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**THE ROLE OF THE CONVENTION  
OF SCOTTISH LOCAL AUTHORITIES  
AS AN EMPLOYERS' ORGANISATION  
WITH AN INTERNATIONAL COMPARISON**

**Peter John Smart**

**Submitted in partial fulfilment of the requirements for the  
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**THE ROLE OF THE CONVENTION OF SCOTTISH LOCAL AUTHORITIES  
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ABSTRACT

The thesis examines the development and present role of the Convention of Scottish Local Authorities as an employers' organisation and contrasts this role with the manner in which the corresponding function is discharged by the local authority associations in the four Scandinavian countries of Denmark, Finland, Norway and Sweden. The role embraces three main activities: joint collective bargaining, training and development and other support activities.

The history of the joint collective bargaining activity now undertaken by the Convention on behalf of constituent local authorities spans almost half a century. The conclusion is drawn that it has developed on a somewhat piecemeal basis and that despite attempts, most recently in 1986, to introduce a greater element of co-ordination, the present arrangements are unnecessarily complex. Some of the negotiating arrangements are UK-wide, others have a link in to UK arrangements with subordinate Scottish machinery and yet others are unique to Scottish local government. The various negotiating bodies have different dates throughout the year for the settlement of pay claims and there is scope for the creation of anomalies between negotiating groups, since each negotiates and settles independently of the others.

The training and development activities of the convention have a much shorter history. The minimal allocation of resources to these activities is criticised. The conclusion is drawn that without a greater allocation, local authorities in Scotland will continue to receive an impoverished service. The range of other support activities is also quite limited, although there has been a discernable development in these over the past four or five years.

Comparison is made between the present levels of provision and the recommendations of official reports on the provision of central personnel support in local government, spanning some 60 years, which endorses the conclusions drawn, that Scottish local government is not well served by the provision currently made by its central organisation.

In relation to the collective bargaining activity, the international element of the research concludes by reference to all four comparator countries that it is possible to develop and work within a less complex model. On the other hand none of the comparators endures the complications of a relationship with negotiating arrangements covering a wider geographical area. The international comparison also highlights the extensive nature of the training and development activities of the local authority associations in three out of the four countries, and concludes that there is generally a greater availability of other support services.

Finally, the thesis refers to the government's proposals for the reorganisation of local government in Scotland in the mid-1990s and suggests that the Convention should plan now for an appropriate enhancement of its role as an employers' organisation in support of the local government structure that will be in place following the reorganisation.



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TO MARGARET ELIZABETH SMART

## CONTENTS

Chapter	Subject	Page
1	<b>Introduction and Research Methodology</b>	1
	Introduction	1
	The Scottish Context	2
	Aims of the Research	4
	Setting the Scene	8
	Achieving the Aims	10
2	<b>Local Government and Local Authority Associations - Definitions and Systems</b>	17
	The Features of Local Government	17
	National Associations of Local Authorities	20
	Employers' Organisations	22
	Local Government in the Five Countries	22
	Local Government in Scotland	23
	Local Government in Scandinavia	28
	The Convention of Scottish Local Authorities	36
	Local Authority Associations in Scandinavia	46
3	<b>Negotiation and Joint Collective Bargaining in Scottish Local Government - Process and Models</b>	52
	Introduction	52
	A Brief History of Whitleyism in UK Local Government	55
	The Development of the Present Structure	58
	The Development of Whitleyism in Scottish Local Government, 1937 - 1975	61
	A Period of Transition	68
	The Present Scottish Arrangements	71
	Links with the UK Machinery	83
	The Present Staffing of the Secretariat	87
	The Appointment of Officer Advisers	89
	Is There Scope for Greater Simplicity?	89
4	<b>Negotiation and Joint Collective Bargaining in Scottish Local Government - A Preliminary Assessment</b>	93
	The Effects of Complexity	93
	The Outputs of the Machinery	93
	The Annual Pay Round	95
	The 'Sounding Board' Procedure	98
	The Provisions of the Schemes Contrasted	100
	Non-Pay Conditions of Employment	104
	The Complexities of the Schemes	106
	A Third Party Assessment of the Scottish Negotiating Arrangements	107
	Preliminary Conclusions	117
5	<b>Negotiation and Joint Collective Bargaining International Comparisons and Recommendations for Change</b>	121
	Introduction	121
	The Process in Denmark	122
	Outputs of the Danish Process	130
	The Process in Sweden	134
	The Outputs of the Swedish Process	142
	The Processes in Finland and Norway	143
	The Outputs of the Finnish and Norwegian Arrangements	149
	The Standing Conference of Local and Regional Authorities of Europe	149
	Conclusions and Proposals for Consideration	154

	<b>Page</b>
<b>6 The Training Functions of the Local Authority Associations</b>	<b>161</b>
Introduction	161
The Convention's Training Services: The Present Arrangements	162
Other Scottish Training Institutions for Local Government	168
Contrast with Earlier Recommendations	170
Responses to the Questionnaire	173
The International Comparators	178
The Arrangements in Finland	179
The Arrangements in Sweden	184
The Arrangements in Denmark	188
The Arrangements in Norway	192
Evaluation and Conclusions	194
<b>7 Scope for Development</b>	<b>203</b>
Other Personnel Services	203
Possible Areas for Development	205
Contrast with Earlier Recommendations	207
Possible Ways Forward	208
A Counsel of Missed Opportunities	210



## LIST OF TABLES

Table Number	Contents	Page
1	Local Government in Scotland: Functions of the Regional Councils	24
2	Local Government in Scotland: Functions of the District Councils	25
3	Local Government in Scotland: Populations of Scottish Local Authorities	26
4	Local Government in Denmark: Functions of the County Councils	31
5	Local Government in Denmark: Functions of the Municipalities	32
6	Local Government in Norway: Functions of the Municipalities	33
7	Local Government in Sweden: Functions of the County Councils	34
8	Local Government in Sweden: Functions of the Municipalities	34
9	The Convention of Scottish Local Authorities: Standing Committees	45
10	Local Government in Scotland: The Negotiating Arrangements	58
11	Local Government Negotiating Machinery at United Kingdom Level: List of the Main Bodies	59
12	The Scottish Employers' Secretariat: Staffing Structure 1985	71
13	The Scottish Negotiating Machinery: List of Bodies	73
14	Relationship between the UK and Scottish Negotiating Machinery	74
15	The Scottish Negotiating Machinery: Membership (Employers' Sides)	76
16	A Chronology of Whitleyism in Local Government	87
17	Convention of Scottish Local Authorities: Employers' Secretariat Staffing Structure 1991	88
18	The Local Government Pay Year	96
19	APT & C and Manual Workers' Negotiating Machinery: Summary of Preferences	109
20	Effectiveness of the Scottish Negotiating Machinery	112
21	Flexibility of Decisions of the Scottish Negotiating Bodies	114
22	The Sounding Board Procedure	115



## LIST OF FIGURES

Figure	Contents	Page
1	The Scottish Local Government Negotiating Machinery - Schematic Model	53
2	The Simple Model of Collective Bargaining	78
3	The Modified Simple Model of Collective Bargaining	79
4	The Complex Model of Collective Bargaining	81
5	The Hybrid Model of Collective Bargaining	82
6	Scottish Negotiating Machinery - Overall Model	84
7	The Relationship Between LGMB and COSLA	86
8	The Danish Negotiating Arrangements - Schematic Model	124
9	The Danish Municipal Labour Market	127
10	Danish Municipal Salary Arrangements	132
11	The Swedish Negotiating Machinery - Schematic Model	137
12	The Finnish Negotiating Machinery - Municipal Labour Market	145
13	The Norwegian Negotiating Machinery - Schematic Model	148

## LIST OF APPENDICES

Appendix	Contents	Page
1	Copy of Questionnaire	213
2	Maps	227
3	Constitution of National Joint Council for Local Authorities' Administrative, Professional, Technical and Clerical Services	234
4	Constitution of National Joint Council for Local Authorities' Administrative, Professional, Technical and Clerical Services (Scottish Councils)	241
5	Example of an Employers' Circular	246
6	Example of a Joint Circular	252
7	Standing Conference of Local and Regional Authorities of Europe - Declaration of Principles Concerning the Staff of Local and Regional Authorities	257
8	Example of a COSLA Development and Training Bulletin	261
9	Copies of Illustrated Brochures of Local Government Training Centres in Scandinavia	266
10	Example of a COSLA Human Relations Bulletin	287

## LIST OF ABBREVIATIONS

ACC	Association of County Councils
ADC	Association of District Councils
ADES	Association of Directors of Education in Scotland
ALA	Association of London Authorities
AMA	Association of Metropolitan Authorities
APT & C Burnham Committee	Administrative, Professional, Technical and Clerical The description formerly used for the joint negotiating bodies for teachers employed by local education authorities in England and Wales
CLA	College Lecturers' Association
Convention	Convention of Scottish Local Authorities
COSLA	Convention of Scottish Local Authorities
CSEU	Confederation of Scientific and Electrical Unions
DKK	Danish Kroner
EC	European Community
EETPU	Electrical, Electronic, Telecommunications and Plumbers Union
EIS	Educational Institute of Scotland
EULAEA	European Union of Local Authorities' Employees' Associations
FBU	Fire Brigades Union
GMB	General, Municipal and Boilermakers Union
ILB	Industry Lead Body
Industrial Council	One of a number of abbreviations for national joint negotiating machinery
IULA	International Union of Local Authorities
JIC	Joint Industrial Council
JNC	Joint Negotiating Committee
LACSAB	Local Authorities Conditions of Service Advisory Board
LGMB	Local Government Management Board
LGTB	Local Government Training Board
METRA	Metropolitan Authorities Recruitment Agency
MPO	Managerial and Professional Officers Union
NAFO	National Association of Fire Officers
NALGO	National and Local Government Officers Association
NAS/UWT	National Association of Schoolmasters/Union of Women Teachers
NJC	National Joint Council
NJIC	National Joint Industrial Council
NUPE	National Union of Public Employees
RIPA	Royal Institute of Public Administration
RSG	Revenue Support Grant
SCOTVEC	Scottish Vocational Education Council
SJNC	Scottish Joint Negotiating Committee
SLAMC	Scottish Local Authorities Management Centre
SODOPS	Society of Directors of Personnel in Scotland
SSTA	Scottish Secondary Teachers Association
TGWU	Transport and General Workers Union
TUC	Trades Union Congress
UCATT	Union of Construction and Allied Trades Technicians
UK	United Kingdom
VAT	Value Added Tax
Whitleyism	The concept of joint collective bargaining
WITA	Water Industry Training Association
WTI	Water Training International



## CHAPTER 1

### INTRODUCTION AND RESEARCH METHODOLOGY

#### Introduction

The statement that local government is a major employer is, on the one hand, something of a truism and, on the other, a distortion of the truth. In the first case, one cannot dispute that local government as a whole employs, within both the United Kingdom and Scottish contexts, something around 10% of the economically active population. It therefore occupies an important place in the economic life of the country. For this reason, to quote Thomas, *its personnel and industrial relations policies have to be set in that context* <sup>(1)</sup>. In the second case, local government is not in the truest sense an employer: this function falls to the many individual local authorities that make up the local government system, some 65 in Scotland alone and more than 500 in the United Kingdom as a whole.

