

Acas works with management, staff and their representatives to help implement a new shift system

This case study summaries how Acas facilitated a partnership approach to tackling implementation of a new shift work arrangements at the Wirral University Teaching Hospital NHS Foundation Trust. Joint working by managers and employee representatives helped develop a new level of mutual trust and positive working relations as a result of the project.

The workplace project took place in the Blood Sciences services departments of Wirral University Teaching Hospital NHS Foundation Trust. The Trust employs around 6,500 staff and is mainly on two sites. The Blood Science services department employs around 60 full-time equivalent staff, the majority of whom are medical scientists. There are also around 14 full-time equivalent support staff. The two active unions in this department were Unite and Unison and the density rate was estimated as close to 100%.

This case study charts the involvement of an Acas adviser with the Trust, helping them to put into place the new shift system and to tackle a range of problems connected with the past history of this issue. It charts the journey from a situation where there was little common ground between staff and their representatives and management, to a situation where levels of trust and joint working had been built up between management and employee representatives, and a workable compromise on shift working had been found.

The challenge

This was a relatively complicated project, centring on the Trust's wish to put into place a shift system to enable the Blood Science department to provide a guaranteed 24-hour service.

A round-the-clock service was already being provided by giving staff in the department one of two contracts. The first contract was a contract for a standard 37.5-hour working week, from Monday to Friday, 9am to 5.30pm, with a requirement to provide cover on one in five Saturday mornings, paid as time in lieu at time and a half. The second contract was a voluntary contract for the provision of on-call services covering all remaining hours in the year, providing a defined service 52 weeks a year, from which staff could withdraw at three months' notice.

Managers at the Trust wanted to change the arrangements to make them more secure and less at risk of staff withdrawing from on-call working at three months' notice.

In addition, the Trust wanted to implement a shift system under which more out of hours working would be expected, thus guaranteeing the 24-hour service. This had been attempted before by the Trust, around three to four years ago. However, at that time, it had tried to

devise a new working time system without involving the union representatives until late in the process and it had therefore failed because the staff had blocked it. This time, the Trust was keen to do things differently and involve the unions from the start of the process. The Unite trade union representative suggested involving Acas.

Money was a significant challenge, however: trade union representatives believed that managers wanted to move staff onto national terms and conditions, which would have resulted in a drop in overtime payments from £10,000 per employee per year to a possible £3,000. The trade unions wanted to retain the current pay arrangements, and felt that the union and the management position were too far apart and inflexible for any compromise to be made.

How Acas helped

Acas was contacted after recognition from all parties involved in this issue at the Trust that an impasse had been reached that could not be resolved internally.

“We came to a standstill. Management wanted one thing, we wanted another and there was no shifting on it. They kept coming with different proposals which were not very different from the first one and there was no movement and it had been like that for over a year ... The only way forward was to bring the external company in to try and discuss.” **Staff focus group participant**

The Acas adviser convened a series of face-to-face meetings between managers and employee representatives, held between October and December 2007, to try to agree on a new shift system. The early meetings were characterised by a lack of trust on the part of staff, due to the previous failed attempt to introduce a shift system. The issue was complicated by the fact that there were national-level negotiations taking place on the issue of working time and out-of-hours working. Staff were nervous about changing their locally-agreed arrangements on out-of-hours working, fearing that this might mean that they would have to conform to national arrangements, which would be less advantageous for them.

Nevertheless, Acas carried on working with managers and employee representatives to try to find common ground. After some time, they decided that it was not possible to negotiate over the issue of pay and that therefore the current pay system would be retained for the time being. This meant that, having removed the contentious issue of pay, the parties could focus on the issue of the shift system.

The outcomes and benefits

The main outcome of the project was agreement on the putting into place an agreed shift system that allowed the department to offer a round-the-clock service. Staff continued to work a 37.5-hour week, but on a rota basis. However, they had the choice to opt out of shift working and only be contracted as shift workers after completing two rotas. Managers characterised the project as successful because it delivered this new shift system.



The management representatives acknowledged that the new system was not perfect, in that staff were not happy with the high level of weekend commitment, but had at least been agreed between both parties, implemented, and enabled the department to function on a 24-hour basis. Managers were particularly pleased that it had finally been implemented, given that previous attempts had failed.

Trade union representatives believed that staff were better off as a result of the new system, as, if they opted to work the new system, they were working fewer hours than previously, but their weekly pay had not decreased.

Nevertheless, some lingering negative aspects were reported by staff and employee representatives. For example, some staff felt that morale had decreased after the new system had been put into place, particularly for those employees who did not feel that they would work the shifts in the new system, and would therefore not be able to work the new hours and lose the overtime payments. In addition, some staff felt that the new system, which requires more weekend working, would have a negative impact on employees' work-life balance, particularly for those with young children.

As well as the main outcome of succeeding in putting a new shift system into place, other benefits have resulted from this project. For example, managers and union representatives reported that their relationship had been strengthened.

"Working in partnership has dramatically improved with the staff side. I know there are ongoing issues but that relationship is a lot stronger now."

Management representative

Further, management and employee representatives felt that they had travelled a long way in terms of developing mutual trust and positive working relationships between unions and management, although the relationship between the staff and the union appeared to remain difficult on occasion. Managers felt that the working groups, facilitated by Acas, had been instrumental in forging trust and acting as a bonding exercise, which was a virtually unrecognisable situation from where the parties had been at the outset of the project.

Overall, all the parties to this project felt that they had come a long way since the outset. Managers described the process as complex and difficult, involving overcoming hostility on the part of staff, and felt that they had learnt a great deal that they could apply in the future, in areas such as communicating with staff, managing negotiations, and working together in partnership.

For further information on Acas services and publications see the Acas website www.acas.org.uk or contact our helpline 08457 47 47 47.

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