary research.

This led on to chapter three, which was concerned with explaining the complexities of studying a union as large and complicated as Unite. This chapter gave a detailed

account of the histories of the main unions that had been ‘bolted together’ (Waddington, 2005) in 2007, to form Unite. After this, the chapter then examined Unite, explaining the union’s key policies and how these do not easily relate to the actual industrial relations conducted in many sectors of the union.

The fourth chapter then looked at the MoD sector of Unite, which would form the basis for the case study research. This chapter examined how the union is structured within the MoD sector, explaining what the key issues are for the sector, such as the government’s privatisation policies and the recent Employee Relations Review, which, respectively, have led to large numbers of job losses and have had dramatic effects on union representation. Chapter five then provided an in-depth discussion of union representation, examining the relationships between full time officials and lay union representatives and the related these of the key arguments in terms of the literature examined in the preceding chapters, again highlighting gaps in the relevant academic literature. The chapter ended by developing a number of relevant research questions that were to be the focus of the fieldwork research.

Chapter six outlined the methodological approach taken and justifications for using an inductive qualitative approach. This began with an explanation of the choice of an inductive rather than deductive research methodology and why a theoretical framework had not been developed. Following this, there was a discussion of the research design, justifying the reasons for using case studies and elite, semi-structured interviews, including an explanation of the researcher’s background in the MoD and of the proposed research sites. The second part of the chapter dealt with the actual fieldwork research process, explaining the way that the research was carried out, including a discussion of the ethical considerations and some of the unexpected issues that were encountered.

As discussed in chapter six, with the exception of a small number of unexpected access issues, the research phase of this project went smoothly, producing results that it is argued are robust in terms of their reliability and validity. The background of the researcher was evaluated as a positive attribute, as his knowledge of the sector allowed him to probe deeply into representation issues and avoid bias, whilst in reference to the project's validity, the design of the research allowed the researcher in-depth access the knowledge and experiences of the people participating in the study. Reliability of case study research, as explained in chapter six, can vary. It is not expected that results could necessarily be replicated, due the 'snap shot' nature of this type of research. However, the findings of this research do reveal a number of important themes which can be used to explain contemporary phenomena and could be invaluable in reference to research around the Trade Union Reform Bill, presently being taken through parliament (Hoque and Bacon, 2015:3).

Unite, formed in 2007, is the largest union in the UK, with a membership of over two million at its creation. The MoD sector of Unite is one of the smallest industrial sections of the union, and it operates in this sector, covering industrial grades, as a minority union. However, it is also an important sector in relation to the work it undertakes maintaining the armed forces equipment, its work is carried out at a range of sites dispersed across the country, it appears to be well organised, particularly in representing skilled engineering workers, and its industrial relations is strongly shaped by the traditions of the Whitley system at a time when dramatic structural change and privatisation are being pursued by management. These factors make it a highly interesting part of the union to research.

This research has demonstrated that the Whitley system has a huge effect on the level that representation takes place and the interactions that take place between representatives. Representation does takes place at different levels. However, reflecting the traditions of Whitley, even after the fragmentation of civil service industrial relations, issues of pay, terms and conditions and policy are confined to national level bargaining, whilst workplace representation is limited to the direct representation of members, in situations such as grievance and disciplinary hearings. What is different in this context, is the extent to which successful attempts to extend collective bargaining at site level over piece rates had been lost as management shifted the 'frontier of control' (Goodrich, 1920) and returned workplace industrial relations to the Whitely traditions of limited consultation and individual representation, limiting the role of local stewards. This analysis has shown some of the gaps that exist between the traditional literature and the realities of the workplace. The traditional literature, whilst still relevant in many ways, is limited in others. Whilst the majority of union members are now found in the public sector, the most robust research into union representation and structure, is dated and located almost entirely in the private sector (Turner 1962, Batstone et al, 1977, Darlington, 1994, Clegg, 1976). Therefore, notwithstanding the industrial manual work conducted by Unite members in this sector, the structure and scope of representation rather reflects the legacy public sector Whitley traditions and points to a ranges of gaps in an increasingly fragmented industrial relations literature, notably in relation to how representation is shaped by the organisation, and how this in turn impacts upon the union's structures.

The second theme explored in this study, was the effect that Unite merger had on representation at the sites being researched, and the extent to which representation is shaped by trade union structure and governance and how this, in turn impacts

upon representation within an organisation. The findings indicate that the merger had indeed effected representation, but mainly at a national level rather than regional or workplace, again mainly due to the Whitley system, but also due to the traditions within the MoD sites that led to memberships, going into the merger, being predominantly Amicus, with a small number of TGWU dominated workplaces and national branches. In terms of the existing literature the merger was deemed to be a consolidatory one on the lines of a balanced partner amalgamation. However, the structures that had emerged from this were perceived by respondents to be dominated by the former TGWU, whilst becoming more remote from its members, due to its structures and perceptions of a 'popular bossdom' form of governance.

The existing literature on union structure, governance and mergers and amalgamations appear to address the merger and its impact on representation more robustly, notably in relation to the type of merger (Undy, 2010), forms of union governance (Turner, 1962), and the sense of loss of identity (Undy, 2010) particularly for skilled workers in a form of conglomerate union. However, the research does also highlight some gaps, with the sheer scale and complicated structure of Unite making it difficult to apply uniform concepts of union structure and governance and difficult to attribute uniform concepts of union strategy (organising, partnership and servicing) to a union of so many parts (Thelen, 1991). Furthermore, this research, by looking at union's own representation structures external to the workplace, has also highlighted the apparent weaknesses of the very structures introduced at a regional and national level RISCs and NISCs to provide democratic methods for representatives to influence or develop policy. By doing this it identifies the need for a return to much more detailed research on how factions operate within unions and their relationship to structure and democracy.

The third theme explored in the thesis was the effect of structural change within, and government policy toward, the MoD sector on union representation. Highlighting the privatisation of the Defence Support Group, which was taking place at the time of the fieldwork, the research found that this was perceived to have both positive and negative effects on representation. Some respondents reported that the fear of losing their jobs had made members less likely to take action to protect their pay and conditions, whilst other interviewees saw the sale as an opportunity to improve terms and conditions due to the senior management not wanting adverse publicity during the sale process. The sale process also, reportedly, improved the relationships between union representatives. The drive to apply private sector methods in the MoD sector, supported by a shift to an increasingly unitary HRM approach by management, is occurring at a time of reductions to the numbers and quality of workplace representatives and a hardening of management attitudes towards the union. The introduction of HRM, over the more paternalistic personnel management, had further centralised industrial relations, with some of the workplaces researched having their personnel/HRM departments moved to other sites. These processes highlighted the weaknesses of existing Whitley arrangements, facilitating further shifts in the frontier of control and further reducing the role and influence of stewards and extending this to convenors. Some respondents reported that it had become more difficult to recruit shop stewards, whilst others stated that there had been a lowering in the quality of representatives, due to the reduction in localised industrial relations and from a reliance by the shop stewards and members on the convenors.

This research therefore, provides greater insight into the erosion of shop stewards within workplaces, providing a qualitative and detailed analysis to help explain the trends increasingly reported only through quantitative analysis, notably through the

WIRS and WERS surveys. In particular, it explains how representatives in the MoD sector, even while trying to adopt a leadership role (Batstone et al, 1977) are hampered from building strong workplace organisation capable of mobilising members through the structures of Whitley with its promotion of partnership working. A key finding to emerge in respect of this, was how the privatisation process was perceived by the representatives to offer the chance to re-establish Whitley and improve partnership based relationships, not to mobilise members.