In this latter regard, local government therefore differs from certain other major parts of the public sector, such as the civil service, which is a single employer, albeit operating through a number of separate government departments <sup>(2)</sup>. Once appointed to the civil service, an employee builds up and retains the rights and privileges, including continuity of employment, that go with service with a single employer.

The same does not apply to a local government officer, whose service may be with a succession of employing authorities for career purposes. Each local authority is an individual employer in its own right. Although under the various schemes of conditions of service for local authority employees <sup>(3)</sup>, certain benefits such as holidays or sick pay entitlement may accrue on the basis of continuous or even aggregated local authority service, other rights, such as statutory protection against unfair dismissal, accrue only on the basis of continuous service with an individual employing authority.

Despite this cautionary note, there is undeniably a longstanding concept that there exists a local government service, transcending the somewhat purist argument that local government is not in itself an employer. This concept has been fostered over many years, by those who have enjoyed careers in local government and by those who recruit to it. It has also been enhanced by the fact that, over the better part of the present century, there has developed a co-ordinated structure for the negotiation of pay and other conditions of employment of local authority employees. This structure brings together in the form of joint negotiating bodies the interests of employing local authorities, on a representative basis, and of their employees, through the appropriate trade unions. There have

also been corresponding but less highly developed attempts to co-ordinate the training and development activities of local authorities.

On behalf of the employing authorities, these arrangements have been co-ordinated within the United Kingdom as a whole by a range of representative bodies, including the local authority associations, the Local Government Employers' Organisation, the Local Government Training Board and the Local Government Management Board <sup>(4)</sup>. Each of these bodies has thereby acted in some way as an employers' organisation.

### The Scottish Context

Within the Scottish context, to which a substantial part of the present research is devoted, the role of employers' organisation has undergone a three stage metamorphosis. In its initial stage of development, it was effectively a part-time activity within the City Chamberlain's Department <sup>(5)</sup> of Edinburgh Corporation, during the period 1937 to 1975. Then, for a period, it took the form of a free-standing independent Employers' Side of the various Scottish joint negotiating bodies. Latterly, from 1986, it took on its present persona, as part of the structure of the local authority association for Scottish authorities, the Convention of Scottish Local Authorities, generally referred to hereafter as either 'the Convention' or by its acronym, 'COSLA'.

It is this role of the Convention as an Employers' Organisation that has determined the framework of the investigation and given rise to the international comparisons that follow. The underlying reason for this concentration on the Scottish context is manifold, yet simple.

First, although Scotland is an integral part of Great Britain <sup>(6)</sup> for most governmental purposes, such as foreign and fiscal policy, it has a number of unique institutions and structures. For example, it has a separate judicial and legal system generally based on the principles of Roman rather than English law. At central government level, there is the Scottish Office and its subsidiary Departments, responsible within Scotland for many of the functions undertaken by the Home Office and the Departments of Education and Science, Health and Trade and Industry within England and Wales.

Secondly, and of particular relevance to this investigation, there exists within Scotland a different structure of local government from that which applies elsewhere in Great Britain. Thus, within the mainland of Scotland there is a two tier structure of Regional and District Councils and in the islands there is a system of single tier Islands Councils. The numbers and functions of these types of local authority are examined and explained in detail in Chapter 2 (see pages 23 to 28). In England



and Wales, there is a different structure. Briefly, in London and the metropolitan areas, such as Birmingham and Greater Manchester, there is a single tier structure of Metropolitan Borough Councils. Outside the metropolitan areas, including the whole of Wales, there exists a two tier structure of County Councils and Borough or District Councils. Since it is not the aim of the research to make more than passing reference, as appropriate, to the systems of local government in England and Wales, there is no detailed examination thereof within this text.

Thirdly, also of special relevance, is the fact that all the local authorities within Scotland belong to one national association, or central interest organisation, the Convention of Scottish Local Authorities. This compares with the situation in England and Wales, where there is a separate association for each type of local authority.

Next, it is, within the Scottish context, the Convention that exercises the functions of an employers' organisation, on behalf of its constituent members, whereas in the rest of Great Britain these functions have historically been undertaken by one or more bodies which have effectively been separate from the local authority associations. This comparison will become clear during the detailed examination of the role of the Convention, as an employers' organisation.

Finally, the choice of the discrete arrangements that apply in Scotland, as the subject of the research, was governed by another important factor: the outstanding lack of published literature relating directly to local government in Scotland, and to its allied activities, compared with the substantial body of literature relating to local government in the remainder of Great Britain. Indeed, during the preliminary search of literature that preceded the main period of research one observation stood out, that:

it is curious that Scottish local government has never aroused the interests of journalists or academics sufficiently to warrant their producing a book on the topic which would extend public insights into its detailed operations, given the numbers employed in local government and its wide ranging scope.<sup>(7)</sup>

This observation was made in 1977. Since that date, the position has not substantially altered, although accounts of the Scottish local government system have now been included in a small number of later publications.<sup>(8)</sup>

With so few accounts of the system, it is not surprising that the role of Scottish local authorities as employers has also been overlooked by the writers. Even publications that apparently deal with employment in local government in the wider United Kingdom context<sup>(9)</sup> either ignore totally the separate arrangements that apply in Scotland or make grudging reference to them *en passant*. This is despite the fact there are 65

local authorities in Scotland, employing between them some 300,000 people<sup>(10)</sup>. This is more than one tenth of the total labour force of the nation, who between them earn an aggregate annual wage bill of about £4 billion<sup>(11)</sup>.

It has to be added with some dismay that there appear to be more publications, in the English language, about the local government systems and employment arrangements in each of the comparator countries of Denmark, Finland, Norway and Sweden (see also pages 23 to 26), than there are about the systems and arrangements in Scotland.

### Aims of the Research

Against this background, a detailed examination has been undertaken of the role of the Convention of Scottish Local Authorities as an employers' organisation. This examination is in three main parts: first, in relation to the Convention's function as the employers' side of the various joint negotiating bodies for local authorities' employees; secondly, in relation to the activities that COSLA undertakes in respect of the training and development of local authority employees; and lastly, by reference to the miscellaneous other functions that the Convention undertakes in its role as an employers' organisation.

These functions are by no means the only tasks undertaken by the Convention, which has a wide ranging remit of collective action on behalf of Scottish local authorities, as the examination of its role explains (see Chapter 2, pages 36 to 46). For the purposes of the present investigation, therefore, the role of the Convention as an employers' organisation is disaggregated from the remainder, following a brief examination of its overall purpose.

Inevitably, as part of the examination of the role of COSLA as an employers' organisation, there is an element of description. This provides an extensive background review of the role, from the earliest days of Whitleyism<sup>(12)</sup> in local government to the present day and an assessment of the functions currently discharged by the Convention in this role. With the dearth of reference to this role in available published works, no apology is made for this vital contextual element of the thesis.

However, even within the purely Scottish part of the investigation, the aim was to address certain hypotheses relating to the role. The first relates to the joint collective bargaining role undertaken by the Convention on behalf of constituent authorities. This proposes that the structure of the negotiating machinery, albeit for some 300,000 employees engaged in a multiplicity of trades and professions, is unnecessarily



complex and that some simplified structure could be at least as effective. In posing this hypothesis, due regard is paid to the relationship of parts of the Scottish machinery to the overall UK negotiating arrangements for local government.

This does exacerbate the complexity, as the models of the arrangements, developed specifically for this research, illustrate (see Chapter 3). The involvement of a range of trade unions, some of a general nature <sup>(13)</sup> and some occupation specific <sup>(14)</sup>, with their own interests and relative strengths and weaknesses, does nothing to discourage this complexity either. Since each of the current negotiating bodies is a joint body, any change made would require the support of the trade union side as well as of the employers, thus, in examining the present structure and proposing possible options for change (see Chapter 5), due cognisance has been paid to this important factor.

Subordinate to this hypothesis, attention is paid to an assessment of the effectiveness of the present machinery, as determined by a number of different groups of elected members and paid officials associated with the machinery. Reference is also made to the scope for anomalous settlements within the Scottish machinery, comparing the output of one joint body with another. These issues are addressed in Chapter 4.

The second hypothesis relates to the training activities of the Convention. Here the view is tested that COSLA is unwilling to devote sufficient resources to its training activities, with the result that local authorities in Scotland are not especially well served by the Convention in this respect. Regard is had to the level of staff and to the various priorities to which they have to respond, and to an historical lack of drive from the elected members for the training function, as witnessed by a series of changes in the committee structure governing it.

The third hypothesis proposes that the Convention could, if it chose, provide a range of other personnel and industrial relations support services but, again, fails to, largely through the lack of resources and, it would appear, also through the lack of will. It is acknowledged that there has, during the later period of the research, been a small but discernable increase in the amount and range of advice issued by the Convention under this general heading. On the other hand, the point is made that an employers' organisation such as COSLA could develop its core services by offering consultancy support, especially to smaller member organisations. The international part of the investigation will demonstrate that such wider services are provided in the comparator countries.

Throughout the work, there runs a fourth general hypothesis, that the Convention through its governance by its member authorities has a general reluctance to allocate sufficient staffing and financial resources to enable its role as an employers' organisation to be discharged as effectively as it might be.

It is in examining and assessing the validity of this hypothesis that the international dimension of the investigation is particularly relevant. Inevitably recourse is had to the arrangements that prevail elsewhere in the UK, through the Local Government Management Board (LGMB) and its predecessor bodies and the Provincial Councils, in view of the links between the Scottish arrangements and those elsewhere in the UK. The main element of comparison is, however, in relation to the corresponding arrangements in the Scandinavian countries of Denmark, Finland, Norway and Sweden.

From the comparative aspects of the investigation, certain conclusions are reached in relation to each of the hypotheses. One is that, within all four comparators, there are much less complex negotiating arrangements, which have stood the test of time. Another is the clear evidence of a very much more substantial input to the training of local government employees by the local authority associations in Scandinavia. A third is evidence of greater personnel and industrial relations support, including consultancy activities, in at least some of the comparator countries. Finally, there is evidence that in three of the comparators in particular, considerably greater financial and staffing resources are devoted by the local authority associations to their role as employers' organisations.

Four further points require to be made in relation to the aims of the investigation. The first is that reference has been made quite extensively to a number of influential publications which have provided recommendations on the kinds of role that local authority associations should adopt in relation to the functions under consideration in this thesis. These span a period of almost 60 years<sup>(15)</sup>, yet it is concluded that many of the more visionary recommendations, especially in relation to the training of local government staff, have even now not been fully implemented. This helps to support the view that the Convention and its constituent authorities have not been willing to allocate sufficient resources to provide the most effective service possible.

