**UNISON**

**PROBATION SERVICE**

**UNISON BRIEFING AND CONSULTATION**

**DRAFT NATIONAL AGREEMENT ON STAFF TRANSFER AND PROTECTIONS**

**(PART 3)**

1. **Introduction**

Attached to this briefing you will find the final instalment of the draft NNC National Agreement on Staff Transfers and Protections.

This is Appendix C – the draft enhanced voluntary redundancy scheme - which was missing from the original bundle of documents.

UNISON has been involved in on-going negotiations with NOMS/MOJ over this appendix during the on-going 28 day consultation period over the draft NNC National Agreement. This final instalment of the proposals should be read in conjunction with the two earlier consultation documents issued by UNISON previously in the consultation period.

1. **Explanation**

It is anticipated by NOMS/MOJ that, in relation to the proposed split of Probation into the National Probation Service (NPS) and the Community Rehabilitation Companies (CRCs), some existing probation staff may find themselves in roles which are redundant in the new organisations. In view of this, NOMS/MOJ has secured funding from the Treasury to fund a voluntary redundancy scheme to enable staff, who find themselves in this position, to leave the service with an enhanced voluntary redundancy package.

Enclosed with this briefing you will find NNC circular 8/2013 which sets out the terms of this voluntary redundancy package. UNISON is now consulting members on this package. Unfortunately, the consultation closes on 21 October, but NOMS/MOJ failed to get the draft ready in time for the 28 day consultation, so we are left to consult as best we can during the remaining time available.

The key elements of the proposed voluntary redundancy (VR) package are as follows:

* Access to the VR package will be at the absolute discretion of Probation Trusts, or the CRCs/NPS
* There will be no general offer of the scheme to all staff; it will be targeted as per the circumstances of each Trust/CRC/NPS
* It may be that relatively few staff are offered the package; we simply do not know at the moment what will happen once staff have transferred to either CRC or NPS
* Members should manage their expectations accordingly
* The VR package will be offered by Trusts/CRCs/NPS up until 31 March 2015, by which time all decisions about staffing will have been taken
* The last possible day of service for a member of staff, who has accepted the VR package, will be 30 September 2015.
* Funding is currently not available to fund the VR package post-30 September 2015.
* The VR package is an improvement on the statutory redundancy scheme in the following respects:
  + Staff qualify for the package after one, rather than two, year’s service
  + Actual weekly pay used for calculation, rather than statutory figure
  + 4.5 weeks pay are granted per year of service for all staff, regardless of age and service
* In the attached ready-reckoner table: years of service are shown on the horizontal axis (top of page) and age on the vertical axis
* Please note: all redundancy packages over £30,000 are subject to tax and national insurance.

1. **UNISON’s View**

* UNISON wanted the VR scheme to offer up to the maximum 104 weeks pay permissible, but the Employers were not able to agree this on financial grounds
* UNISON also wanted the Employers to offer enhanced pensions for staff over the age of 55, who are able to access their pension when subject to redundancy, as an alternative to the voluntary redundancy scheme, but they refused
* It is disappointing that the Employers are not able to extend the VR package further into the future than September 2015, because staff will remain vulnerable to redundancy after that date
* Notwithstanding the two above issues, we have improved the VR package from the original proposals in the following ways:
  + Younger staff with less service get the same weekly pay multiplier as older staff with more service – this is a fairer outcome we believe
  + A larger proportion of staff are potentially eligible for the maximum pay-out
* On the basis of these improvements, UNISON’s view is that the VR package is the best achievable by negotiation
* However, members should manage their expectations in respect of the number of staff who will eventually be offered the VR package, for the reasons give above.

1. **Next Steps?**

Branches and activists are asked to make this UNISON briefing, NNC circular 8/2013 and the draft Voluntary Redundancy scheme available to all members and seek views on the content. Views should then be collated by UNISON branches/activists and returned ,with the comments of members on the other elements of the National Staff Transfer and Protections Agreement, by no later than 21 October 2013; only one UNISON response per Trust please. Only one UNISON response per Trust please.

UNISON appreciates that in many Trusts, branches and representatives will already have held workplace meetings to facilitate consultation with members on those parts of the draft National Agreement released w/c 23 September. If this is the case, you will want to discuss with your Trust how the further consultation necessary on the attached documents can best be facilitated in your workplaces. If additional workplace meetings are needed, then Trusts will have to facilitate this.