

Local consultation at the Medical Research Council: a guide



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Introduction

In a seminal report, MacLeod and Clarke (2009)¹ described the benefits to organisations who engage with their employees. They defined employee engagement as:

"...a workplace approach designed to ensure that employees are committed to their organisation's goals and values, motivated to contribute to the organisational success and are able at the same time to enhance their own sense of well-being"

They argued that employee engagement is fundamental for organisational success and identified four key 'enablers' that lie behind successful engagement approaches:

- Employee voice
- Engaging managers
- Strategic narrative
- Organisational integrity

Employee voice and engaging managers are essential components of the consultation process in the MRC.

Consultation is defined by ACAS as:

*"...the process by which management and employees or their representatives jointly examine and discuss issues of mutual concern. It involves seeking acceptable solutions to problems through a genuine exchange of views and information."*²

At the MRC the Joint Negotiating and Consultative Committee (JNCC) provides the forum whereby the collective employee voice, via the Trade Union Side (TUS), can be shared with management.

¹ MacLeod and Clarke (2009) Engaging for Success: enhancing performance through employee engagement

² ACAS (2014) Employee communications and consultation

Consultation imposes an obligation on managers to seek out, listen and consider views before decisions are reached.

This consultation process is increasingly important at unit and institute level as the MRC devolves more decision making to local management. For example, the use of unit/institute budgets in managing award mechanisms such as; A to B promotions, special award scheme (SAS) and personal promotions. The other areas on which employees should be consulted include resource allocation, equality and diversity data and strategic scientific direction.

This document aims to set out some guiding principles for managers and representatives that will support effective consultation at the local level. It also highlights areas that should be discussed and provides links to helpful information.

Local consultation

An effective Local Trade Union Side (LTUS), able to present collective views and well founded arguments, can play a genuine role in informing and influencing management decisions. Representatives should be consulted on decisions with a direct impact on the employees of a unit or institute. Areas appropriate for discussion include:

1. Pay budgets and performance award mechanisms
2. Unit reviews:
 - Quinquennial
 - New Director's
 - Management Initiated
 - Strategic
3. Monitoring adherence to equality and diversity values
4. Strategic scientific direction
5. University Unit status
6. Consultation during university transfers (under TUPE)
7. Allocation of financial resources
8. Interpretation of HR policies
9. Working conditions
10. Use of retention and recruitment awards
11. Redundancy avoidance measures

The trade unions' collective agreement with the MRC and associated policies provides the framework and means by which a LTUS can be formed and operate. A sample constitution is provided (Appendix 2) which can be adapted by units and institutes to meet their needs.

Consultation with management is supported by formal JNCC meetings that typically take place every 3 to 4 months. Joint agendas should be agreed between the LTUS and the management and published ahead of the meeting. A set of

minutes should be produced that need only comprise agreed positions and action points.

It is essential for the LTUS to meet to discuss the agenda before the JNCC meeting in order to reach a collective position to provide to management.

The LTUS should endeavor to establish a good working relationship with the local management so that issues can be addressed between meetings.

There is a range of supporting materials available in the appendices of this document. Further advice and support can also be sought from the National Trade Union Side:

mrctus@headoffice.mrc.ac.uk

National consultation

The National Trade Union Side is composed of elected representatives and full time officers from each of the five recognised unions.

MRC management consults with the NTUS on issues that affect the working relationship between staff and the MRC. This consultation is underpinned by the National JNCC which meets monthly. Management representatives include the HR Executive, Pension Manager, Management Board members and the Chief Executive.

LTUS representatives are encouraged to provide their views and opinions to steer the national position on important issues and the development of new and existing policy work. Updates on national discussions are detailed on the MRC TUS website:

www.mrc-tus.org.uk

Six requirements for active consultation

There are two types of consultation – the ‘active consulters’ where the management side actively seek and listen to employee views, and the ‘communicators’ where the main focus is providing communication. The active model, followed by MRC management, allows a shared input in shaping the agenda and is the most effective approach. Hall and Purcell (2012)³ have identified six necessary requirements for active consultation to take place, these are summarised below:

- 1. Management must be prepared to share information on plans and options for major changes in time for employee representatives to consider what questions to ask and how to respond.*
- 2. A wide range of issues should be discussed including financial performance, strategic plans and HR policies, with an opportunity for employees to raise issues. It is important to avoid the committee being clogged up with minor ‘tea, toilet and car parking’ issues.*
- 3. Senior managers need to be regular attendees at meetings.*
- 4. Employee representatives need to be able to develop a collective voice which adequately reflects the views of employees but can provide leadership in dealing with big issues.*
- 5. The employee representative committee needs a distinctive collective voice and visibility to be effective.*
- 6. Consultation has to be supported by a culture of mutual cooperation and trust. It will often be the case that there will be informal contact between a senior employee representative and the HR manager where emerging issues can be explored and progress on items checked.*

³ ACAS (2012) Voice and Participation in the Modern Workplace: challenges and prospects

Appendix 1 - The five MRC recognised trade unions



BMA represents clinicians within the MRC.
(2 NTUS representatives)

www.bma.org.uk



FDA represents senior MRC managers.
(2 NTUS representatives)

www.fda.org.uk



PCS represents administrative employees across the MRC.
(3 NTUS representatives)

www.pcs.org.uk



UCU represents scientific employees in the MRC.
(3 NTUS representatives)

www.ucu.org.uk



Unite represents technical and scientific support employees throughout the MRC.
(6 NTUS representatives)

www.uniteunion.org

Appendix 2 - Sample constitution

Constitution for MRC Local Joint Negotiating and Consultative Committee, <unit/institute name>

This document should be agreed in accordance with the associated MRC trade union policies.