The second reflects the period of continuing change in which local government, and thus COSLA, have been operating during the period of the investigation. It commenced around the end of what must have been the last period of relative stability for local government: the last major reorganisation, of 1975, was some 13 years past, and apart from a number



of minor changes, the structure, functions and *modus operandi* of local government in Scotland had become as comfortable as a well worn pair of slippers.

Coincidentally, some of the most radical changes that local government has experienced took place during the early part of the research period. Many of these had statutory backing, including the introduction of compulsory competitive tendering for certain local authority services under the terms of the Local Government Act 1988 <sup>(16)</sup>, the implementation of the Community Charge (poll tax) as the method of raising personal taxes at the local level, under the Abolition of Domestic Rating (Scotland) Act 1988 <sup>(17)</sup>, and the availability of greater devolution of certain local authority services, such as the introduction of school boards <sup>(18)</sup>.

Later in the period of the investigation, legislation was introduced to remove colleges of further education from local authority control <sup>(19)</sup> and the abolition of the community charge was announced, to be replaced by the Council Tax from April 1994. Moreover, the government had issued one consultative paper on the future shape of local government <sup>(20)</sup> and was on the point of issuing another, for what is bound to be a radical overhaul of the present structure of local government in Scotland. The prospect of this further change is taken into consideration in the conclusions and recommendations reached at the end of the main sections of the thesis.

The third point provides an important assurance that, whatever the conclusions reached as a result of the research, there is no express or implied criticism of any of the staff of the Convention engaged on work connected with its role as an employers' organisation. This cannot be stressed enough. The foregoing paragraphs have almost certainly left the reader in no doubt that the conclusions will be critical of the present arrangements. This is particularly so in relation to the training function, and less so in respect of the collective bargaining function. In the latter case, the machinery has been required to respond within very short time scales to some of the legislative changes just referred to. For example, the implementation of compulsory competitive tendering necessitated prolonged and detailed negotiations with the trade unions, which eventually led to Scottish variations on prevailing national (ie UK) conditions, in an attempt to help local authorities to be as competitive as possible in their tenders for work <sup>(21)</sup>.

The workload of the officers of the Convention has continued almost unabated over the full period of the research, not just in relation to competitive tendering, but also on work connected with the conclusion of a major review of the rates of pay of manual workers <sup>(22)</sup>, the first



national strike of white collar staff in local government <sup>(23)</sup> and detailed reviews of the salary and conditions arrangements for teachers <sup>(24)</sup>. It is not the purpose of the investigation to examine these various sets of negotiations in detail, although they are referred to at relevant points.

With these comments in mind, any criticism is levelled at the policy makers within the Convention where, for example, they are unwilling to vote additional resources to enable the function to be developed, and at the inertia that apparently exists in relation to change. The staff themselves are servants of the system and are certainly devoted and hard working in relation to the functions that they are required to undertake. Indeed, the staffing of this aspect of the Convention's work is less now than it was in 1986, despite the increasing workload (see pages 71 and 88).

Finally, a brief observation must be made in relation to the recommendations arising from the investigation. They are in the form of general proposals designed to generate discussion and debate, rather than in the form of specific recommendations of the kind that might emanate from a management consultant's report. This is essential, in view of the fact that facilities have neither been sought nor made available for the kind of examination of workload and costs that is associated with the latter kind of report. Indeed the author is aware of a criticism made <sup>(25)</sup> that there is a risk that doctoral theses can tend towards the latter if care is not exercised.

Thus, the aims of the investigation are summarised. The point has been made that, in relation to the Scottish part of the research, there is little published work to which reference may be made. Hence, while the descriptive element of the thesis is itself recording in the written word most of the material for the first time, the subsequent assessment of the role of the Convention as an employers' organisation from a range of perspectives is contributing to the wider debate on the role of such organisations in support of their members. This contribution is extended by the development of models of the negotiating machinery in an endeavour to define them.

Further, it is suggested that the international comparison makes an original contribution in two ways: first, by comparing the Scottish arrangements with those of other European countries and secondly, in relation to the intra-Scandinavian review itself, it being understood from extensive enquiries within Scandinavia that no similar work has been undertaken there.

### Setting the Scene

The main elements of the research, in relation to the role of local authority organisations as employers' organisations, could not be effective without first establishing a backcloth, in relation to local government, local authority associations and systems of joint collective bargaining. It was also necessary to identify a number of countries that could be used as comparators for the international dimension of the research.

A search of literature at the libraries of a number of specialist institutes, both in the UK and overseas <sup>(26)</sup>, assisted in the definition of local government and the identification of its primary features. It is interesting to note in this connection that, even within the main body of texts dealing with systems of local government in the United Kingdom there is little attempt to define what is meant by local government. The introduction of the international dimension assisted in this task, however, especially with the help of officers of the International Union of Local Authorities (IULA) <sup>(27)</sup>. The role of local authority associations was established by reference to domestic and international literature, although as already intimated, there is very little information available about the role of the Convention, other than its own publicity literature.

The choice of suitable comparators required more than a search of literature. Initially, some guidelines were determined to help with the identification of possible comparator countries. In order to offer the best opportunity of contrast and comparison and, ideally, the basis of recommendations for improvement of the Scottish arrangements, it was concluded that the countries should have a number of features. They should be in Western Europe and have a system of democratic local government. In order to develop realistic comparisons, it was felt that they should also have a number of characteristics as far as possible in common with Scotland, including population, demography and geography. In addition, the local government system should preferably work at national level through one or more local authority associations having a co-ordinating role on behalf of member authorities in respect of joint collective bargaining, training and other personnel advisory services.

Six countries were identified as meeting at least some of these criteria: Austria, Denmark, Finland, Norway, Sweden and Switzerland. From direct written contact with the local authority associations in each of these countries <sup>(28)</sup>, and the provision by them of relevant literature <sup>(29)</sup>, the six were pruned for the purposes of this investigation to four. Austria and Switzerland were ultimately omitted from the list for a number of reasons, the most important of which was the federal nature of their



systems of government. Thus, whilst they both have centuries-old systems of democratic local government, based on municipalities, they also have a state and federal system of government, which introduced complications not existing in the other four. Of less importance, their landlocked locations at the geographical heart of Europe denied them another of the criteria being used, a similar geography to Scotland, with its maritime location on the northern periphery of Europe. Thus the other four were chosen as the comparators.

Although economic health of the individual countries was not chosen as a criterion, it is worth noting that all four of the comparators have been in recession during the course of the investigation, with Finland and Sweden suffering more than the others, particularly during the later stages of the research. Thus, there is a coincidental dimension of similarity between all five countries, insofar as the local government systems in all five have been under increasing financial pressure and constraint as a consequence of their respective national economic situations.

The literature provided by the associations at this stage of the research helped not just with the examination of the systems of local government, but also with the consequent examination of the role of local authority associations, in general and in relation to their role as employers' organisations.

The assessment of the roles that local authority associations could undertake, as employers' organisations, was also helped by a number of British government publications, and other semi-official documents, produced from the mid-1930s to the late 1960s<sup>(30)</sup>. Whilst some of these were available in the libraries already mentioned, others<sup>(31)</sup> were provided from the private archives of a former Employers' Secretary of the Scottish National Joint Councils for Local Authorities' Services<sup>(32)</sup>, thereby possibly seeing the light of day for the first time in 20 years or more.

Finally, at this stage of the investigation, recourse was had to other specialist libraries and sources of material<sup>(33)</sup>, in order to analyse the history of the arrangements for the negotiation of pay and conditions of employment for local authority staffs and for their training. Wherever necessary, the information obtained from published sources was supplemented by that gathered during the period of primary research.

#### Achieving the Aims

In order to examine the historical development of the arrangements, and to assess their current effectiveness, a series of semi-structured

interviews was held, both in Scotland and in the comparator countries, with specialists employed by or associated with the arrangements.

Within the Scottish context, two prime sources of information were two former Employers' Secretaries, including one who had had some 30 years' service with the negotiating bodies <sup>(34)</sup>. Another was a former President of the Convention <sup>(35)</sup>, who had held office during the period of consultation leading to the amalgamation of the former Scottish Employers' Sides into the Convention <sup>(36)</sup>. Others included elected members and paid officials associated with the present arrangements; in addition to those employed within the Scottish structure, an interview was held with a former Secretary of the Local Government Employers' Organisation for the United Kingdom <sup>(37)</sup>, in an endeavour to put the information obtained within Scotland into a wider context.

A similar series of semi-structured interviews was subsequently arranged with senior negotiators and trainers employed by the local authority associations in the four Scandinavian countries <sup>(38)</sup>. In this connection, a special record should be made that one of the chief negotiators of the Swedish local authority associations wished so much to provide an input to the investigation that he spent nearly three hours in discussion with the author, between meetings with mediators on the 1990 pay claim, during one of the most intense sets of negotiations on record in Swedish local government. This willingness to assist with the research was reflected in all the meetings in Scandinavia and, it is sad to record, put to shame the attitude of one or two individuals who rather grudgingly agreed to contribute to the Scottish element of the investigation.

In addition to the interviews, one aim of the research was to test the opinions of various groups associated with the Convention, as to the relevance, effectiveness and quality of the service provided. These included elected members of local authorities who are also members of the Scottish negotiating machinery, staff of the Convention, officer advisers to the negotiating machinery <sup>(39)</sup>, members of the trade union sides of the machinery and personnel specialists in Scottish local authorities who are not also officer advisers.

It was decided to measure their opinions through the use of a questionnaire, blank copy reproduced in Appendix 1. Initially, a draft of the questionnaire was piloted to one member of each of the groups identified, and subsequently modified to take account of comments in relation to structure, ease of completion and general content.

In view of the small number of people associated with the machinery in most of the groups identified, it was decided to request six representatives of each group to complete and return the questionnaire.



Following the issue of reminders in certain cases, about two thirds of the questionnaires were eventually completed, in whole or in part, and returned for analysis. The speed and level of response once more implied either a lack of interest in what should be seen as an important contribution to the debate about industrial relations and training in one of the largest employment sectors in the Scottish economy or, potentially, an unwillingness to participate lest the respondent appeared to be criticising a process with which he or she was associated.

It is pertinent to note also that a substantial minority of the questionnaires were only completed in part. In the case of the officers of the Convention, there appeared to be a tacit arrangement whereby the officers only completed that part of the questionnaire that related to his or her own area of activity. Thus, those associated with the negotiating function did not complete the part relating to the training function, and vice versa. In the case of elected members, a number indicated that, while they were part of the negotiating arrangements, they had nothing to do with the management of the training function, and therefore knew insufficient about it to express any view or opinion. This would imply a lack of communication by COSLA about one of its essential support services to local authorities: one that has been addressed to a certain extent more recently - see Chapter 6.