Linked to the third question, the fourth and final theme was the effect of Whitley and, in particular, the impact of the Employee Relations Review (ERR), which had significantly reduced the facilities that were available to union representatives. The research showed that it was the review of facilities, above all the other issues investigated, that had impacted the most on representation in the research sites. Whilst not universal to all sites, the key theme to emerge was that the review had led to a reduction in the availability of representation. The review removed almost all of the representatives on 100% facility time on which the Whitley system was built, meaning that members and representatives on those sites that had previously enjoyed full time convenors and senior stewards suddenly found that this support was no longer available. In addition, those sites that had not had full time workplace representatives found that the advice and guidance, that they previously relied on from the 100% representatives at other sites, was no longer available. The problems encountered by the union demonstrated that the union had failed to introduce an organising model to the sector, despite claiming to be an organising union. Instead, Unite in the MoD, had depended on a layer of full time lay representatives to service its members in the workplace and was unprepared to deal with the situation when these representatives had their facility time cut.

Bought together, these four themes, allowed the principle research question about the factors which influenced effective representation to be addressed. This pulled the research together to explain how the data collected could be used to answer this question, applying a number of pre-requisites that were shown to be essential for representation to be truly effective. These pre-requisites included recognition by employers; access to representatives in the workplace and full time officials outside; clear structures that indicate to members, activists and officers how the union should function and, finally, the key issue of the extent that the union can further the interests of its members through joint regulation and legal enactment. These four prerequisites were not met. Whilst recognition existed, this was based on the needs of the Whitley system and not due to the threat of sanction by the union, demonstrated by the way that facility time was so easily removed. Members had access to shop stewards, but this had been seriously hampered by the ERR and it was yet to be seen if the union's full time officials would be able to fill the gap. Thirdly, clear structures, explaining how the union was meant to function, were not apparent; with respondents believing that the union had become distant and had lost its purpose. The union was also failing in respect to the fourth and final pre- requisite, with the sector not large or influential enough to attract any significant assistant from the wider union in terms of support, such as leverage campaigns and the union's ability to use joint regulation, was seriously undermined by government policy and the outcome of the ERR. On the basis of this evidence, it was, therefore, possible to strongly argue that union representation in the MoD sector is not effective.

As discussed, this inductive research was always designed to be exploratory due to the perceived weaknesses in the contemporary research into trade union structures, governance and representation. Therefore, whilst uncovering and explaining a number of very interesting issues, in terms of trade union representation in an under

researched area, the research was never intended to address the lack of theoretical work that is needed to bridge the gap between seminal, but increasingly dated, research on structure and representation, and the more contemporary research, focusing on union renewal strategies and merger. Instead the focus of this research has been to highlight and explain how the literature that exists does not link together in any meaningful way, with the contemporary research into merger and renewal being written in isolation, with no significant attempts made to link these ideas with the vitally important issues of trade union structure and representation.

Therefore, this thesis has highlighted a greater awareness of the complexities of the super or conglomerate union, that have emerged as a response to the decline that trade unions have experienced since the beginning of the 1980s and the necessity of a re-categorisation of union structure and governance, to update the work of Turner (1962). In addition, it has also demonstrated that more detailed work is required on the operation of factions within unions and how, in particular, this relates to the operation of democracy for members and activists, as whilst this has been analysed in the past (Daniels and McIlroy, 2009, Bray and Davies, 1982), it is in need of more detailed appreciation.

Also raised by this study is the extent that industrial relations traditions continue to exert influence over union representational structures and approaches. This is particularly important given the rather dichotomous debates around organising and partnership, but also in relation to understanding public sector industrial relations.

The contemporary relevance of this research is the dramatic impact of the cuts in facility time that have been demonstrated, alongside the government's privatisation policies. This provides crucial evidence of the difficulties that unions will face, now that the Trade Union Act 2016 has been passed into law, in terms of the attacks that

have taken place on facility time in the civil service.. Whilst the headline grabbing proposals surrounding the Trade Union Reform Bill, were primarily focused upon the further restrictions that will be placed on industrial action, the Act also includes a number of proposals that will impose limits on union facility time across the public sector, reflecting the view of the Conservative government, that there are too many union representatives in the public sector. This includes the necessity for public sector employers to publish details of the paid time off that workplace representatives are given to carry out union activities and reserve powers given to government ministers to limit the amount of paid time off that union representatives may have as a proportion of their working hours (Hoque and Bacon: 2015:5). This demonstrates the timely nature of this research and the findings of this research are important reading for anyone attempting to discuss the Act and its possible repercussions.

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Annex A

MoD Whitley Constitution.

Ministry of Defence

Employee Relations – MoD Whitley Constitutions

MOD WHITLEY CONSTITUTIONS – CONTENTS

PAGE	TITLE
3-5	Defence Whitley Council Constitution
6-8	Defence Industrial Whitley Constitution
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14-17	Site Support Services Committee Constitution

DEFENCE WHITLEY COUNCIL CONSTITUTION

Aims

1. The general aims of the Council are to promote effective communication and the involvement of the representatives of the Departmentally recognised NonIndustrial Trade Unions, and to secure continuous improvement in efficiency coupled with the well-being of MoD civilians.

Scope

2. The scope of the Council will be all matters affecting the conditions of service of all UK-based non-industrial civil servants employed in the MoD, except those concerning pay, allowances and related conditions of service which are more appropriately dealt with under the auspices of the DWC sub-committees.

Meetings

3. The following arrangements for meetings will apply:

- the Council shall normally meet twice a year, in April and October;
- the meeting in October shall be the annual meeting, at which the membership and constitution of the committee shall be ratified for a further year;
- meetings are to be held during working hours, by arrangement with the Management Representatives;
- accommodation for holding these meetings will be provided by the Management Representatives;
- an agenda shall be circulated to all members not less than seven days before the date fixed for a meeting of the Council;
- business not on the agenda shall be taken only by permission of the Management and TU Chairs.;
- special meetings of the Council may be held at the request of the Management or TU Chair to discuss specific items; and
- the Council shall draw up such standing orders and rules for the conduct of its business as it may deem necessary.

Committees

4. The Council may appoint standing committees, special committees, and subcommittees as required, and may delegate special powers to any committee so constituted, and may appoint to them, persons who need not necessarily be members of the Council.

Membership

5. **Management Representatives.**

- PUS Chair
- Personnel Director
- Director General Civilian Personnel
- Director Employment Framework
- Deputy Director EF Employee Relations

Secretary TLBH/Agency/other representatives co-opted as necessary

6. **Trade Union Representatives;**

- MoD CCSU TU Chair
- MoD CCSU TU Secretary
- FDA
- Prospect
- Public and Commercial Services Union (PCS)

7. **Electorate**. Where a TU has members both outside and inside the MoD, the electorate shall be the MoD members, who will choose as their representative any member or official of the TU who is employed in the MOD or is a HQ officer of the TU. Elections will be the responsibility of the TUs concerned.

8. **Varying representatives.** Each Party can vary their representatives and fill casual vacancies in the same manner as the original appointments. If a member is unable to attend a meeting, he or she may be represented by an accredited deputy.

9. **Facility Time.** Attendance at Council meetings will form part of a TU representative's facility time claim.

10. **Period of Appointment.** At each annual meeting, a Council shall be appointed to serve until the close of the annual meeting in the following year.

11. **Quorum.** The quorum shall be one half of the members of each side of the Council.

Formal Disagreements

12. In the event of disagreement on a question that falls within the terms of reference of ACAS, it shall, if the authority concerned so decides, be remitted to them. Fixed machinery is not created to deal with those questions on which agreement may not be arrived at and which are outside ACAS's terms of reference, as its existence would necessarily impair the influence and authority of the Council. Such questions shall be dealt with individually as they arise. The Council may seek the advice of the National Whitley Council in cases of difficulty.

Minutes

13. The Council shall keep minutes of its proceedings, which shall be agreed and published.

Amendment of the Constitution

14. The constitution of the Council may be amended only at an annual meeting. Notice of amendment of the constitution must be given and circulated to the members of the Council at least 14 days before the meeting.

TLB/TF/Agency Non-Industrial Whitley Committees

15. The Council shall have power to establish TLB/Agency non-industrial committees, to ratify the constitution for each committee so established, and if necessary to disband such committees. The departmental administration of such committees shall be in accordance with such arrangements as may be determined by the Council.

