



## Response to proposals for devolution in York and North Yorkshire

### **1. Introduction and context**

- 1.1 UNISON is a trade union representing 1.3 million workers across the UK who work largely in public services, both for public and private sector employers. It is one of three recognised trade unions for local government workers in England and is part of the National Joint Council for Local Government Services (NJC), which is the joint negotiating body for local government employers and workers in England, Wales and Northern Ireland.
- 1.2 UNISON operates a branch structure, generally based around large employers. In York and North Yorkshire there are six local government branches, covering the following councils:
- (i) City of York branch – City of York Council
  - (ii) Harrogate branch – Harrogate Borough Council
  - (iii) Ryedale branch – Ryedale District Council
  - (iv) Scarborough branch – Scarborough Borough Council
  - (v) Craven branch – Craven District Council
  - (vi) North Yorkshire branch – North Yorkshire County Council, Hambleton District Council, Richmondshire District Council, Selby District Council
- 1.3 Each branch is autonomous within UNISON's regional and national structures and is run on behalf of its members by an annually elected committee of branch officers.
- 1.4 All six UNISON local government branches, who in total represent circa 7,000 local government workers across York and North Yorkshire have agreed a joint statement regarding the Government's proposals for devolution and local government reorganisation (attached, appendix A). This included three principles that all the branches will use to judge the options put forward for reorganisation:

- (i) Minimise disruption to staff and services
- (ii) Protect jobs and avoid compulsory redundancies
- (iii) Level-up terms, conditions and pay

1.5 The joint UNISON branches are concerned that now is not the time to undertake reorganisation as our members are currently at the forefront of fighting the Covid-19 emergency. However, we also recognise that delay can be equally harmful to our members. If reorganisation is to happen, it needs to be clear very soon as to what the impact on our members will be.

1.6 This response below is submitted **on behalf of the North Yorkshire branch of UNISON**, representing circa 5,700 members who work predominantly for North Yorkshire County Council (NYCC), Hambleton District Council, Richmondshire District Council, and Selby District Council. It has been agreed by the branch committee on behalf of the membership of this branch. **This response does not represent the views of the other UNISON branches within York and North Yorkshire.**

1.7 We understand that there are currently two proposals 'on the table':

1.7.1 Two unitary councils, one being based on the current City of York boundaries and the other based on the current NYCC boundaries (proposed by NYCC, and supported by City of York)

1.7.2 Two new unitary councils based on new boundaries with an east/west split with York, Ryedale, Scarborough and Selby forming the new eastern council, and Craven, Harrogate, Hambleton and Richmondshire forming the western council.

1.8 We are also aware that there may be a third option put forward by the Labour and Liberal Democrat parties in Harrogate which would propose two new unitary councils similar to 1.7.2 above but based on a north/south split. This would place Harrogate, Selby and York in the new southern council, and Hambleton, Richmond, Scarborough and Ryedale in the new northern council. There is some ambiguity about where Craven would be placed under this option.

1.9 This branch, on behalf of our members who work across the county council and three district councils, believes that of the two (or three) proposals put forward so far (1.7 and 1.8 above) the proposal that best meets UNISON's objectives (1.4, above) is that being put forward by NYCC and supported by City of York Council (1.7.1 above); i.e. two unitary councils based on the existing City of York Council and the existing NYCC. Based on the information we have seen thus far this option would be the least disruptive to residents and staff, would protect the most jobs and would provide a sound base from which to harmonise pay, terms and conditions within the new councils.