Following upon the examination of the negotiating arrangements, a system of models has been developed to explain their present complexity. In the same way, the systems in the comparator countries have also been translated into the same general models, for the purposes of comparison and to illustrate that there are potentially simpler ways of structuring the Scottish negotiating arrangements.

Similarly, there is a critical comparison of the training arrangements between COSLA and the comparator associations, in order to provide a background for discussion of possible developments of the present COSLA provision. The same also applies in regard to other personnel advisory services that are, or could be, provided by the Convention.

The conclusion, at the end of each of the sections of the investigation, is that there is scope for improvement in the present Scottish arrangements, based both upon the opinions expressed by respondents at interview and in the questionnaire, and from the international comparisons. Two overriding criticisms, particularly in relation to the training function, are the lack of political direction for the function and the apparent continuing unwillingness to devote more resources to it.

Clearly this a matter for the decision makers within the Convention to debate. In this connection, and in conclusion of this chapter, a number



of points need to be made.

First, the activities of the Convention, as in any industrial relations and employment system, are continually adjusting to new pressures and demands. Therefore, there had to be a general cut off point for the main body of the investigation. In relation to the negotiating function, this was around July 1990, as the main white collar pay settlement for the year was concluded. In relation to the training function, it was early in 1991, as the final stage of the primary research was completed. These dates were deemed also to be suitable for the international comparisons.

Next, despite these general cut-off dates, there have been changes in the structures thereafter which have an effect on the outcome of the investigation, such as the establishment of the Local Government Management Board in England and Wales in April 1991. For this reason, a degree of fluidity has been built in to the period of the research.

Finally, with the probability of changes in local government structures and maybe also functions in the next three or four years, it would seem essential for the functions of COSLA to be responsive to the new situation, whatever that may be. If it is not particularly well placed to meet current demands and requirements in at least certain of its roles, this does little to inspire confidence for the future. With the vision displayed by Hadow <sup>(40)</sup> in the 1930s and by Wheatley <sup>(41)</sup> in the 1960s, in relation to the functions of a central staffing support unit for local authorities, it would be a pity if there were no people of vision within the policy makers at the Convention who are willing to provide a structure for the twenty first century.

- 1 David Thomas, writing in Geoff Kelly, A History of LACSAB - Industrial Relations in Local Government 1947 - 1991, London, Centurion Press, 1991, p 6
- 2 It is acknowledged that this situation is gradually changing, as the Government devolves the traditional work of many Departments of State to quasi-autonomous agencies and executives.
- 3 These Schemes are examined in detail later in the thesis.
- 4 The functions of the three bodies specifically mentioned here are examined in detail in later Chapters.
- 5 The term 'City Chamberlain' is a peculiarly Scottish description of the post described elsewhere in local government as 'Director of Finance' or 'Treasurer'. It applies only in the major cities of Scotland.
- 6 The terms 'Great Britain' and 'United Kingdom' are used at different points in the thesis. The first relates to England, Scotland and Wales, while the second also includes Northern Ireland. They are used to delineate the constituent countries that are being embraced within the particular definition.
- 7 Ronald Young, The Search for Democracy - A Guide to Scottish Local Government, Milngavie, Heatherbank Press, 1977, p 3
- 8 These include Michael Keating and Arthur Midwinter, The Government of Scotland, Edinburgh, Mainstream Publishing, 1983 and Tony Byrne, Local Government in Britain, London, Penguin, 1983
- 9 For example, Alan Fowler, Personnel Management in Local Government, 2nd edition, London, IPM, 1980; Alan Fowler, Human Resource Management in Local Government, Harlow, Longman/Local Government Training Board, 1988 and Roy Rhodes, The National World of Local Government, London, RIPA, 1989
- 10 Source, Convention of Scottish Local Authorities, in a Consultative Paper issued to local authorities on 31 March 1992
- 11 ibid
- 12 For a definition of Whitleyism, see Chapter 3
- 13 For example, the General, Municipal and Boilermakers' Union (GMB) and the National and Local Government Officers' Association (NALGO), which have members in a range of trades, professions or occupations in local government and in other sectors of the economy.
- 14 For example, the Educational Institute of Scotland (EIS) and the Fire Brigades' Union, whose members are restricted to specific occupational groups in local authorities.
- 15 These include the Report to the Minister of Health by the Departmental Committee on Qualifications, Recruitment, Training and Promotion of Local Government Officers, (the 'Hadow Report'), London, HMSO, 1934 and the Royal Commission on Local Government in Scotland, 1966 - 1969, (the 'Wheatley Report'), Cmnd 4150, London, HMSO, 1969.
- 16 Local Government Act 1988, London, HMSO, 1988
- 17 Abolition of Domestic Rating (Scotland) Act 1988, London, HMSO, 1988
- 18 Under the terms of the School Boards (Scotland) Act 1988, London, HMSO, 1988
- 19 Under the terms of the Further and Higher Education (Scotland) Act 1992, London, HMSO, 1992
- 20 The Structure of Local Government in Scotland: The Case for Change Edinburgh, the Scottish Office, 1991
- 21 These negotiations took place in the National (ie Scottish) Joint Councils for Administrative, Professional, Technical and Clerical Staffs and for Manual Workers, and in the Scottish Joint Negotiating Committees for Craft Operatives, leading to the issue of joint advice to local authorities and trade unions.
- 22 National Joint Council for Local Authorities' Services (Manual Workers) (Scottish Councils), Manual Worker Job Evaluation Scheme, document published only to member local authorities and trade unions, 1987
- 23 This took place in 1989 in support of the annual pay claim. Although it was described as a 'national strike' by the trade unions involved (GMB, NALGO, NUPE, TGWU), it had patchy support across the country.
- 24 These followed industrial action by the main teachers' unions in Scotland in 1987.
- 25 Niklas Bruun, Some Aspects of Labour Law Research in Finland and Sweden, writing in Sten Edlund (ed), Labour Law Research in Twelve Countries, Stockholm, The Swedish Work Environment Fund and The Swedish Center for Working Life (copy undated), p 35
- 26 The principal libraries consulted were those of the (former) Royal Institute of Public Administration in London (the collaborating establishment for the research) and the International Union of Local Authorities in The Hague, Netherlands.
- 27 In particular, Mrs Eileen Martin Harloff, former Research Officer and Mr Jan Mrog, former Librarian.
- 28 These were  
Association of Austrian Towns (Osterreichischer Stadtebund)  
National Association of Local Authorities in Denmark (Kommunernes Landsforening)



- Association of County Councils (Amtsradforeningen i Danmark)
- Association of Finnish Cities (Suomen Kaupunkiliitto)
- Finnish Association of Rural Municipalities (Suomen Maalaiskuntien Liitto)
- Norwegian Association of Local Authorities (Norske Kommuners Sentralforbund)
- Swedish Association of Local Authorities (Svenska Kommunförbundet)
- Swedish Federation of County Councils (Svenska Landstingsförbundet)
- Association of Swiss Local Authorities (Association des Communes Suisses)
- Federation of Swiss Cities (Union des Villes Suisses)
- 29 For example,
- S Dahlin-Jansson, A Haikonen, H Knappi-Rung and P Varpasuo, Finnish Local Government, Helsinki, Suomen Kaupunkiliitto and Suomen Maalaiskuntien Liitto, 2nd edition, 1983
- Agne Gustafsson, Local Government in Sweden, Stockholm, Swedish Institute, 1988
- Simo Hakamäki, Risto Harisalo and Paavo Hoikka, An Introduction to Local Government Activities, Administration and Finance in Finland, Tampere, Tampereen Yliopisto, 1988
- Local Government in Denmark, Copenhagen, Danish Association of Local Authorities, 1984
- Regional Self-Government in Denmark, Copenhagen, Danish Association of County Councils
- 30 For example, the Hadow and Wheatley Reports, op cit
- 31 For example,
- National Joint Industrial Councils for Local Authorities' Services (Scotland), Joint Industrial Councils, undated briefing note for members of the NJICs (estimated date 1962)
- National Joint Industrial Councils for Local Authorities' Services (Scotland), Merger of Negotiating Machinery, Edinburgh, unpublished document, 1969
- Report on the Staffing of Local Government in Scotland, Edinburgh, Scottish Development Department et al, 1968
- 32 Mr John Johnstone, Employers' Secretary of the Scottish National Joint Councils for Local Authorities' Services, 1964 - 1986
- 33 These included the Library of the Institute of Personnel Management in Wimbledon and publications of the Local Government Employers' Organisation (LACSAB) and the Local Government Training Board.
- 34 One was Mr John Johnstone (see footnote 32 above) and the other was his successor, Mr George Paterson, Employers' Secretary 1986 - 1990.
- 35 Professor John Sewel of the University of Aberdeen
- 36 The amalgamation, and the reasons therefor, are examined in detail in Chapter 3.
- 37 Mr David Thomas, Secretary to the Local Government Employers' Organisation, 1987 - 1991.
- 38 The following individuals made particularly important contributions to the research, although the input of a number of their colleagues should not be overlooked:
- Denmark
- Mr Bo Emersen Bremer, a senior negotiator with the Association of County Councils
- Mr Jørgen Hahn, Director, Local Government Training Centre in Denmark
- Mr Lennart Konow, Permanent Secretary to the Local Authorities' Pay Board in Denmark, formerly Head of Negotiations at the Association of Local Authorities
- Finland
- Mr Matti Holopainen, Director, City Institute
- Ms Kaija Maijonen, Head of Department, Municipal Institute
- Norway
- Ms Greta Aksdal, Head of Training Department, Association of Local Authorities
- Mr Reidar Falck, Head of Negotiating Department, Association of Local Authorities
- Sweden
- Mr Lars Ahlvarsson, Chief Negotiator, Association of Local Authorities
- Mr Gunnar Bergström, Senior Negotiator, Association of County Councils
- Mr Björn Jonzon, Director, Local Government Training Centre
- Ms Kristina Ossmer-Olofsson, Negotiator, Association of Local Authorities

- 39 The role of the Officer Adviser is explained in Chapter 3
- 40 The Hadow Report, op cit
- 41 The Wheatley Report, op cit



## CHAPTER 2

### LOCAL GOVERNMENT AND LOCAL AUTHORITY ASSOCIATIONS DEFINITIONS AND SYSTEMS

#### The Features of Local Government

All but the very smallest states have a level of 'government' below that of the state itself. Within the western world, and increasingly in what used to be described as the 'communist bloc', this level of government is part of the democratic elective process, established to provide services to the community, either on behalf of the state or in addition to those of the state. This local level of government is only one of several layers identified in literature on systems of government: for example, Humes and Martin identify four types of government,

- a the supra-national level of government, such as the European Community;
- b the sovereign national government, which exists in every country of the world and exercises the most authority and power within its boundaries;
- c the quasi-sovereign province state, which exists in countries of a federal nature and shares supreme political authority and power with the national government, such as the Canadian Provinces;
- d the infra-sovereign level of local government, which exists to provide defined services in a particular area. <sup>(1)</sup>

Of these types, it is the fourth to which this investigation relates, by reference initially to Scottish local government and subsequently to local government in the four Scandinavian countries of Denmark, Finland, Norway and Sweden. The systems of local government in all five countries share a number of common features, detailed in the following paragraphs, even though the structures and range of services vary from country to country (see pages 22 to 36).