DEFENCE INDUSTRIAL WHITLEY COUNCIL CONSTITUTION

Aims

1. The general aims of the Council are to promote effective communication and the involvement of the representatives of the Departmentally recognised Industrial Trades Unions, and to secure continuous improvement in efficiency coupled with the well-being of MoD civilians.

Scope

2. The scope of the Council will be all matters affecting the conditions of service of all UK-based industrial civil servants employed in the MoD, except those concerning pay, allowances and related conditions of service which are more appropriately dealt with under the auspices of the MoD Industrial Pay Committee and its sub-committees.

Meetings

3. The following arrangements for meetings will apply:

- the Council shall normally meet three times a year, in February, June, and October;

- the meeting in October shall be the annual meeting, at which the membership and constitution of the committee shall be ratified for a further year;

- meetings are to be held during working hours, by arrangement with the Management Representatives;

- accommodation for holding these meetings will be provided by the Management Representatives;

- an agenda shall be circulated to all members not less than seven days before the date fixed for a meeting of the Council;

- business not on the agenda shall be taken only by permission of the Management and TU Chairs;

- special meetings of the Council may be held at the request of the Management or TU Chair to discuss specific items; and

- the Council may draw up such standing orders and roles for conduct of its business as it may deem necessary.

Committees

4. The Council may appoint standing committees, special committees, and subcommittees as required, and may delegate special powers to any committee so constituted, and may appoint to them, persons who need not necessarily be members of the Council. The reports of all committees shall be submitted to the Council for confirmation.

Membership

5. **Management Representatives.**

- US of S Chair
- Director General Civilian Personnel
- Director HR Ops
- Deputy Director HR Ops Diversity Employee Relations Secretary
- TLBH/Agency/other representatives co-opted as necessary

6.**Trade Union Representatives.**

- TU Chair
- TU Secretary
- Amicus
- GMB
- Transport and General Workers Union (T&G)
- Union of Construction, Allied Trades and Technicians (UCATT)

7. **Electorate.** Where a TU has members both outside and inside the MoD, the electorate shall be the MoD, who will choose as their representative any member or official of the TU who is employed in the MoD or a full time officer of the TU. Elections will be the responsibility of the TU concerned. It will be open, with the permission of the Council, for a national or local representative of any constituent body, other than a member of the Council, to attend a meeting in a consultative capacity.

8. **Varying Representatives.** Each Party can vary their representatives and fill casual vacancies in the same manner as the original appointments. If a member is unable to attend a meeting, he or she may be represented by an accredited deputy.

9. **Facility Time.** Attendance at Council meetings will form part of a representative's facility time claim.

10. **Period of Appointment.** At each annual meeting a Council shall be appointed to serve until the close of the annual meeting in the following year.

11. **Quorum.** The quorum shall be one half of the members of each side of the Council.

Formal Disagreements

12. In the event of disagreement on a question that falls within the terms of reference of ACAS, it shall, if the authority concerned so decides, be remitted to them. Fixed machinery is not created to deal with those questions on which agreement may not be arrived at and which are outside ACAS's terms of reference, as its existence would necessarily impair the influence and authority of the Council. Such questions shall be dealt with individually as they arise. The Council may seek the advice of the National Whitley Council in cases of difficulty.

Minutes

13. The Council shall keep minutes of its proceedings, which shall be agreed and published.

Amendment of the Constitution

14. The constitution of the Council may be amended only at an annual meeting. Notice of amendment of the constitution must be given and circulated to the members of the Council at least 14 days before the meeting.

TLB/Agency Industrial Whitley Committees

15. The Council shall have power to establish TLB/Agency industrial committees and to ratify the constitution for each committee so established, and if necessary to disband such committees. The departmental administration of such committees shall be in accordance with such arrangements as may be determined by the Council.

Model Constitution for all Whitley Committees

[Enter the name of the Committee as shown in paragraph 1 below]
Constitution

Name

1. The name of the Committee is the [enter the name of the area covered by the Whitley, the level of the committee, and whether it is Non-Industrial, Industrial or

Combined Non-Industrial. The various levels of Whitleys below Departmental level are: TLBH, Defence Agency, HLBH and Local] Whitley Committee.

Aims

2. The aims of the committee are to promote effective communication and the involvement of the representatives of the Departmentally recognised Trade Unions (TUs), and to secure continuous improvement in efficiency coupled with the wellbeing of MoD civilians employed within the [enter the name of the area covered by the Whitley].

Scope

[For a TLB, Defence Agency or HLB Whitley use the following paragraph:]

3. The scope of the Committee will be all matters peculiarly affecting the [Enter the type of staff covered by the Whitley, e.g. **Non-Industrial, Industrial or Non-Industrial and Industrial]** staff employed in the **[**Enter the name of the area covered by the Whitley] which are not essentially appropriate to the [Enter either the "Defence Whitley Council" or the "Defence Industrial Whitley Council" as appropriate] or its Standing Committees, but which are wider in scope than can adequately be dealt with at [For a TLB or Defence Agency insert "HLB" or "Local"; for an HLB Whitley insert "Local"] level. It is, however, expressly debarred from discussing questions that involve:

- the formulation of departmental policy, negotiations, in respect of pay and pay related matters, or superannuation – these are discussed through the relevant negotiating machinery. The Committee may, however, discuss local pay related issues such as RRA, HSP and local productivity bonus payments. It should be noted however, that approval for payment of RRAs can only be given by the TLB, following the relevant consultation procedures;

- the suitability of individuals for promotion or advancement; and

- disciplinary action taken against individuals – unless the TU Representatives wish to represent that Departmental policy has been violated.

- grievance of a personal nature

[For a Local Whitley use the following paragraph]

4. The scope of the Committee shall comprise all matters peculiarly affecting the local conditions of service of the [Enter the type of staff covered by the Whitley, e.g. **NonIndustrial, Industrial or Non-Industrial and Industrial]** staff employed in the [Enter the name of the area covered by the Whitley]. It is, however, expressly debarred from discussing questions that involve:

- the formulation of departmental policy, negotiations, in respect of pay and pay related matters, or superannuation – these are discussed through the relevant negotiating machinery. The Committee may, however, discuss local pay related issues such as RRA, HSP and local productivity bonus payments. It should be noted however, that approval for payment of RRAs can only be given by the TLB, following the relevant consultation procedure;

- the suitability of individuals for promotion or advancement;

- disciplinary action taken against individuals – unless the TU Representatives wish to represent that Departmental policy has been violated; and

- issues of more than purely local interest and which affect MOD staff outside the management unit (such as matters are discussed at HLB, Agency, TLB or Departmental levels).

Meetings

5. The following arrangements for meetings will apply:

- the Committee shall meet at the request of either Party, but normally not less frequently than [Enter "twice yearly" for TLB, HLB and Agency Whitleys, and
"quarterly" for Local Whitleys];

- meetings are to be held during working hours, by arrangement with the Management Representatives;

- accommodation for holding these meetings will be provided by the Management Representatives;

- an agenda shall be circulated to all members not less than seven days before the date fixed for each meeting;

- business not on the agenda shall only be taken by permission of the Chair and TU Chair;

- special or extraordinary meetings of the Committee may be held at the request of the Chair or TU Chair to discuss specific items; and

- the Committee shall draw up such standing orders and rules for the conduct of its business as it may deem necessary.

Sub-Committees

7. The Committee may appoint sub-committees as required, and may delegate special powers to any sub-committee so appointed.

Membership

8. The Committee shall consist of [Enter a figure] Management Representatives (including the Management Secretary) appointed by the Chair and up to [Enter a figure] TU Representatives as follows;

Management Representatives

- Chair [Enter post title]
- Members [Enter post title]
- Joint Secretary [Enter post title]

TU Representatives

The TU representatives will include a TU Chair appointed by the [Enter the "Council of Civil Service Unions" or "Defence Industrial Whitley Council" as appropriate] and a TU Secretary appointed in accordance with the procedures laid down for appointment of such posts and representatives from each TU appointed by the respective TUs as follows:

[For Non-Industrial and combined Non-Industrial/Industrial Whitleys the following apply:]

- FDA
- Prospect
- Public and Commercial Services Union (PCS)

[**For Industrial and combined Non-Industrial/Industrial Whitleys the following apply:]**

- Amicus
- GMB
- Transport and General Workers Union (TGWU)
- Union of Construction, Allied Trades and Technicians (UCATT)

[Insert numbers of representatives against each TU. Insert "(where available)" against those TUs who currently have no representatives available.]