Title	Constitution of <name> Local Joint Negotiating and Consultative Committee
Status	Template
Version No.	1
Date of this Version	
Author(s)	NTUS
Approved by (Names, titles and date)	< name> unit/institute Director <unit/institute> Local Trade Union Side
Next Review Date	

1 Title

- 1.1 The title shall be the <unit/institute name> Local Joint Negotiating and Consultative Committee (hereinafter termed the "Local JNCC").

2 Establishing a local JNCC

- 2.1 A decision to set up a Local JNCC shall be taken at a meeting at the unit/institute, convened by representatives of the Local Trade Union Side to which all members of Trade Unions recognised by the MRC, shall have been invited.
- 2.2 Such a decision will be reached by a majority of those present and shall be reported to the Director of the establishment. The Director shall set up a local JNCC in conjunction with representatives of the Local Trade Union Side and on the basis of this example constitution.

3 Membership

- 3.1 The Local JNCC shall be made up of representatives from local management (the "Local Management Side") and Trade Union side representatives.
- 3.2 Local Management Side representatives shall consist of at least the unit Director, senior unit business manager and a senior member of the HR team. Further members can be appointed by the Director but shall not make up more than half of the Local JNCC.

- 3.3 Trade Union Side representatives shall be elected by employees and represent the five MRC Trade Unions (BMA, FDA, PCS, UCU and Unite).
- 3.4 Non-members can be co-opted to the Local JNCC from particular employee groups, for example CDFs, to ensure full representation of employees.

4 Management

- 4.1 The Local JNCC shall, at its first meeting and annually thereafter, appoint two co-chairs, one from the management side and one from the TUS. The chairing of meetings should alternate between the two.
- 4.2 The Local JNCC shall draw up such orders and rules for the conduct of its business as it may deem necessary.
- 4.3 Each side shall appoint a secretary, who may or may not be a member of the Local JNCC. The joint secretaries shall agree a joint agenda which shall be sent to the full committee no less than five working days before and minutes which will be sent within ten working days of meetings.

5 Meetings

- 5.1 Meetings shall be held no less than three times a year.
- 5.2 Extraordinary meetings of the committee shall be convened at the request of either side.

6 Areas of consultation

- 6.1 Consultation areas of the Local JNCC shall be determined with reference to the information described in the publication *Local consultation at the Medical Research Council: a guide*.

7 Decisions

- 7.1 Decisions shall be reached only by agreement between both sides as detailed in Section 7 of the National JNCC Constitution – Appendix 3.
- 7.2 Statements shall be published and action taken by Local Management Sides and Trade Union Sides, as appropriate and without delay.
- 7.3 In case of disagreement, the matter may be referred to the National JNCC or its officers for advice.

8 Publication of minutes

- 8.1 The Local JNCC shall keep minutes of its proceedings. Where considered appropriate these should be shared with Corporate HR and the National Trade Union Side.

9 Amendment of this constitution

- 9.1 Changes to the constitution may be made only at an Annual General Meeting or at a Special meeting called for that

purpose. Twenty eight days notice should be given of the date of meetings and changes proposed.

10 Facilities

- 10.1 Mutually agreed facilities for the effective work of the Local JNCC shall be made available by management with reference to the *Facilities for Trade Union Duties Policy*.

11 Sub-committees and working groups

- 11.1 The committee may appoint sub-committees as required; additional members of which may not necessarily be members of the main committee.

Appendix 3 - Sample meeting agenda

Local Joint Negotiating and Consultative Committee

**Wednesday 24th September
MRC unit, London, Room L13-7
Trade Union Chair
AGENDA**

1. Agree minutes and review actions of previous meeting (date)
2. Update on recent pay and promotion numbers
3. Local budget and resource considerations
4. Monitoring equality and diversity data
5. Recent progress on upcoming QQR
6. Update on laboratory refurbishment
7. Discussions on catering provision
8. Changes to confocal microscopy provision
9. Any other business

Appendix 4 - MRC terms and conditions

Every member of MRC staff has an employment contract with the MRC. This stipulates amongst other areas the hours of work, pay, where that member of staff is working and their entitlement to annual leave.

In the MRC all HR policies are contractual. The current versions of these can be found on the NTUS website.

MRC management consult and negotiate with the NTUS on any changes to these policies on behalf of all employees. The NTUS have proposed and negotiated a number of changes across policies such as Sickness Absence, Maternity and Health & Wellbeing.

Appendix 5 - Related links

- **NTUS website**
 - www.mrc-tus.org.uk
- **HR policies**
 - www.mrc-tus.org.uk/contractual-hr-policies/
- **MRC Unions and You**
 - www.mrc-tus.org.uk/unionsandyou/
- **MRC&Me**
 - www.mrc.ac.uk
- **Pay and Reward**
 - www.mrc.ac.uk/skills-careers/working-for-mrc/mrc-me/

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