These common features are introduced in the encyclopedia definition of local government,

that part of the administration of a state or nation which deals mainly with such matters as concern the inhabitants of a particular place or district, including those functions which the central government consider it desirable to be so administered. The bodies entrusted with these matters are known as local authorities and are, in the main, elective. A local authority means any body of persons empowered to spend money derived from the proceeds of a local rate <sup>(2)</sup>.

They are discussed and explained in greater detail by Byrne <sup>(3)</sup>, one of the few writers of current British texts on local government who attempts to define what local government is, before discussing its structure and service provision. He begins by identifying that local government is one of a number of forms of decentralisation of government. It is a limited transfer by the central government of political and administrative

authority to a body at a more local level. It is, as a result, subordinate to the authority of central government. The second feature is that local government is elected. In other words, local authorities consist of representatives chosen by the members of the community at properly constituted elections. Thirdly, local government is multi-purpose. Every local authority has many jobs to do and a variety of services to provide.

Next, local government's activities are on a local scale. That is, each local authority has responsibility for its area only. In addition, local government has a clearly defined structure, of one or more tiers of local authorities, each tier having specific functions to discharge. Finally, local government has some form of revenue raising power, even though some of its funding may be derived from central government grants or other forms of income <sup>(4)</sup>.

Byrne sums these features up by expressing the view that local government is *self-government involving the administration of public affairs in each locality by a body of representatives of the local community* <sup>(5)</sup>. Although subject to the central government, in his opinion, local government possesses a considerable amount of responsibility and discretionary power.

A similar list of features is identified by writers on local government in one of the comparator countries, Finland, as this extract from Dahlin-Jansson *et al* demonstrates,

It is generally agreed that the most important features of local government are the following:

1. municipal authority is general and broadly-based,
2. power of decision resides with the persons elected by direct ballot,
3. the state can assign new functions to the municipalities and take others away solely on the basis of law, and
4. municipalities have the right to levy taxes<sup>(6)</sup>.

In like vein, Humes and Martin comment that,

local governments have all or most of the following characteristics: a defined area, a population, a continuing organisation, the authority to undertake and the power to carry out public activities, the ability to sue and be sued and to enter into contracts, to collect revenue and to determine a budget. <sup>(7)</sup>

They distinguish between representative (or elected) and non-representative (or appointed) local governments. In the Scottish context, representative local government consists of the Regional, District and Islands Councils (see pages 23 to 28). It does not include the Health Boards, which are appointed rather than elected, and are not



identified as part of local government. In the context of local government in the Scandinavian countries, the health services are provided by the elected local authorities and therefore do come within the scope of local government (see pages 28 to 36). This variation in the range of services provided does not, however, detract from the consistency of the main features of local government, as summarised by Humes and Martin.

There is, on the other hand, one important feature that has not been included by any of the writers. This is that local government, because of its scale of operation and range of services provided, operates through a paid structure of officers and employees. These are appointed, either by or on behalf of the elected members, and tend with limited exceptions where the contract of employment provides otherwise, to be permanent, whereas the elected members are elected for a set term of office. These officers and employees are separate from and subordinate to the elected decision making organ of authority referred to by Byrne and Dahlin-Jansson *et al.*

This feature is introduced here, since the principal aim of the investigation is to consider the role of local authority associations as employers' organisations. If local authorities did not have employees, there would be no purpose to the investigation.

In summary, therefore, the features identified as essential to local government are as follows: it is subordinate to the central government of the state and provides a range of services, many of which are determined by central government, to the population of a defined geographical area; the power of decision rests with a body of elected representatives, whilst service delivery is undertaken by paid employees; and it has a right to raise revenue through an agreed form of local taxation and to determine a budget, subject always to any overriding controls from central government within the terms of its fiscal or monetary policies. It is these features that have been used to identify the systems of local government in Scotland and in the comparator countries.

The respective systems and arrangements for local government in Scotland, Denmark, Finland, Norway and Sweden will be examined later in this Chapter. Before doing so, however, the main features of local authority associations and employers' organisations will be examined.

Finally in this section, it is appropriate to explain that, for clarity of reference, from this point a standard terminology is used in relation to local government: the term 'local government' will be the collective descriptor of the system and structure of what Humes and Martin described as the *infra-sovereign level of local government* <sup>(8)</sup>, whilst the term

'local authority' will refer to the individual unit of local government within the system. This usage reflects general UK practice, compared for example with the use of *local governments* by Humes and Martin in the quotation above as being synonymous with 'local authorities'.

#### National Associations of Local Authorities

Having identified the principal features of local authorities as individual entities, it is now essential to examine the arrangements that exist for authorities to work together through associations or interest organisations.

A survey of local government in Europe <sup>(9)</sup> has indicated that it is commonplace for local authorities to form at national level one or more associations which are able to represent their interests, particularly vis-à-vis central government, but also in discussions with other bodies, including in many cases the trade unions representing the interests of local government employees.

These associations tend to be formed on a voluntary basis. Once an association has been created, however, it is unusual for a local authority to fail to become, or to remain, a member of the relevant body. The functions and activities will vary from association to association and will depend, *inter alia*, on the kind and level of services the constituent authorities require and are willing to pay for. A clear indication of the potential range of functions and activities of a local authority association was provided by the Royal Commission on Local Government in Scotland <sup>(10)</sup> (the Wheatley Commission or Wheatley Report as it is subsequently referred to), who identified ten activities, which are listed on page 21. To these may be added other activities which are currently undertaken by local authority associations in certain countries, including some of the Scandinavian countries covered by this investigation, such as the provision of insurance, data processing and printing services on behalf of member authorities.

Commonly, there is a separate association for each type of local authority. British examples of this arrangement are found in England and Wales, where there are separate associations for counties, for districts, for metropolitan authorities and for London authorities. Similar arrangements apply, for example, in Sweden and Denmark, which each have separate associations for counties and for districts.

In a very small number of countries, there is a single local authority association representing the interests of all types of local authority within the country concerned. This applies in Scotland, where the Convention of Scottish Local Authorities represents the interests of



regional, district and islands councils and also in Norway, where the Norwegian Association of Local Authorities represents the interests of counties and districts.

**POSSIBLE ACTIVITIES OF A LOCAL AUTHORITY ASSOCIATION**

- (a) providing a comprehensive intelligence service, to bring together information, statistical or otherwise, relating to local government as a whole, both for the benefit of individual member authorities and in order to strengthen the association in its negotiations with central government and other bodies;
- (b) arranging among local authorities for joint contracts for equipment and materials, to obtain more advantageous terms;
- (c) guiding and co-ordinating the development of management services in local government, for example, the joint use of computers;
- (d) organising publicity for recruitment of staff at all levels into local government;
- (e) assessing the overall staffing needs in local government against potential supply;
- (f) overseeing the training requirements for local government - for example, for entry into the service, and for in-service training and retraining, as well as higher administrative studies; and considering how these requirements can best be met, both within local government and through educational agencies;
- (g) arranging the interchange of staff within local government and also on a two-way basis between local authorities and outside organisations (for example, Government departments and nationalised boards and possibly private industry) in order to widen individual officers' experience and promote greater understanding and liaison throughout the public service;
- (h) arranging for the representation of local government as an employer in wage negotiations;
- (i) undertaking centralised management of local government superannuation; and
- (j) keeping relations between local and central government under a broad and continuing scrutiny.

Source: Wheatley Report <sup>(11)</sup>

### Employers' Organisations

In all five countries, the negotiation of salaries and wages and of other conditions of employment for local authority employees are co-ordinated to a greater or lesser extent at a national level, on behalf of individual local authorities, by the national associations. Similarly, in all five countries certain aspects of training and development of local government employees are undertaken or arranged by the local authority associations.

In these activities, the associations are acting as employers' organisations, insofar as they collectively represent the interests of a large number of constituent members. In this way, they are in a similar position to employers' organisations in the private sector, the Engineering Employers' Federation for example, in the UK context. It is this element of the work of local authority associations that is the subject of this investigation. The role of employers' organisations will become clearer from the critical examination and comparison of their functions, in Chapters 3 to 7.

Before conducting this review, however, the structures of local government in the five countries and the general role of their local authority associations are now examined, to put the remainder of the thesis into an overall context.

### Local Government in the Five Countries

In all five countries under investigation, local government has developed over a number of centuries, with a history of increasing democratisation and extension in the range of services provided, to the point that they all possess the features already identified. It is not relevant within the context of the present research to examine in detail the metamorphosis of the various structures, although brief reference will be made to the historical development of the structures where this will help explain how they have reached their present systems.

In so doing, it will become clear that whilst the present structures share common features, the exact allocation of services to local government and their disposition between types of local authority have distinct differences. These differences are not so fundamental that they affect the basis of the research, but will be taken into account as appropriate in the course of the international comparisons between the roles of the respective local authority associations as employers' organisations. It is pertinent to remark here that the structures of local government have been reorganised in all five countries during the last 40 years and, in several cases within the past 20 years. From this,



the scholar of local government systems will be able to detect substantial differences in the systems that have been developed, in terms for example of numbers of authorities and the allocation of services. As we know, there is now a clear indication that the structure in Scotland is likely to be further reorganised by about 1996. It is understood that there are signs that a further reorganisation is also being considered in Denmark. In this regard, the conclusions and recommendations that form part of the thesis will endeavour as far as practicable to be as relevant to a reorganised structure as to the present arrangements in Scotland.

In completing the review of the systems of local government that now follow, due regard has been paid to such influences as the tradition of local government within the respective countries and attitudes to and philosophy of local government. The review starts with Scotland and continues with the Scandinavian countries.

#### Local Government in Scotland

*Local Government in Scotland, A Short History* explains that prior to the nineteenth century, there was virtually no recognisable system of organised and democratic local government in Scotland <sup>(12)</sup>. In population centres, there was the administrative unit of the Royal Burgh, which had certain duties in relation to law and order and the regulation of trade. Basic education and relief for the poor was provided, in the main, by the church, whose domination was particularly marked in the rural parishes.