The TU-Chair and Joint TU Secretary will be elected by the Parties of the Constituent Unions.

9. **Chair and TU-Chair**. The Chair of the Committee shall be the [Enter the title of the Head of the management unit]. The TU-Chair shall be a TU Representative of the Committee. Where either of these officers is unable to attend, it is for them to nominate a deputy to attend in their place.

10. **Secretaries.** The Management Secretary and TU Secretary shall act as Joint Secretaries to the Committee.

11. **TU Representation.** TU representatives of the Committee should be MoD employees, who serve as accredited representatives of their TU, not as individuals. The composition of the TU representation is a matter for the respective TUs to decide upon and may include members of their Executive Committee and National HQ officers. However, it is accepted that, wherever possible, the TU Representatives will be selected from within the service of the TLB/HLB/Agency/local unit concerned.

12. **Selection of TU Representatives.** The method of selecting members for appointment as TU representatives will be a matter for decision by each TU. Members of the TUs concerned shall not be allowed to take part in the election of representatives for other than their own TU.

13. **Varying Representatives.** It shall be open to each party of the Committee to vary their representatives and to fill casual vacancies in the same manner as the original appointments. In the event of a member being unable to attend a meeting of the Committee, they may be represented by an accredited deputy.

14. **Additional Representatives.** Either Party of the Committee shall, as occasion may require, arrange for the addition to the Committee of a representative or representatives appointed by either party of the [Enter either the “Defence Whitley Council” or the “Defence Industrial Whitley Council” or both as appropriate].

15. **Facility Time.** Attendance at Whitley Committee meetings should form part of a TU representative’s facility time claim.

16. **Period of Appointment.** Representatives shall be appointed for a period of 12 months, after which they are eligible for re-election.

17. **Co-option**. If, in any item included in the Agenda of a meeting, it would be desirable that a person having particular knowledge of the subject attends in a consultative capacity, the Chair or the TU-Chair, after consultation with the other, may invite the person to be present, provided that such person is present only for the period during which the a particular question is being discussed in the Committee.

18. **Quorum.** The quorum shall be one half of the members of each party of the Committee.

Formal Disagreements

19. In the event of disagreement between the two parties, the responsibility for a decision rests with the Chair who, where appropriate, shall seek the advice (or, where necessary covering approval) of higher authority. The TU Representative, or any constituent member of the TU Representation, may raise any matter at the appropriate level through their own channels. A formal disagreement shall be duly recorded and reported, in accordance with the procedures laid down in the **Policy Statement: Employee Relations** and **Understand and Operate the MOD Whitley System**.

Minutes

20. Minutes shall be kept of the proceedings of the Committee. The Management Secretary is responsible for producing the minutes, which should be agreed with the TU Secretary, and then ratified and signed by the Chair and TU-Chair.

21. One copy of the minutes of the TLB Non-Industrial Whitley Committee should be sent to the MoD CCSU Secretary and the Corporate ER team. One copy of the minutes of the TLB Industrial Whitley Committee should be sent to the DIWC TU Secretary and the Corporate ER team. Copies of HLB and Local Whitley
Committees should be sent to the respective Joint Secretaries of the TLB NonIndustrial/Industrial Whitley Committees. Minutes of these Whitley Committees should only be copied to the Secretary CCSU/TU Secretary (as appropriate) and the Corporate ER team where a formal disagreement has been recorded.

22. All minutes should clearly reflect, in the heading, the full title of the Committee to which the minutes relate.

Amendment of the Constitution

23. The constitution of the Committee may only be amended by agreement. Notice of proposed amendment of the constitution must be given and circulated to the members of the Committee at least 21 days before the meeting. Copies of the draft agreed amended constitution shall then be referred to the Joint Secretaries of the
[Enter either the “Defence Whitley Council” or the “Defence Industrial Whitley Council” or both as appropriate for the TLB and Trading Fund Whitleys or the TLB Non-Industrial Whitley Council or TLB Industrial Whitley Council or both as appropriate for all other Whitley Councils in their area..] for agreement of the Council, whose authority on constitutional matters shall be final.

Disbandment

24. If either Party feels for any reason that the Committee should cease to function, such a proposal should be referred to the Joint Secretaries of the [Enter either the "Defence Whitley Council" or the "Defence Industrial Whitley Council" or both as appropriate for TLB and Trading Fund Whitleys or the TLB Non-Industrial Whitley Council or TLB Industrial Whitley Council or both as appropriate for all other Whitley Councils in their area] for the consideration and agreement of the Council, whose authority shall be final.

Signed……..
(Chair) (Vice-Chair)
Date ……..

Date approved by Management and TU Secretariats

Reference:

SITE SUPPORT SERVICES COMMITTEE CONSTITUTION

[Enter the name of the Committee as shown in paragraph 1 below] **Constitution**

Name

1. The name of the Committee is the *[Enter the name of the area covered]* Support Services Committee.

Aims

2. The general aim of the Committee is to provide a forum for discussion of Support Services issues which cover more than one Top Level Budget area or Agency within *[Enter the name of the area covered by the Committee]*

Scope

3. The scope of the Committee will cover general Support Services affecting the whole site (e.g. accommodation, catering, cleaning, car parking, state of roads, energy efficiency etc).

4. The Committee is not to discus those issues relating to employees or groups of employees that are more appropriate to properly constituted Whitley Committees.

Meetings

5. The following arrangements for meetings will apply:

- the Committee shall meet at the request of either Party, but normally not less frequently than *[Enter "quarterly" or the period agreed with the TUs]*;

- the meeting in *[Enter the month]* shall be the Annual General Meeting.

- meetings are to be held during working hours, by arrangement with the Management Representatives;

- accommodation for holding these meetings will be provided by the Management Representatives;

- an agenda shall be circulated to all members not less than seven days before the date fixed for each meeting;

- business not on the agenda shall only be taken by permission of the Chair and TU-Chair;

- special or extraordinary meetings of the Committee may be held at the request of the Chair and TU-Chair to discuss specific items; and

- the Committee shall draw up such standing orders and rules for conduct of its business as it may deem necessary.

Sub-Committees

6. The Committee may appoint sub-committees as required, and may delegate special powers to any sub-committee as appointed.

Membership

7. The Management and TU Chairs will agree on the formation of the committee within the following guidelines:

Management Representatives

- Chair [Enter post title]
- Members [Enter post title]
- Secretary [Enter post title]

TU Representatives

- TU Chair
- TU Secretary

Representatives from each TU as follows:

- FDA (if available)
- Prospect
- Public and Commercial Services Union (PCS) • Amicus
- GMB.
- Transport and General Workers Union (T&G)
- Union of Construction, Allied Trades and Technicians (UCATT)

The TU Chair and TU Secretary will be elected by the parties of the Constituent Unions.

Additional representatives can be called as required.

8. **Chair and TU-Chair.** The Chair of the Committee shall be the *[Enter the title of the senior official with the responsibility for the provision of support services]*. The TU-Chair shall be a member of the TU Representatives of the Committee. Where either of these officers is unable to attend, it is for them to nominate a deputy to attend in their place.

9. **Secretaries**. Each part of the Committee shall appoint a Secretary from among its number. These officers shall act as joint secretaries to the Committee.

10. **TU Representatives.** TU representatives of the Committee shall be MoD employees of one of the TLBs occupying the site and shall be elected representatives of their TU.

11. **Selection of TU Representatives.** The TU composition is a matter for the TU Representatives to decide. Members of the TUs concerned shall not be allowed to take part in the election of representatives for other than their own TU.