## **2. Our first principle: Minimise disruption to staff and services**

- 2.1 Our members are both employees of the various councils, but they are also users of the services they help deliver, and contributors to the cost of those services through Council Tax. 81% of our members live within North Yorkshire, over 90% live within York and North Yorkshire. Therefore, it is important to us and our members that we consider not only the impact on staff (as would be expected for a trade union) but also the impact on services and residents.
- 2.2 Under the NYCC proposal, services delivered by City of York Council would be unaffected. This means that circa 200,000 residents and 3,700 staff would see little or no direct impact on them or their services.
- 2.3 NYCC currently delivers around 80% (by cost) of local government services in North Yorkshire. This includes schools, children's services and adult social care. These are services that are accessed by the most vulnerable residents and their families. Unnecessary disruption to these services (such as braking up delivery between multiple councils) would risk inconvenience, distress and possibly harm to those who use these services.
- 2.4 NYCC employs circa 14,000 staff, including 7,000 in maintained schools. The district councils combined employ circa 3,500 staff. Under the NYCC proposal, circa 17,500 staff would be largely unaffected and would see little or no difference, in terms of their employment. Circa 3,500 staff would be transferred from their current employer to the new unitary council but this would be on their existing terms and conditions under either TUPE or similar provisions. The alternative proposal of two wholly new councils, which would split up services, would require all 21,000 staff to transfer to wholly new councils with the inevitable disruption and uncertainty that would accompany (in effect) starting from scratch in respect of employment terms and conditions.

## **3. Our second principle: Protect jobs and avoid compulsory redundancies**

- 3.1 It will be no surprise that, as a trade union, we are committed to protecting jobs and avoiding compulsory redundancies. Our members are concerned that any reorganisation of local government in York and North Yorkshire will result in jobs being amalgamated and rationalised, which could result in job losses.
- 3.2 Whilst we will always fight to protect jobs, we are pragmatic and we recognise that if local government reorganisation is to happen we best serve our members by trying to ensure the outcome is one that protects jobs or at the very least avoids compulsory redundancies.

- 3.3 Of the options suggested thus far, we believe that the NYCC proposal will best meet this aim. The new single unitary council for North Yorkshire will need to restructure senior management posts in order to appoint a new Chief Executive, and senior leadership team. It may also need to determine a structure of senior posts at the next tier, although we believe that many posts inherited from the Districts, even at this level, would be unchanged as the services would continue to be delivered in the same way at least initially. Most services transferred from the district councils would be new services that the county council does not currently provide, so there will not be duplicate posts. Services will remain the same for at least some time to come giving the new council the opportunity to consider areas of service overlap, interdependency, and determine where bringing service areas together would improve outcomes and efficiency. Any subsequent restructuring of services would be undertaken service-by-service and over a longer period of time, thus minimising any impact on staff in terms of job losses through vacancy management.
- 3.4 Under the other options, there would need to be a full, wholesale reorganisation of roles as the two councils would be wholly new entities. There would need to be a 'start almost from scratch' approach to staffing and resources, which would not give time for a considered and gradual harmonisation of roles and services.
- 3.5 As a trade union branch, we have years of experience dealing with reorganisation and job reductions at NYCC, including the loss of over 3,000 posts during the recent period of 'austerity'. An established council serving over 600,000 residents has a large number and wide variety of roles across the county area and will be best placed to use vacancy management, staff progression, turnover and redeployment to reduce the impact of any initial job reductions at the senior levels. In addition, the new council, given its size, will have the ability and capacity to manage any service changes in a way which provides the maximum support to staff affected by the changes in order to minimise any detrimental impact on jobs.
- 3.6 We would be concerned that splitting up services by creating two new east/west councils would cause unnecessary upheaval to a much greater number of staff. By bringing the districts into a county-based unitary, we believe we could achieve our aim of minimal job reductions and avoid compulsory redundancies.
- 3.7 Furthermore, creating two new councils as proposed by the district councils would lead to those new councils being in competition against each other to retain and attract talent, especially in areas such as social work, planning and highways. This could destabilise long-established teams and create a scenario where the new councils are seeking to 'rob Peter to pay Paul', with the one left behind becoming reliant on increased

agency staff spend. The NYCC proposal would instead see district and county teams merging; bringing people together rather than splitting people up.

- 3.8 We acknowledge that very senior roles such as Chief Executives would be redundant. The impact would be the same at this level for any option that reduces the current nine councils down to two; whichever option is implemented the requirement would be for only two Chief Executives going forward.
- 3.9 Furthermore the current model of the county council providing shared services to some of the district councils means that the impact of the NYCC proposal would be lessened due to some services already being provided by NYCC staff (such as human resources, finance, legal, *et al*). We note that the NYCC proposal includes options for continuing, and expanding, shared service arrangements with City of York Council to address some of the concerns about provision of some specific services.
- 3.10 Put bluntly, other than at very senior management level, staff need not worry about future jobs and careers under the NYCC proposal. This has been borne out by experience from other single unitary councils. Buckinghamshire has been a single unitary since April and we understand that the experience there has been more about staff retention rather than over-staffing. Likewise, we understand that the experiences at Durham and Cornwall was that there was no shortage of jobs and opportunities for staff once they reconfigured services sometime later.