Changes in this pattern commenced with the industrial revolution and the accompanying urban growth, with the powers of the burghs being strengthened and a limited element of democracy being introduced in the 1830s. There followed a period of accelerating change in the last four decades of the nineteenth century, with public health legislation in 1867 and education and housing legislation added between 1890 and 1929. Furthermore, the structure of local government was rationalised during the 1890s, and further revised and simplified by the Local Government (Scotland) Act 1929 <sup>(13)</sup> with the creation of the following types and numbers of authorities:

- 4 Counties of Cities
- 33 County Councils
- 21 Large Burghs
- 176 Small Burghs
- 196 Districts

This system continued, with a few minor changes, until the reforms of 1973 which led to the present system introduced on 16 May 1975. This

present system had its foundations in a White Paper <sup>(14)</sup>, published in February 1971, in which the government set out its proposals for a reform of local government in Scotland. These proposals were based on the recommendations of the Wheatley Commission, and formed the basis of the Local Government (Scotland) Act 1973 <sup>(15)</sup>.

The previous multi-faceted system of local government was abolished and replaced by a two tier structure of local government on the mainland of Scotland, and a single tier system within the islands. There are now the following types and numbers of local authorities:

9 Regional Councils  
53 District Councils  
3 Islands Councils

Map Number 2, in Appendix 2, indicates the location of the nine regions, the three islands councils and the principal cities of Scotland.

The nine regional councils form what is generally regarded as the upper tier of the system. They all cover a substantial geographical area and provide those large scale services, such as education, social work, roads and water services and strategic planning, which traditionally within the UK have been felt to be best suited to local authorities which are large in terms of population, area and revenue raising and spending power. The full list of functions and responsibilities of the regional councils is set out in Table 1. The reference to population is, of course, relative within the Scottish local government system, since there are a number of district councils within the main urban centres that have a population well in excess of the more sparsely peopled regions (see Table 3).

**TABLE 1**

**LOCAL GOVERNMENT IN SCOTLAND  
FUNCTIONS OF REGIONAL COUNCILS**

Education	Roads and Road Safety
Careers Service	Public Transport
Social Work	Highways Lighting
Police	Airports
Fire	Ferries
Civil Defence	Harbours
Water and Sewerage	Consumer Protection
Flood Protection	Weights and Measures
Coast Protection	Diseases of Animals
Strategic Planning	Valuation and Rating
Industrial Promotion	Electoral and Community Charge/ Council Tax Registration
Industrial Development (concurrently with districts)	Registration of Births, Deaths and Marriages

Source: Scottish Information Office, Factsheet 28  
Local Government in Scotland <sup>(16)</sup>



The 53 districts are the second tier of local government. They are responsible for those services, including local planning, housing and environmental services which are, it has traditionally been believed, better provided by the more local level of authority. Their functions and responsibilities are described in Table 2.

**TABLE 2**  
**LOCAL GOVERNMENT IN SCOTLAND**  
**FUNCTIONS OF DISTRICT COUNCILS**

Local Planning *	Environmental Health
Development Control *	Cleansing
Urban Redevelopment *	Refuse Collection and Disposal
	Public Conveniences
Industrial Development (concurrently with regions)	Employment of Young Persons
Listed Buildings and Ancient Monuments *	Administration of District Courts
Conservation Areas *	Licensing of Betting and Gaming, Theatres and Cinemas, Taxis and Liquor
Housing	Community Centres +
Building Control *	Caravan Sites
Libraries *	War Memorials
	Burial and Cremation
Tourism	Markets
Countryside #	Slaughterhouses
Nature Conservation	Allotments
	Shop Hours
Leisure and Recreation	Food Hygiene, Standards and Labelling
Parks	Health and Safety at Work
Museums and Art Galleries	
<b>NOTES</b>	
* Except in Borders, Dumfries and Galloway, and Highland, where function is regional	
# Regions also have a certain prescribed role in the countryside	
+ Depending on their purpose, regions can also provide community centres	

Source: Scottish Information Office, Factsheet 28  
Local Government in Scotland <sup>(17)</sup>

With limited exceptions, such as fire and police, the islands councils exercise the functions of regions and districts. They are granted unitary status because of their geographical remoteness and small populations, for which a two tier structure would be inappropriate.

The services identified in Tables 1 and 2 are substantially those that have been the responsibilities of the regional and district councils, respectively, since 1975. They do, however, incorporate a limited

redistribution of services from 1 April 1983 under the terms of the Local Government and Planning (Scotland) Act 1982 <sup>(18)</sup> which was itself based on the report of the Committee of Enquiry (the Stodart Committee) published in 1981 <sup>(19)</sup>.

That the population of these authorities varies greatly, reflecting the geographic and demographic structure of Scotland, has already been referred to. The largest regional authority, Strathclyde, has a population well in excess of two million and is also the largest single local authority in Western Europe. On the other hand, the smallest region in population terms is Borders, with a population of just over 100,000. The populations of the districts range from Glasgow, the largest, at over 700,000, to the smallest, Badenoch and Strathspey, with a population of just 10,000. Table 3 provides some comparative information on the populations of regions, districts and islands areas.

TABLE 3

**LOCAL GOVERNMENT IN SCOTLAND  
POPULATIONS OF CERTAIN LOCAL AUTHORITIES**

Authority	Population	Authority	Population
<b>BORDERS REGION</b>	<b>103,500</b>	<b>LOTHIAN REGION</b>	<b>749,600</b>
Berwickshire	19,070	East Lothian	85,480
Ettrick & Lauderdale	34,270	City of Edinburgh	434,520
Roxburgh	34,990	Midlothian	81,310
Twesdale	15,179	West Lothian	148,290
<b>CENTRAL REGION</b>	<b>272,100</b>	<b>STRATHCLYDE REGION</b>	<b>2,306,000</b>
Clackmannan	47,470	Argyll & Bute	66,150
Falkirk	143,270	Bearsden & Milngavie	40,900
Stirling	81,360	Clydebank	46,920
<b>DUMFRIES &amp; GALLOWAY REGION</b>	<b>148,400</b>	Clydesdale	58,560
Annandale & Eskdale	36,580	Cumbernauld & Kilsyth	63,100
Nithsdale	57,820	Cumnock & Doon Valley	43,030
Stewartry	23,520	Cunninghame	137,530
Wigtown	80,480	Dumbarton	79,750
<b>FIFE REGION</b>	<b>345,900</b>	East Kilbride	83,060
Dunfermline	129,910	Eastwood	61,010
Kirkcaldy	147,070	City of Glasgow	689,210
North East Fife	68,920	Hamilton	106,560
<b>GRAMPIAN REGION</b>	<b>506,100</b>	Inverclyde	93,470
City of Aberdeen	211,080	Kilmarnock & Loudoun	81,110
Banff & Buchan	85,000	Kyle & Carrick	113,730
Gordon	74,600	Monklands	104,460
Kincardine & Deeside	50,920	Motherwell	146,760
Moray	84,480	Renfrew	201,030
<b>HIGHLAND REGION</b>	<b>204,300</b>	Strathkelvin	89,660
Badenoch & Strathspey	11,190	<b>TAYSIDE REGION</b>	<b>394,000</b>
Caithness	26,790	Angus	95,370
Inverness	63,090	City of Dundee	172,860
Nairn	10,420	Perth & Kinross	125,770
Ross & Cromarty	48,910	<b>ORKNEY</b>	<b>19,570</b>
Skye & Lochalsh	11,820	<b>SHETLAND</b>	<b>22,270</b>
Sutherland	13,050	<b>WESTERN ISLES</b>	<b>30,660</b>
	<b>SCOTLAND</b>		<b>5,102,400</b>

Source: Based on General Register Office for Scotland 1990 mid-year estimates <sup>(20)</sup>



Between them, these 65 authorities have been described as *major institutions in Scottish society, with a significant role in most areas of political, economic, social and cultural life* <sup>(21)</sup>. This can be illustrated by reference to the following statistical information relating to local authority expenditure for 1992/93:

£5.8 billion on net current expenditure <sup>(22)</sup> and leasing and loan charges (excluding housing)

£616 million on capital expenditure <sup>(23)</sup> excluding housing

£530 million on capital expenditure on housing <sup>(24)</sup>.

This is in addition to the importance of local government as an employer within the Scottish economy, employing about 10% of the economically active population, with a gross pay bill of £3.8 billion <sup>(25)</sup>.

The period since reorganisation has seen no change in the type and number of local authorities in Scotland. In many ways, the period 1975 - 1988 has been one of relative stability for the structure of local government, with only the limited changes in the distribution of functions in 1983.

There have, on the other hand, been important changes which, whilst not affecting the structure, have begun to bite at the very fabric of the familiar democratic processes of local government in Scotland, by reducing the scope for policy making available to it, as Sewel <sup>(26)</sup> observes. These changes include the Parents' Charter <sup>(27)</sup> and the statutory right of tenants to purchase their council houses. It also includes the impact of compulsory competitive tendering <sup>(28)</sup> on the way in which local authorities organise the provision of their services and, more recently, the decision to remove further education from local government control from 1 April 1993. Despite the fact that these changes have not affected the structure of local government, they have collectively been described by commentators such as Alexander <sup>(29)</sup> and Wynn <sup>(30)</sup> as being more fundamental to the fabric of local government than the reforms of 1975, insofar as the latter left intact the familiar committee and departmental organisations and arrangements, whilst the present changes are attacking the traditional institutions and methods of working of local government. In addition, Sewel points to the shift in the balance of power away from local government to central government, especially in relation to local government's powers of tax raising and expenditure, to what has been described as the 14:86 rule, whereby the average level of revenue from local taxation has now fallen to just 14% of the total, with the remaining 86% being supplied through central government grants and non-domestic rates.

Despite this trend, local government expenditure has doubled during the past decade, from £2.9 billion in 1982/83 to £5.8 billion in 1992/93. During the same period, the number of employees (excluding police and fire personnel) has dropped marginally, from 243,069 to 237,718 full-time equivalents. This statement does however mask fairly substantial drops in the numbers of manual workers (108,025 to 87,351 full-time equivalents between 1980 and 1991) and teachers and lecturers (64,016 to 59,391), compared with an increase in white collar employees from 71,028 to 90,976 in the same period <sup>(31)</sup>.

At this juncture, it is relevant to note the changes in systems of raising local revenue that have dogged local government during the currency of the present investigation, first with the abolition of the domestic rates and its substitution by the community charge in 1989 <sup>(32)</sup> and now, the replacement of the community charge by the council tax after just four years of operation. Such changes affect not only the local tax payer but also the authorities that have to administer them.

It has already been noted that the present government proposes to change the structure of local government. Whilst it is not appropriate to speculate here on its possible future pattern, it is essential to bear the prospect of change in mind as the evaluation is made of the role of the convention as an employers' organisation. The evaluation will also take into account other changes mentioned in the past few paragraphs, including for example the introduction of compulsory competitive tendering on collective bargaining.

These references to recent, current and potential changes in local government provide an indication of the dynamic environment within which the domestic aspects of the investigation were conducted. The international dimensions demonstrated that the local government systems in Scandinavia have also been operating through a period of change, as the next part of this Chapter will demonstrate.

#### Local Government in Scandinavia

The systems of local government in the Scandinavian countries all meet the criteria for 'local government' previously identified, as well as having acceptable characteristics, by way of population, geography and demography, to be chosen as comparators for the purposes of this investigation. As explained earlier (see page 9), they are not hampered by having a federal system of government in the same way as the other two potential comparators, Austria and Switzerland.