12. **Varying Representatives.** Each party can vary their representatives and fill casual vacancies in the same manner as the original appointments. If a member is unable to attend a meeting, he or she may be represented by an accredited deputy appointed by the authority concerned.

13. **Facility Time.** Attendance at Support Services Committee meetings will form part of a representative's TU facility time claim.

14. **Period of Appointment.** Representatives shall be appointed for a period of 12 months, after which they are eligible for re-election. The first Committee shall be appointed to serve until the close of the annual meeting *[Enter the month used in paragraph 5]*. Thereafter, at each

annual meeting a Committee shall be appointed or elected to serve until the close of the annual meeting in the following year.

15. **Co-option**. If, in any item included in the Agenda of a meeting, it would be desirable that a person having particular knowledge of the subject attends in a consultative capacity, the Management Chair or TU Chair, after consultation with the other, may invite the person to be present, provided that such person is present only for the period during which the particular question is being discussed in the Committee.

16. **Contractors.** Where Support Services are provided by a contractor, a representative of the company should attend in an ex-officio capacity.

17. **Quorum.** The quorum shall be one half of the members of each part of the committee.

Formal Disagreements

18. In the event of disagreement between the two Parties, the responsibility for decision shall rest with the Chair who, where appropriate, shall seek the advice (or, where necessary, covering approval) of higher authority. The TU Representation, or any constituent member of the TU Representation, may raise any matter at the appropriate level through their own channels. A formal disagreement shall be duly recorded and reported, in accordance with the procedures laid down the Employee Relations Policy, Rules and Guidance, Operating the MoD Whitley System.

Minutes

19. Minutes shall be kept of the committees proceedings. The Management Secretary is responsible for producing the minutes, which should be agreed with the TU Secretary, and then ratified and signed by the Management and TU Chairs. Copies of the minutes should be sent to the Management and TU Secretaries of the TLB Non-Industrial/Industrial Whitley Committees. Minutes of these Whitley Committees should only be copied to the Secretary CCSU/TU Secretary (as appropriate) and the Corporate ER Team where a formal disagreement has been recorded.

20. All minutes should clearly reflect, in the heading, the full title of the Committee to which the minutes relate.

Amendment of the Constitution

21. The constitution of the Committee may only be amended at an annual general meeting. Notice of proposed amendment of the constitution must be given and circulated to the members of the

Committee at least 21 days before the meeting. Copies of the agreed draft amended constitution shall then be referred to the Secretaries of the *[Enter either the "TLB Non-Industrial Whitley Council" or the "TLB Industrial Council" or enter both if it is a combined Non-Industrial/Industrial Committee]* for agreement of the Council.

Disbandment

23. If either Party feels for any reason that the Committee should cease to function, such a proposal should be referred to the Secretaries of the *[Enter either the "TLB Non-Industrial Whitley Council" or the "TLB Industrial Whitley Council" or enter both if it is a combined Non-Industrial/Industrial Committee]* for the consideration and agreement of the Council.

Signed……..
…….
(Chair) (TU-Chair)

Date ……

Date approved by Management and TU Secretariats

Reference.

Annex B

MoD Employee Relations Policy.

Employee Relations Policy

This Policy should be read in conjunction with the related Process and both must be followed.

Overview

1. This policy concerns the MOD's approach to Employee Relations. It covers the Whitley System, TU Engagement (incl. Consultation Arrangements), MOD recognised Trade Unions (TUs) and Staff Associations, Facilities for TU representatives (including Facility Time), and Industrial Action.

2. A clearly defined framework for engagement (incl. consultation and information sharing) and negotiation between managers and employees must be in place for a good ER system to work well. MOD's policy is to seek to maintain good employee relations through active/early engagement and the Whitley System. Consultation and negotiation, with a view to reaching agreement between the MOD and TUs is the cornerstone of this policy and is based on full co-operation, at all levels, between management and employees.

3. This covers all types of contact between management and the TUs, and highlights the benefits and importance of active and early engagement (incl. meaningful consultation). Central to this policy is the principle that management and the TUs meet with a genuine desire to reach agreement.

Applies to

4. This policy applies to all civilian employees - including casual and fixed term appointees, except the following categories:

- Staff on personal contracts;
- Former MOD employees, pensioners and dependants;
- Prospective employees;
- Fee Earners and contractors;
- Locally Employed Civilians;
- Employees in those Trading Funds or Agencies where the TUs have agreed seperate ER procedures;
- RFA (refer to **Employee Relations - RFA**).

Management Responsibility

5. As a manager you are responsible for promoting good employee relations within your area of responsibility, and for active and early engagement with employees and their representatives, including recognised TUs (refer to **Understand and Operate the Trade Union Engagement Process**).

6. ENGAGEMENT - Involves an ongoing mutually beneficial relationship between the Department and its recognised TUs. The main ways you can communicate with the TUs about changes in the workplace which affect civilian staff are:

- INFORMING - essentially the sharing of information to facilitate meaningful engagement and understanding. The provision of such information may be the precursor to consultation;
- CONSULTING - giving the TUs an opportunity to represent the views of their members and submit alternative proposals before final decisions are taken, with a view to reaching agreement;
- NEGOTIATING - holding a discussion with the TUs aimed at reaching an agreement, such as the proposals for changing pay or conditions of service.

Employee Relations Framework

7. The Human Resources Directorate (HRD) Employee Relations (ER) Team is responsible for developing - in consultation with stakeholders - setting and communicating MOD's ER policy and for supporting its implementation throughout the organisation.

8. Three non-industrial trade unions (NITUs); FDA; Prospect; and PCS, and three industrial TUs (ITUs); Unite, GMB and UCATT; collectively form the MOD Civil Service Unions (MCSU). The role of the MCSU is to promote, maintain and encourage an effective ER link to the Department's recognised TUs. The position of MCSU Chair is elected by the recognised TUs. The remaining established MCSU posts are open to non-industrial employees through the Departmental selection process.

9. The Retired Officer's Association (ROA) is the Trade Union which represents Retired Officers. It is not a member of the MCSU and has limited recognition in the MOD.

10. The Defence Police Federation and the Chief Police Officer's Association are Staff Associations and represent MOD police. They are not members of the MCSU.

11. Additionally, TLBs fund established posts to act as the TLBs TU focal point for ER/TU matters. These are the TLB level MCSU Secretaries.

Refer to **Employee Relations - Key Contacts and Addresses** for the NITUs, ITUs, Departmental and TLB MCSU Secretaries details.

Trade Union Recognition

12. Recognition, in line with Civil Service rules, may be granted nationally or Departmentally (e.g. in the MOD certain TUs and Staff Associations are recognised as representing specific grades). Departmental recognition is usually for a grade limited to one Department and allows for representation and negotiation within that Department solely on issues within their control. You can find a table listing the grades and their associated MOD recognised TU or Staff Association in **Employee Relations - Recognised Trade Unions and Staff Associations**. MOD negotiates with these TUs on pay, conditions of service, etc., for the employees they represent.

13. Any TU is free to make representations on behalf of its members. However, an unrecognised TU (that is, a TU not listed in **Employee Relations - Recognised Trade Unions and Staff Associations** has no right of a reply, beyond an acknowledgement, to any general representation it makes. You must not enter into agreements with, or offer explanation or justifications to an unrecognised TU.

14. Only the HRD Employee Relations Team can recognise or derecognise a TU on behalf of the MOD. You must refer any claims for recognition to them, for consideration.

Trade Union Membership

15. As a civilian employee you are encouraged to join an appropriate TU and to play an active part within it, making sure that your views are represented. It is your personal decision whether or not you join a TU. The existence of fully representative TUs is important both for managing good employee relations and for negotiating pay and conditions of service.

16. While you can join any TU and be represented on a personal basis, only TUs recognised by the Department may formally represent staff in the grades for which they have recognition in negotiations with the MOD. However, you can choose an official from any TU to accompany you at a disciplinary or grievance hearing, regardless of whether or not the TU is recognised.