#### **4. Our third principle: Level-up terms, conditions and pay**

- 4.1 Again, it should come as no surprise to anyone reading this submission that as a trade union branch we would want to see pay, terms and conditions harmonised upwards and we would be looking to support a proposal that achieves this or at least protects our members against a 'race to the bottom'.
- 4.2 We recognise that our members are public servants and are paid from the public purse, so there will always be a need for local authority employers to be mindful of the impact on finances of staff pay & reward. However, it is a legitimate aim of a trade union to want to protect and maintain its members' pay, terms and conditions.

#### **5. Other points to note on behalf of this branch**

- 5.1 Local Democracy
  - 5.1.1 Although not traditionally a matter for a trade union, as stated above (paragraph 2.1) over 80% of our members are also North Yorkshire

residents and electors. This raises to 90% when considering York and North Yorkshire. As such, our members are concerned about local democracy.

5.1.2 The district councils have suggested that a one-council approach for North Yorkshire would be too remote. However, that is a common complaint already within the districts. Residents of Ripon or Knaresborough often complain of being ignored by their district council based in Harrogate. Masham feels a long way, economically and geographically from Harrogate (they are both in the same district). The same is found in terms of Whitby and Scarborough, or Tadcaster and Selby. The NYCC proposal recognises the existing perceptions about remoteness and proposes a greater role of town and parish councils, and area committees.

5.1.3 We do not believe that either proposal adversely impacts on local democracy. There is an argument that two councils based east/west would inevitably lead to a concentration of power in Harrogate (for the western council) and York (for the eastern council) as these two settlements would be, by some way, they largest town and city in the respective areas. This would mean power for the new York and North Yorkshire area being concentrated in the south and on the fringes of the Leeds/West Yorkshire area. We would be concerned that this could leave the rural dales, moors and coastal areas left behind.

5.1.4 We prefer for our members an option that causes the least disruption. The NYCC proposal would involve little, or no change, for the circa 200,000 residents of York. The circa 600,000 residents of North Yorkshire already have the bulk of their services provided from a council based in Northallerton. The county council has always recognised the nature of its large geography and has a democratic structure around area committees based on the districts. The NYCC proposal seeks to strengthen these arrangements, acknowledging the loss of one tier of local government, but also puts forward proposals to encourage parish and town councils including in areas that are currently not parished such as Harrogate and Scarborough. We believe that this would enhance local democracy.

## 5.2 Industrial Relations

5.2.1 NYCC is, by far, the largest employer of the existing nine councils with City of York the second largest. NYCC employs four times as many staff as the district councils combined (14,000 verses 3,500). We believe NYCC would share our view that industrial relations at the county council are strong. Industrial relations have been built up over the last 25 years. There is mutual trust and respect between UNISON, and both the political leadership and senior management. This relationship allows for open and pragmatic negotiations, which ultimately delivers good better outcomes for staff and residents.

5.2.2 Industrial relations take many years to get to the stage we are at with NYCC, and splitting the council into two new organisations would require a 'fresh start'. Whilst this might be a desirable outcome where industrial relations are poor, we believe it would be a risk that could harm industrial relations with the consequence of worse outcome for staff and residents.

### 5.3 Geography

5.3.1 Much is made of Northallerton being the administrative centre for NYCC, as if it is a remote location. Northallerton is well served by an inter-city mainline and is easier to access than many of the larger towns due to lower congestion that places such as York, Scarborough or Harrogate. Furthermore, we understand that the NYCC proposal will include a greater role for town and parish councils, and locality based service delivery, which will actually bring the council closer to the residents even compared to the existing district councils.