Turning now specifically to the four countries of Scandinavia, three (Denmark, Norway and Sweden) essentially have a two tier structure of local government, although there are nuances in certain of the urban areas, of a unitary nature, reflecting the special needs of city government. The fourth, Finland, stands alone by having a single tier structure of unitary authorities, differentiated in nomenclature by population (with the 94 largest authorities being designated as cities and the remainder as municipalities), but not in function. In all four countries, major reorganisations of structure have taken place since the second world war, yet in all four there remains a far greater number of authorities than in Scotland.

It is necessary to describe briefly the types of authority that exist in Scandinavia, before examining their systems and functions in some detail.

In Denmark, the present structure outside Greater Copenhagen consists of 14 counties (*amter*) and 275 municipalities (*kommuner*) and was introduced under the terms of the Local Government Reform Act 1970 <sup>(33)</sup>. Within Greater Copenhagen are the City and County of Copenhagen and the municipality of Frederiksberg, which share a special status more akin to that of a unitary authority, outside the terms of the 1970 Act. Map 3, in Appendix 2, illustrates the boundaries of the counties and the location of the main cities. (In the interests of academic rigour, it has to be emphasised that the references to Denmark throughout this thesis refer to 'mainland Denmark', including the Baltic island of Bornholm, but excluding the self-governing territories of Greenland and the Faeroes.)

In Norway, the Local Government Act 1954 <sup>(34)</sup> introduced the present system, whereby there are 18 counties (*fylkeskommuner*), and 448 municipalities (*kommuner*) (see Map 4, Appendix 2). In addition, the capital city of Oslo is a unitary authority having the status and functions of both a county and a municipality.

In Sweden, local government reforms between 1962 and 1974 have given rise to a system currently consisting of 24 counties (*landstingskommuner*) and 284 municipalities (*kommuner*) (see Map 5, Appendix 2). There are also three all-purpose authorities, the cities of Gothenburg and Malmö and the Baltic island of Gotland, which exercise the functions of both counties and municipalities. It is interesting to note, by way of contrast with Denmark and Norway, that the capital of Sweden, Stockholm, does not have the status of an all-purpose authority. Instead, it operates under the two tier structure that applies generally throughout the country, with a county council covering the area of Greater Stockholm and a number of municipalities within its boundaries. These range from one which covers

the historic and business centre of the city to a number of others covering the newer suburban areas.

In all three countries, many of the counties have populations similar to the majority of Scottish regions, that is, in the range 250,000 to 400,000. On the other hand, many of the municipalities are much smaller than any Scottish district, reflecting the more local nature of many of the municipalities and the spread of population over large sparsely peopled areas. To explain this comparison in its most graphic form, the populations of municipalities range from just 250 in Utsira (Norway) to around one million in Stockholm (Sweden).

In Finland, the Local Government Act 1976 <sup>(35)</sup> consolidated the present single tier system of 461 authorities, of 94 cities and 367 municipalities (see Map 6, Appendix 2). There is again a wide population range served by the local authorities, from under 500 in the case of the eight least populated municipalities to around 450,000 in the case of Helsinki, the capital city.

Just as the structure of local government varies from one country to the next, so too do the functions allocated by central government, although certain common patterns are discernable. Indeed, there is a greater commonality of approach on an intra-Scandinavian basis than there is between Scandinavia and Scotland. This contrast, between Scandinavia on the one hand and Scotland on the other, is principally attributable to the attitude of Scandinavian governments to local government, whereby the provision of public services tends to be delegated to the lowest level of government possible, commensurate with the function. Hence, for example, defence and foreign policy would remain always with central government, but the administration of social security, the function of a central government agency in Scotland, is a local authority function in Scandinavia. This inevitably dilutes 'local government' into 'local administration' in respect of those services that are provided on an agency basis, but helps to account for the greater ratio of local government employees in Scandinavia. The concept of delegation of services to the lowest suitable level of government, whilst an actuality in all four countries, is effectively enshrined as a principle in the Norwegian approach to the allocation of public services.

The contrast between the Scottish and Scandinavian approaches is further emphasised by the fact that in Scandinavia functions such as health care are provided by local authorities, whereas they are provided by non-elected bodies in Scotland. Some of these contrasts will become clearer in the following examination of the functions of local authorities in the comparator countries.



It is also appropriate to note that many of the local government functions deemed in Scotland to be more relevant to regional councils are undertaken by municipalities in Scandinavia. These include social work, compulsory day school education, some highways functions and the water supply and sewerage disposal services.

Thus, in Denmark, the 14 county councils undertake functions which deal with a larger geographical area and are too comprehensive to be undertaken by individual municipalities - see Table 4.

Of these functions, the hospital service is by far the largest of the counties' sectors in terms of both expenditure and number of employees, accounting for 55% of expenditure and 64% of full-time employees <sup>(36)</sup>. Also within the health service, the counties are responsible for the administration of treatment by general practitioners, including the payment of doctors' and other practitioners' fees.

TABLE 4

**LOCAL GOVERNMENT IN DENMARK  
FUNCTIONS OF COUNTY COUNCILS**

Hospitals	Public health insurance
General medical practice	administration and payments
Certain social welfare services, including institutions for child and youth welfare and mentally handicapped	Education and training for 16 - 19 age group
Roads - construction and maintenance of major roads	Cultural activities of a regional nature
	Regional planning

Source: Prepared by the author from various texts on local government in Denmark <sup>(37)</sup>

Thereafter, taking account of the principle that the provision of public services is delegated to the lowest level practicable, it is the 275 municipalities that administer the majority of local government functions in Denmark, as illustrated by Table 5.

As far as municipal services are concerned, *Local Government in Denmark* emphasises that *the largest and financially most comprehensive single area of responsibility of the local authorities is the one covering social welfare and health services* <sup>(38)</sup>. These functions include the administration of the social security system on behalf of central government, including the payment of retirement, disablement and widows'

pensions, sickness, maternity and child benefits and rent subsidies to pensioners. In each of these cases, the central government funds the benefits fully but the local authority administers and pays them.

In the field of education, the municipalities are responsible for 'primary education', that is, the schooling of children from the age of 7 to 16, which is attended by over 90% of all children in that age band. They also provide nursery classes and special tuition for handicapped and maladjusted children, the school psychological service, school libraries and school transport. Responsibilities also extend to the support of adult education and the provision of public library services.

Some municipalities also provide such cultural activities as theatres, museums and music schools and community centres.

TABLE 5

**LOCAL GOVERNMENT IN DENMARK  
FUNCTIONS OF THE MUNICIPALITIES**

Social security benefits - payments of many kinds	Education to age 16 Leisure time education
Social welfare functions, including social assistance, school medical care, child dental care, health visiting, home nursing, home help service, homes for the elderly, day care for children	Public libraries Cultural activities of a local nature Construction and maintenance of local roads
Sewage treatment and disposal	Public utilities, including gas, electricity, water and district heating
Refuse collection and disposal	Food hygiene and public health
Building control Local planning	Fire service Tax assessment

Source: Prepared from various texts on local government in Denmark (37)

The distribution of functions between the two tiers of Norwegian local government is different from that in Denmark, but is based on the same general principle of devolution of services to the lowest suitable level of government. It is also possible for municipalities to undertake any local functions which are not vested by law in other institutions.



**TABLE 6**  
**LOCAL GOVERNMENT IN NORWAY**  
**FUNCTIONS OF THE MUNICIPALITIES**

Primary education	Public transportation
Hospitals and public health	Local roads
Social welfare	Public utilities
Housing	Fire protection
	Cultural facilities

Source: Prepared from various texts on local government in Norway <sup>(39)</sup>.

The main tasks of the municipalities are shown in Table 6. Many of the more rural municipalities have very small populations, as already indicated, and thus do not have the requisite resources to provide all of these services by and for themselves. Therefore, as Harloff explains, *those tasks which require large investments, may be and often are carried out voluntarily on an inter-municipal basis, whereby two or three or even 10 - 15 municipalities may take part* <sup>(40)</sup>. This is the case, for example, with electricity and water supply, refuse disposal and sewage plants.

The main tasks allocated to Norwegian counties are secondary education, public health, county roads, transport and communications, and drawing up a county development plan.

In Sweden, where a two tier system also operates, the county councils have been entrusted, as Gustafsson explains, with the maintenance of amenities *requiring such a large supporting population that most municipalities do not have the capacity for running them, eg health and medical services* <sup>(41)</sup>.

Other local authority services are the responsibility of the municipalities. The division of functions is illustrated in Tables 7 (county councils) and 8 (municipalities). In addition to specific delegated functions, local authorities are given general powers, particularly in relation to leisure, cultural activities, public utilities and industrial enterprises, traffic, water and sewerage, electricity and the environment.

Of the county services, the many facets of health care account for about three quarters of expenditure and staffing. Each county council forms a hospital management region and also provides primary health care, mainly

through health centres. County councils are also responsible for the provision of about one third of all higher education.

TABLE 7

LOCAL GOVERNMENT IN SWEDEN  
FUNCTIONS OF COUNTY COUNCILS

Medical and health care out-patient, general hospitals primary and preventive health care dental services	Specialised training nursing and caring folk high schools Arts
Care of mentally handicapped	Commerce and industry Local and regional communications
Social welfare family counselling, children's homes	Vocational rehabilitation Regional planning

Source: Based on chart in *Local Government in Sweden* (42)

The most important of the municipalities' functions are in the personal sector, especially social welfare and education. Social welfare ranges across the age spectrum from pre-school activities to domiciliary and residential care of the elderly. The education responsibility is for the compulsory nine-year comprehensive schooling attended by all children from the age of seven, and also for most of the upper secondary schools, which are attended by more than 90% of all young persons.

TABLE 8

LOCAL GOVERNMENT IN SWEDEN  
FUNCTIONS OF THE MUNICIPALITIES

Social welfare	Compulsory schooling
Housing	Environmental and health protection
Waste collection and disposal	Emergency and fire services
Leisure and sports	Building and planning control
Electricity and water supply	Energy planning

Source: Based on chart in *Local Government in Sweden* (42)

In Finland, there is the single tier system of cities (urban areas) and municipalities (rural areas). As a consequence, there is no division of



responsibility between the two types of authority.