17. If you are employed in the HR function or one of the MCSU Secretariat established posts, you may be a fully involved member of a TU, but should not be active on Branch Committees without specific exemption in writing from your Head of the Management Unit. This is to avoid a conflict between your loyalties to the Department and to your TU. Wherever you work, you must not disclose information to the TUs which you

receive in your official capacity and which is "in confidence" or classified. If you are in a HR post and want to take a more active part in TU affairs then you may request a transfer to other duties.

18. If you are a member of the MOD Police you cannot become a member of any TU or similar association or society other than an association formed within the MDP with rules approved by, or on behalf of the Defence Council (see **Employee Relations - Recognised Trade Unions and Staff Associations**). However, if you are already a member of a TU or similar association or society on recruitment, you may, with the consent of the Chief Constable, continue to be a member of that organisation in order to receive any benefits to which you would be entitled.

Impact Assessment Statement

This policy has undergone an Equality and Diversity impact assessment in accordance with the Departmental Policy. This resulted in a:

Part 1 screening only completed (no direct discrimination or adverse impact identified/policy is a reflection of statutory requirements and has been cleared by a Legal Advisor). This policy is due for review in 2014.

Version

Version: 2.0
Effective Date: 1 July 2013

Annex C

Employee Relations Review.

Cabinet Office

Consultation on reform to Trade Union facility time and facilities in the Civil Service

13 July 2012

Trade union facility time

Introduction

On 3 October 2011, the Minister for the Cabinet Office announced that the Government would be starting formal consultation on reforming facility time arrangements across the Civil Service. This consultation document marks the start of that process.

What is facility time and what facilities are currently allowed?

Facility time is paid time off during working hours for trade union representatives to carry out trade union duties and time off for representatives and members to undertake trade union activities. The Government recognises that unions can play a constructive role in a modern workplace contributing to the effective and efficient operation of public services.

Many union representatives give their own time in addition to any facility time, to support their colleagues both individually and collectively through the industrial relations machinery. Where this operates well it serves the interest both of the union members and the employer well.

We are seeking to find a balance between supporting constructive engagement with employee representatives for the good of public services and providing better value for the taxpayer.

1. Duties

Facility time may include pre-approved paid time off to complete a range of trade union duties and relevant training as set out in legislation (see **Annex A)**. Trade union duties are employee relations duties that are carried out by trade union representatives on behalf of their members. These duties are generally employee facing. Examples of duties in Civil Service departments and agencies include:

General representative duties such as preparation for and engaging in annual pay negotiations; discussing issues that affect members such as redundancies and policy changes; and representing a staff member at a disciplinary or grievance hearing.

Learning representative duties such as identifying and promoting learning opportunities, supporting members on learning programmes and working with other learning providers and sources of advice and support, for example, local further education colleges, charities.

Health and safety representative duties such as examining with employers the causes of accidents to reduce future risks and dangers, investigating complaints and making representation to the employer on behalf of staff.

2. Activities

Facility time may also include time off for representatives and members of a trade union to take part in union activities and activities where the employee is acting as a representative of the union. Activities are generally union facing. Employers are required by law (see **Annex A)** to allow **reasonable unpaid time-off** for activities. However, some employers across the Civil Service are currently providing **paid** time off.

Examples in the Civil Service would include paid time off for attending internal union meetings, elections to trade union branches and committees and attending TUC conferences.

3. Facilities

There is no statutory right for Civil Servants to be granted the use of facilities, except where those trade union representatives are engaged in matters relating to the Transfer of Undertakings (Protection of Employment) (TUPE). However ACAS guidance says that employers should where possible make available facilities necessary for representatives to perform their duties efficiently and effectively.

Examples of use of facilities in the Civil Service would include the use of telephones, photocopying and the use of office accommodation.

The consultation

What are we consulting on?

We are seeking to review and rebalance the amount of paid time off provided to undertake trade union duties, and to review the level, frequency and cost of providing paid time off for trade union activities. This consultation covers all types of trade union representatives but does not seek to change the statutory basis for these duties and activities. We also wish to review the use of facilities by trade union representatives e.g. telephones, photocopying and use of office accommodation, to ensure it is appropriate and represents value for money for the taxpayer.

We are not seeking to change the nature of the duties or activities that can be undertaken by trade union representatives. Likewise we recognise trade union safety representatives have separate legal rights to paid time off based on the necessity to undertake the functions associated with that role and the right to reasonable paid time off during working hours for trade union learning representatives to undertake a number of related duties where the union complies with certain legal requirements. However we believe that in future Departments will need to consider carefully their current arrangements for these representatives alongside other representatives ensuring that time off is reasonable, necessary, and appropriate for a modern workplace.

We are seeking views on four key areas:

1) Reporting and benchmarking - developing a common system for reporting and monitoring Facility time across the Civil Service;
2) Ending or limiting the practice of 100% of Civil Service employees' time being spent on trade union duties and activities;
3) Reviewing arrangements for time off for trade union activities so that the default is that this time is unpaid; and
4) Reduction in overall facility time across the Civil Service, in particular through more rigorous individual management of facility time. Ensuring that the provision of the use of facilities is appropriate, and represents good value to the taxpayer.

Why are we consulting?

There are at least 6,800 trade union representatives across the Civil Service. At a time when departmental budgets are under great pressure we need to ensure the current provisions for trade unions facility time represent the best value for money. With annual estimated expenditure of £36 million we need to ensure that these arrangements align with the significant Civil Service wide workforce and business restructuring.

Providing value for money is critical in all areas of business and this includes spending on facility time. We have to ensure that the time we pay for Civil Service trade union representatives to

spend on their trade union duties and activities is appropriate, accountable and that the value is identifiable within a reformed and modernised Civil Service.

However it is not just the responsibility of the Civil Service to justify how taxpayers' money is best and most efficiently spent. It is important that trade unions are able to do the same and are able to illustrate the same level of responsibility and care in how public money is used and spent and the value that they provide as a result.

There are differences in the provision of facility time across the Civil Service that may not be justified. We want to ensure a more consistent, open and transparent approach in future.

The formal consultation is between the Civil Service and its trade unions, and will run for 8 weeks from Friday 13 July to Friday 7 September. Civil servants have also been invited to comment if they wish to do so.

What we are setting out to achieve?

Proposal 1 – Reporting and Benchmarking

Effective reporting and monitoring of facility time already takes place in several departments. Where this is happening there are common themes:

- Line managers having responsibility for agreeing and approving the use of facility time and ensuring records are kept and the time monitored.
- Representatives having a mandatory requirement to complete a record of the facility time they take and to provide this to their line manager with non-compliance being a disciplinary offence.
- Regular and effective monitoring and sharing of the information between the representative, line manager, Department and Union branches.

Departmental Good Practice Examples of facility time reporting methods:

Department A: The line manager is responsible for agreeing and approving the use of facility time within the allocation made to the trade union representative. The line manager must ensure that time records are kept, as well as monitoring the amount of facility time taken and the activities it is taken for. The trade union representative will provide the line manager with the necessary information to monitor their facility time appropriately. This will then be passed onto the union branch. Monthly returns of facility time used, both of allocated and additional time, are made to Employee Relations by union branches. The return also includes H&S, Union Learning Representatives and training time taken.

Department B: Ongoing completion of a facility time form is a mandatory requirement i.e. as soon as time off has been taken. It should be readily available if required by a line manager or ER managers. Non compliance with this mandatory requirement may lead to disciplinary action being taken. Managers with direct responsibility for trade union representatives are responsible for checking the 'TU Rep Accreditation Notice and Record of Paid Time Off Taken' form on an ongoing basis to ensure compliance. Monitoring of time is also carried out on a monthly basis in a central point locally and reported to national management quarterly.

Using these themes as a starting point we envisage the use of a common system of reporting and benchmarking which will include the percentage of pay bill costs across the Civil Service. This will enable departments and trade unions to measure and rationalise the time and money they spend.