5.3.2 A further criticism of the NYCC proposal is that North Yorkshire is very large geographically. However, services are already delivered successfully based on the current geography, and in any case, size is no guarantee of good services. Furthermore, the alternative options will still cover large geographic areas. For example, Staithes to Selby in the eastern council would be a 70-mile journey. Keld to Harrogate in the western council would be a 75-mile journey.

### 5.4 Population

5.4.1 We are particularly concerned that the district council proposal of having an east/west split would place the more affluent districts together in the west and those districts with the higher levels of deprivation in the east. Whereas the district council proposal makes much of having two councils of 'equal size' (although one would still be about 25% larger in terms of population than the other), the demographics of each council would be significantly unbalanced, which could make one council quite literally the poor relation of the other.

### 5.5 Savings

5.5.1 Naturally, as a trade union, we are always concerned when savings are mentioned as this often means savings coming from reductions in posts or terms and conditions. We note that the NYCC proposal suggests modest savings of circa £25 million, whereas the district council proposal suggests higher savings of up to £56 million. Whilst we can see that there will be savings by moving to a unitary model, we are concerned that the district council proposal would require job losses and reduced terms and conditions to realise these projected savings.

5.5.2 Furthermore, data we have seen suggests that larger councils tend to have less management grades and tiers than smaller councils and that the management span at larger councils tends to be more reasonable. Data we have seen on management leanness also appears to show that larger councils have a lower ratio of senior managers (those paid over £50,000 per annum) to the total number of employees.

5.5.3 There is a counter-argument to 5.4.2 above, which would point out that under the NYCC proposal City of York Council would remain as it is with a population of only 200,000, which would suggest a higher ratio of senior managers to the total number of employees. However, we have considered this and note that the data we have seen suggests that City of York already achieves a good management leanness, which is better than comparable councils. We believe that the district council's proposal would reduce management leanness at the expense of frontline staff.

## 6. Summary

6.1 We have made our submission on behalf of our members who work across the county council and three district councils in North Yorkshire. Whilst we may feel that now is not the time to undertake local government reorganisation, we also recognise that our members (and the communities they serve) need certainty about the future. We also agree with the need to unlock any additional investment and resources that would come to York and North Yorkshire through a devolution deal.

6.2 We believe that the NYCC proposal is the most likely to protect jobs, protect the terms and conditions of our members across all councils, and will cause the least disruption to staff, residents and services.

6.3 We note that the district councils have raised concerns about the size of the proposed unitary council for North Yorkshire. We have explained above why we believe that splitting the county in two would be problematic. This would split existing teams that are already delivering excellent services, it would set council against council in terms of attracting and retaining talent and it would create an imbalance with a more affluent western council. The NYCC proposal addresses the concerns of the district councils regarding the perceived remoteness of the county council.

6.4 In conclusion, we believe that, of the options currently proposed, the one that best secures our objectives is that being put forward by NYCC and supported by City of York Council.

# Appendix 1 – Press Statement from the joint UNISON branches representing members at all affected councils

## **UNISON calls for jobs-first devolution**

Trade unions branches representing UNISON members working in local government across North Yorkshire have united to call for a jobs-first devolution deal for North Yorkshire, following the government's announcement that it wants to see reorganisation of local government across the county and York.

UNISON represents thousands of local government workers across the existing county, district and city councils, and local branches met recently to discuss their priorities.

Wendy Nichols, Regional Convenor for UNISON, said: "Our members are busy delivering essential public services and supporting the response to the Covid-19 emergency. Local government reorganisation is the last thing that they need now.

"However, we are pragmatic and we recognise that the government's intentions are clear. They want a unitary system of local government from April 2022 and our focus across all our local government branches in North Yorkshire will be to secure the best outcome for our members and the communities they serve.

"UNISON's six local government branches have come together to agree their joint priorities for the future of local government in the county. We are looking for a deal that will:

1. Minimise disruption to staff and services
2. Level-up terms, conditions and pay
3. Protect jobs and avoid compulsory redundancies

"We look forward to working with our colleagues across the county, district and city councils to support a proposal that meets our three aims above.

"In the meantime, all our branches will continue to support our members in these uncertain times. Now, more than ever, I urge all local government workers in North Yorkshire to join a trade union."