We intend to introduce:

- **a common reporting mechanism for departments, and the requirement for departments to publish details of facility time. a Civil Service benchmark**
- **on the proportion of pay bill spent on facility time benchmarking of the**
- **amount of time spent on specific duties, to make sure that the money spent on trade union duties is appropriate to the needs of the duty and to the organisation so as to ensure that this is best value for money. The various duties should be separated out for reporting purposes – e.g. individual representation, industrial relations and negotiations.**

Q1. How should we establish this approach? Are there any other approaches that you can suggest?

Limiting 100% facility time Representatives

There are approximately 250 trade union representatives across the Civil Service who spend 100% of their time on trade union duties and activities. These individuals are employed by and paid for wholly by the Civil Service. There is generally no departmental limit on how long a trade union representative can spend in a 100% facility time post.

We believe for a trade union representative to function effectively and be able adequately to represent the views of employees, it is necessary for them to be actively involved in the work of their department or agency. Representatives currently in receipt of 100% facility time do not benefit from business skills that would be acquired from carrying out a Civil Service role. Equally, they are not delivering their primary function, that of an employee delivering a Civil Service job.

Departments have demonstrated that they can successfully operate with low numbers of 100% representatives. Best practice therefore shows that a sizeable number of 100% representatives are not necessary and that in some instances consideration is already being given to operating without, or at least with considerably fewer, 100% representatives.

We would prefer that no employee spends less than 50% of their time delivering their Civil Service job.

In seeking to limit the practice of 100% of Civil Service employees' time being spent on trade union duties and activities, employers need to be aware of and consider the possibility of employees with more than one trade union representative role. An employee may not be spending any of their time undertaking Civil Service work through a combination of general trade union duties and specific health and safety and/or learning representative roles. This employee effectively becomes a 100% representative. For those representatives with more than one role, they will need to prioritise accordingly rather than seek additional time.

Q2. How can we best establish this practice? Are there any other approaches to address this issue that you can suggest?

Reviewing Paid Time off for Activities

The legal requirement for trade union activities is that an employer should allow reasonable unpaid time off. Most Civil Service employers are going beyond this requirement and the recommendations within the ACAS Code of Practice by allowing paid time off for internal trade union activities.

We recognise and support the legal requirement to allow reasonable time off to undertake trade union activities. The proposal is that the default position for Civil Service employers should be that paid time off is not granted for trade union activities. However we accept that there may circumstances where paid time off for activities may be appropriate and wish to consult on a reasonable mechanism for deciding this.

Alongside this we propose to develop a rigorous checking regime to support Departments and managers to differentiate between time off for duties and for activities.

We intend that the default position should be that departments do not pay for time off for trade union activities.

We intend that we will develop and introduce a rigorous checking regime to support departments to differentiate between time off for duties and activities?

Q3. How can we best introduce this approach? Are there any other approaches that you can suggest?

Reduction in overall facility time and ensuring appropriate use of facilities across the Civil Service

There are at least 6800 trade union representatives across the Civil Service. The spend per year is approximately £36 million on facility time in gross staff costs. This is on average 0.26% of the pay bill cost across the Civil Service.

Whilst the provision of paid time off needs to be reasonable in accordance with the legal requirements it also needs to be adequate but not excessive, properly monitored and accounted for.

Alongside proposals 1 – 3 we intend to consider how we can reduce overall facility time through rigorous line management so that the balance can be struck between reasonable paid time off and business needs and ensuring best value for money.

Employers should deal with requests rigorously and representatives should demonstrate requests are reasonable and proportionate.

We wish to ensure that the use of facilities e.g. telephones, photocopying and use of office accommodation, is appropriate and represents value for money for the taxpayer.

We propose that employers should operate rigorous management of facility time at line management level so that the balance can be struck between reasonable paid time off and business needs and ensuring best value for money. Likewise representatives should manage their time and prioritise to ensure that requests for paid time off are realistic and proportionate.

In order to provide a common basis for this rigorous process we propose to develop support and information for both line managers and representatives on the management of facility time.

We intend to introduce a more rigorous management of facility time and facilities at a line manager level.

Q.4. How can we support line managers and trade union representatives to make sure that the provision of, and use of, facility time and facilities gives the best value for money and meets business needs?

Q.5. What mechanisms can we implement to ensure the most effective use of facility time and facilities?

Conclusion

We propose to set out a framework for Civil Service employers to use to manage the preapproved amount of facility time that departments offer to trade union representatives. The framework will meet the statutory requirements and take account of the ACAS Code of Practice.

The parameters will be set with a view to better balancing the provision of paid facility time with the operational and financial needs of the business.

Next Steps

Cabinet Office invites your views on the specific proposals and questions outlined in this document. Following the outcome of this consultation we will then ask departments and agencies to review their own facility time arrangements accordingly.

ANNEX A

What is facility time?

Facility time is the provision of time off from an individual's usual job to undertake trade union duties and activities. Civil Service departments and agencies generally have facility time agreements in place between themselves and their recognised trade unions which specify the arrangements for the taking of facility time.

The duties that facility time can be granted for will include matters such as representing individuals e.g. at grievance hearings; collective bargaining and representing the views of staff to management e.g. terms and conditions, redundancies; training e.g. examining, promoting and arranging training; and the undertaking of functions related to Health and Safety.

Legal background and provision of paid and unpaid time

Since the Employment Protection Act 1975, union representatives of an independent trade union which is recognised by the employer have had a statutory right to paid time off from employment to carry out trade union duties. Union representatives and members of an independent trade union which is recognised by the employer have also had a statutory right to reasonable unpaid time off when taking part in trade union activities.

The relevant rights are now contained in the trade union and Labour Relations (Consolidation) Act 1992 (TULRA), Employment Relations Act 1999; and The Safety Representatives and Safety Committees Regulations 1977; and are supported by the ACAS Code of Practice on 'Time off for trade union duties and activities'; and the HSE Code of Practice on 'Consulting employees on health and safety.'

Trade union duties

Section 10 Employment Relations Act 1999 and sections 168 and 169 TULRA provide the right to reasonable paid time off during working hours for the purpose of carrying out trade union duties.

These include:

negotiating terms and conditions of employment; accompanying or representing a trade union member at a disciplinary or grievance hearing; accompanying trade union

members to meetings to discuss flexible working requests; negotiating issues about trade union membership; or

discussing issues that affect trade union members such as redundancies and policy changes.

Trade union activities

Section 170 TULRA entitles members and representatives of the union to take reasonable time off during working hours to take part in any trade union activity and any activity in relation to which the employee is acting as a representative of the union.

There is no statutory entitlement to be paid for time off for trade union activities. The ACAS Code of Practice states that employers may nevertheless want to consider payment in certain circumstances, for example to ensure that workplace meetings are fully representative or to ensure that employees have access to services provided by Union Learning Representatives.

Safety Representatives

We recognise Safety Representatives have a different statutory right to paid time off based on necessity to undertake the functions associated with that role.

Union Learning Representatives

Sections 168A and 169 TULRA provide that where the union complies with the requirements in section 168A, there is a right to reasonable paid time off during working hours for Union Learning Representatives to undertake a number of related duties.

Cabinet Office
70 Whitehall
London
SW1A 2AS.

Annex D

Respondent Identification Table.

Annex D

The Sample.

Post	Code	Location
Convenor	Con1	Bovington
Convenor	Con2	Catterick
Convenor	Con3	Donnington
Convenor	Con4	LS Donnington
Convenor	Con5	Sealand
Convenor	Con6	Stafford
Convenor	Con7	Stirling
Convenor	Con8	Warminster
Shop Steward	B1	Bovington
Shop Steward	B2	Bovington
Shop Steward	B3	Bovington
Shop Steward	B4	Bovington
Shop Steward	C1	Catterick
Shop Steward	C2	Catterick
Shop Steward	D1	Donnington
Shop Steward	D2	Donnington
Shop Steward	D3	Donnington
Shop Steward	D4	Donnington
Shop Steward	D5	Donnington
Shop Steward	D6	Donnington
Shop Steward	LS1	LS Donnington
Shop Steward	LS2	LS Donnington
Shop Steward	S1	Stafford

Annex E

Research Ethics.

Andrew Hanks
PhD researcher
Institute for Social Sciences
c/o Keele Management School
Keele University
Keele, ST5 5BG
05/11/13

Invitation to participate in a research project on UNITE

Dear Mr Richards,

My name is Andrew Hanks and I am currently working towards a PhD in Industrial Relations at Keele University. My project is entitled 'Unite- Union Structures and Representation: A case study of the Ministry of Defence' and my aim is to understand the perceptions of trade union officials and activists who are members of, or are connected too, the union's MoD and Government Departments sector.

I am writing to you as you are a Union activist within UNITE to ask if you would be willing to help me with my research by sharing your views and experiences via an interview. Your agreement to do so would be invaluable in helping to inform my work.

I have attached an information sheet which will hopefully address any questions which you may have about the research. You are under no obligation to take part. However, your help in the project would be greatly appreciated. Any personal information which you provide will be treated as confidential and anything you do say will be anonymised to protect you in all but the most exceptional of circumstances.

If you have any further queries then please contact me either by post at the address above, or via email (a.j.hanks@keele.ac.uk). I hope that you are interested in the project and look forward to hearing from you soon.

Yours fraternally,

Andrew Hanks.

Information Sheet

Study Title: **Unite - Union Structures and Representation: A case study of the Ministry of Defence.**

Aims of the Research
The aim of this project is to assess the effects of trade union merger and public sector restructuring on the structures, governance and representational arrangements of Unite.

Invitation
You are being invited to consider taking part in the research study *"Unite- union Structures and Representation: A case study of the Ministry of Defence".* This project is being undertaken by Andrew Hanks as part of his doctoral studies at Keele University, supervised by Dr Steve French.

Before you decide whether or not you wish to take part, it is important for you to understand why this research is being done and what it will involve. Please take time to read this information carefully and discuss it with colleagues if you wish. Please do not hesitate to contact me if there is anything that is unclear or if you would like more information (e-mail a.j.hanks@keele.ac.uk; tel. 07968 337518).

Why have I been chosen?
You have been chosen to take part in this research project because of your involvement, either as an officer or activist, in Unite's MoD and Government Departments sector. Your experiences will provide a great deal of insight into the workings of Unite and the way that merger and organisational change have altered the union's structures and representational capacities.

Do I have to take part?
You are free to decide whether you wish to take part or not. If you do decide to take part you will be asked to sign two consent forms, one is for you to keep and the other is for my records. You are free to withdraw from this study at any time and without giving reasons.

What will happen if I take part?
If you agree to take part you will agreeing to an interview which should take up to 90 minutes to complete. Any comments will be treated in the strictest of confidence and you will have the opportunity to preserve your anonymity.

If I take part, what do I have to do?
If you take part you will be asked to sign a consent form before the interview commences. The interview will allow you to express your views and opinions on how merger and organisational restructuring have changed the structures of Unite.

You will be free to stop the interview at any time should you be called to more pressing matters or simply wish the interview to cease. The venue of interview will be flexible and will be arranged to provide you with the maximum convenience based on your working arrangements.

What are the risks of taking part?
You will be given the option of maintaining your anonymity when you participate in the research. This means that when the research is presented it will be impossible to link your views to your identity. If you agree to waive your right to anonymity, any publication of the research could link your views to your name and position within the Civil Service or UNITE.
.

How will information about me be used?
During the interview the researcher will take notes (and if consent is given record the interview) and your answers may inform the PhD's findings and any subsequent publication based upon the PhD.

Who will have access to information about me?

- The data collected for this study will only be accessed by the researcher, Andrew Hanks, and his supervisor, Dr Steve French.
- Information on you will be kept confidential and anonymous. This means that the researcher will protect your identity as a participant by ensuring that you remain unidentifiable in the research. As stated above, the only people who will have access to the personal information you discuss in this study, is Andrew Hanks and his supervisor Dr Stephen French. As such, all personal information obtained will remain confidential. When discussed in the research you will be given a pseudonym (a false name) so that you remain unidentifiable.
- In accordance with Keele University guidelines, the data from this study will be retained and securely stored by the principal investigator – Andrew Hanks until completion of the PhD. After this period of storage, the data will be securely destroyed.

Who is funding and organising the research?
This research is independent and has no third party funding other than Keele University.

What if there is a problem?

If you have a concern about any aspect of this study, you may wish to speak to the researcher who will do their best to answer your questions. You should contact Andrew Hanks on a.j.hanks@keele.ac.uk.

Alternatively, you may wish to contact the researcher's supervisor Dr Steve French whose contact details are as follows:

Dr Steve French
Senior Lecturer in Industrial Relations
Keele Management School
Keele University
ST5 5BG
United Kingdom
Tel 01782 733609
E-mail: s.r.french@keele.ac.uk.

If you remain unhappy about the research and/or wish to raise a complaint about any aspect of the way that you have been approached or treated during the course of the study please write to Nicola Leighton who is the University's contact for complaints regarding research at the following address:-

Nicola Leighton
Research Governance Officer
Research & Enterprise Services
Dorothy Hodgkin Building
Keele University
ST5 5BG
E-mail: n.leighton@uso.keele.ac.uk
Tel: 01782 733306

Pre-Interview Consent Form

Title of Project: Unite- Union Structures and Representation: A case study of the Ministry of Defence.

Name and contact details of Principal Investigator:
Andrew Hanks,
Keele Management School, Darwin Building,
Keele University,
Staffordshire, ST5 5BG
Tel: 07968 337518
E-mail: a.j.hanks@keele.ac.uk

Please tick box if you agree with the statement

1	I confirm that I have read and understand the information sheet for the above study and have had the opportunity to ask questions.	☐
2	I understand that my participation is voluntary and that I am free to withdraw at any time.	☐
3	I agree to take part in this study.	☐
4	I understand that data collected about me during this study **will be** annonymised before it is submitted for publication	☐
	I understand that data collected about me during this study **will not** be annonymised before it is submitted for publication	☐
5	I agree to the interview being recorded.	☐

Name of participant	Date	Signature
Name of researcher	Date	Signature

Post-Interview Consent Form

Title of Project: Unite- Union Structures and Representation: A case study of the Ministry of Defence.

Name and contact details of Principal Investigator:
Andrew Hanks,
Keele Management School,
Darwin Building,
Keele University,
Staffordshire, ST5 5BG

Tel: 07968 337518
E-mail:a.j.hanks@keele.ac.uk

Please tick these boxes if you agree with the following statements:

1 I understand that data collected about me during this study **will be** annonymised before it is submitted for publication ☐

I understand that data collected about me during this study **will not** be annonymised before it is submitted for publication ☐

2 I agree for any comments I make to be quoted in any subsequent publication of the study's findings. ☐

_____	_____	_____
Name of participant	Date	Signature
_____	_____	_____
Researcher	Date	Signature

Indicative questions.

1. How long have you been a member of Unite and its predecessor unions?

2. What position do you hold within unite?

3. How long have you been a union rep/officer?

4. How did you become a union rep/officer?

5. Were you a lay rep before becoming an officer? (for officers only)

6. How do you see your role within the union?

7. What are your main duties and responsibilities?

8. What interactions do you have with rank and file members?

9. What interactions do you have with full time officials? (Lay reps only)

10. What interactions do you have with Lay representatives? (Officers only)

11. What interactions do you have with other lay representatives? (lay reps only)

12. What power do you feel you have to influence decision making within the union?

13. How active are the rank and file members that you represent?

14. In the time that you have worked in or have been connected with the MoD and Government Departments sector of Unite what changes have taken place in the way that industrial relations are carried out in the workplace?

15. How have these changes impacted on the way that the union is structured and represents its members?

16. How many union mergers have you experienced?

17. What effect have these mergers had on the way that the union is structured and represents its members?