The main functions of cities and municipalities are

**education**, including compulsory school education for the 7 - 16 year olds, and vocational training

**cultural activities**, including libraries and adult education

**health care**, including primary care through health centres and hospital care, as well as public health responsibilities

**social welfare**, including the making of welfare payments as well as the provision of domiciliary, fieldwork and residential social work services

**technical services**, including certain highway construction and maintenance, water supply, waste management and energy production and distribution

**planning, building control and housing.** <sup>(43)</sup>

The scale of local authority employment in Scotland has already been referred to briefly. By comparison, there is in all four Scandinavian countries a greater number of employees than in Scottish local government, reflecting the greater devolution of functions, including health and social security to local government in Scandinavia. This greater number consequently represents a greater proportion of the total labour force of the respective countries. The numbers of employees range from about 330,000 whole time equivalents in Finland <sup>(44)</sup> and 350,000 in Norway <sup>(44)</sup>, to around 470,000 in Denmark <sup>(44)</sup> and about one million in Sweden <sup>(44)</sup>. The level of local government employment in the Scandinavian countries is greater than central government employment, with the contrast most marked in Sweden, where there are about 320,000 central government employees <sup>(44)</sup>, or a ratio of about 3:1 in favour of local government.

Since Scandinavian local authorities provide a wider range of services and employ more people than Scottish authorities, they play a more extensive role in the overall public economies of the four countries, both in relation to the raising of taxes and in the expenditure of public money through taxes raised and grants received from central government.

For example, in Denmark, the counties and municipalities currently account for something approaching two thirds of all public expenditure, *as a result of the full-scale delegation in recent years of tasks from state to counties and municipalities* <sup>(45)</sup>.

For a number of reasons, including the different scales of local authority operations between Scotland and the four Scandinavian countries, different costs of living, levels of salaries and rates of

inflation, and the lack of suitable comparative statistical information, no attempt has been made to examine the comparative costs of providing local authority services between the five countries. For the purposes of the thesis, however, it is appropriate to indicate that, as in Scotland, something around 50% of all local government expenditure in the Scandinavian countries goes on employees' salaries and wages.

Finally, in this brief review of local government in the comparator countries, it is appropriate to consider current trends in local government. From discussions connected with the primary research, it appears reasonable to conclude that local government in Scandinavia is probably as much under pressure as local government in Scotland, although for varying reasons. As Smart comments, there is an increased emphasis in all four countries on *increased effectiveness because of the steadily rising cost of running local government, which is becoming increasingly difficult to sustain, and the impact of the 'demographic timebomb'* <sup>(46)</sup>.

One manifestation is an increased emphasis on competitive tendering. There is no statutory requirement to expose local services to competitive tendering in any of the comparators, as there is in Scotland, but tendering is being introduced increasingly on a voluntary basis. This is, for example, the case in Norway, where Oslo City Council has taken a political initiative in this direction, and in Sweden, as reports in *Some Innovation Projects at Swedish County Councils* <sup>(47)</sup> explain. Another result of the increasing attention paid to effectiveness in the provision of local government services may be identified in the experiments, encouraged by central government, in greater municipal autonomy under the general heading of *free communes* <sup>(48)</sup> and a growing trend towards the provision of a more responsive service to customers. There is at the same time the straitjacket of financial constraint in all four countries but perhaps none more so than in Sweden, where there has been a statutory restraint on local authorities increasing local taxes during the period 1990/92 <sup>(49)</sup>.

Finally, there is politically-inspired discussion in at least one of the countries (Denmark) of a further review of the structure of local government, emanating from comments from the Danish Prime Minister in the spring of 1991.

#### The Convention of Scottish Local Authorities

Having examined the structure of local government in the five countries under consideration, the remainder of this Chapter investigates the history and functions of the national associations of local authorities in the five countries, as the precursor to the detailed analysis of their



respective roles as employers' organisations.

First, attention turns to the Convention of Scottish Local Authorities, which is the national association representing all local authorities in Scotland. It was established in 1975, following the passing of the Local Government (Scotland) Act 1973 and the creation of the present local government structure. It is a voluntary association which exists primarily to protect and promote the interests of the nine Regional, 53 District and three Islands councils in Scotland in matters of common concern <sup>(50)</sup>.

Prior to local government reorganisation in Scotland there were separate associations for the four different kinds of local authority, with the Counties of Cities Association (representing Glasgow, Edinburgh, Aberdeen and Dundee) acknowledged as exercising the most power since it acted on behalf of the four single largest authorities in the country.

The concept of a single local authority association was strongly propounded in the Wheatley Report, to represent the collective needs of local authorities, as the following paragraphs explain. Wheatley considered that such an association should be voluntary, but concluded that, although it would be wrong for his Commission to make any recommendation (his emphasis) on the formation of a local authority association, they considered it their duty to set down their thoughts on the place and purpose of such associations. The Commission were convinced that a strong association had great potential value, serviceable to local government as a whole, to central government and to the general public.

Wheatley expressed the opinion that two features were essential for a strong local authority association, one to be able to speak and act authoritatively on behalf of its members, and the other to be adequately financed and staffed <sup>(51)</sup>. Further, he suggested that the work of an association could be divided into two main categories: joint consultation, which involved forming a common view on current issues and representing that view to others - whether these are other local authorities, the central government or private interest, and joint action of a voluntary nature <sup>(52)</sup>.

Reference has already been made to the list of ten activities (see page 21) that Wheatley recommended as relevant to a local authority association under the general heading of joint action. An analysis of that list will readily identify six tasks which are appropriate to an employers' organisation.

It is during discussion of this list that Wheatley refers to the fact that his Commission were particularly impressed with what they saw of the work done by the local authority associations in Scandinavia and commented that *very little was being done by comparison in Scotland* <sup>(53)</sup>. He also noted that the Working Party on the Staffing of Local Government in Scotland <sup>(54)</sup> had themselves recommended the creation of a central organisation for management and staffing to help overcome some of the shortcomings of the arrangements then in existence.

This Working Party had been set up by the Scottish Development Department, the Association of County Councils in Scotland, the Convention of Royal Burghs and the Counties of Cities Association to coincide with the creation of a similar Committee to investigate and report on the Staffing of Local Government in England and Wales (the Mallaby Committee) <sup>(55)</sup>, at a time when Royal Commissions and Committees of Enquiry seemed to be established almost willy-nilly by the government to enquire into various aspects of the public sector. It had as its terms of reference,

to consider the future recruitment, training and employment of local government officers in Scotland, having regard to the recommendations of the Committee on the Staffing of Local Government in England and Wales <sup>(56)</sup>.

The main thrust of the recommendations was quite revolutionary for Scottish local government of the time, including the one that local authorities should set up a central organisation to *provide comprehensive services fitted to the needs of local government in Scotland* <sup>(57)</sup>. It was proposed that this central organisation should have the following principal objectives,

- (a) to perform the functions of the Local Government Training Board insofar as these may be required and considered necessary in Scotland
- (b) to undertake the duties of a central staffing organisation
- (c) to provide such central or regional management services as may be considered appropriate
- (d) to establish appropriate links with the English organisations and any others operating in the field of staff development and management services. <sup>(58)</sup>

The report acknowledged that then (as now) local government employment was not a 'service' on the lines of the civil service, as each local authority recruits and appoints its own staff. It did, however, comment that there was claimed to be a greater feeling of a unified service in England and Wales, where there were three types of co-ordinating



organisation, the Local Authorities' Conditions of Service Advisory Board (LACSAB), the Local Government Training Board (LGTB) and the Provincial Councils. The Working Party, in coming to its recommendations, had considered suggestions that Scottish authorities should be associated with, for example, the Local Government Training Board, but dismissed these because the full participation of Scottish local authorities in the activities of the organisations in England and Wales without some co-ordination of thinking about the problems and requirements in Scotland would be quite inadequate <sup>(59)</sup> and because Scotland had its own educational system, its own government departments and local authority associations.

The report therefore concluded that there should be a separate organisation for Scotland, which would be responsible for publicity of careers in local government, the planned movement of officers between authorities as part of their career planning, assisting local authorities with the selection of staff on a consultancy basis, helping local authorities with what is now termed the human resource planning function and helping to assess local authorities' training needs. The Working Party did not recommend a method of funding this body, but agreed that it should be a *first principle that all local authorities should be required to make a proportionate contribution to its cost* <sup>(60)</sup>.

As a footnote to this review of the recommendations of Wheatly and the Working Party on Staffing, it is permissible to conclude that *plus ça change, plus c'est la même chose*, as an earlier Government report, the Hadow Report <sup>(61)</sup> of 1934, has itself made *as the chief of its recommendations* <sup>(62)</sup>, the proposal that local authorities should combine to set up a permanent body, which could advise on questions affecting the recruitment, qualifications, training and promotion of local government officers. This body would also, in Hadow's view, assist in the determination of a proper grading structure to help local authorities adopt a systematic approach to recruitment and training. This visionary approach was proposed almost 60 years ago, and more than 30 years before Wheatley and the Working Party on Staffing made their recommendations. It is worth recording verbatim the conclusion of the Hadow Report on this issue, as it helps to provide a yardstick by which the effectiveness of the Convention, as an employers' organisation, can be measured in the early 1990s:

The more far-reaching of our proposals are closely bound up with the setting up of (a central advisory committee)... We regard the absence of a central organisation as one of the defects in the existing system. It is absurdly wasteful that there should be no one body empowered to supply information regarding entry to the local government service, no one body to which suggestions, representations, criticism can be made. ...A central service of

informed advice would be invaluable. Local authorities would find it useful to compare the practice of the civil service, of large business firms, of other countries, in the management of staff, and this would naturally be done by a central committee. <sup>(63)</sup>

Of course, there is now, in COSLA, one such central organisation for local government in Scotland. Subsequent Chapters will examine the progress that has been made towards achieving the recommendations of both Wheatley and the Working Party on Staffing and, equally important, will identify those areas which remain to be adequately addressed.

As already noted, Wheatley expressed a preference for a single association, based on the belief that in presenting a united rather than fragmented front to central government, the bargaining position of local government would be strengthened <sup>(64)</sup>. A single association would also be able to make more effective use of the limited financial and staffing resources available, through economies of scale. The advice of Wheatley was accepted by the 'new' (ie post-1975) authorities and COSLA was born.

The view has been expressed by Sewel <sup>(65)</sup> that the Convention was thus effectively created by the legislation providing for local government reorganisation in Scotland, because of the strength of the Wheatley recommendation. Initially there was some opposition to the concept of a single association (for example, there was a move by the City of Glasgow District Council to keep the districts separate), but the Wheatley proposals were subsequently accepted without too much opposition. There was also some initial fear of domination of the Convention by the larger districts or by the regions, but this was overcome by the establishment of 'service' or 'functional' committees within the Convention overseeing the various main functions of local government. Thus, for example, membership of the Education Committee or the Water Services Committee is restricted to the regions and islands, as education and water authorities, whilst membership of the Housing Committee is restricted to housing authorities. On the other hand, membership of the 'resources' committees, such as the Convention Policy Committee and the Personnel Services Committee is drawn from all types of authority.

There were other potential fissures within the Convention, beyond the region/district divide, such as the urban/rural dimension and the Labour/non-Labour political differences. During the late 1970s COSLA experienced some pressure to split into two representative bodies, but this was overcome, largely through the personal efforts of successive Presidents of the Convention. Subsequently, during the early 1980s, COSLA became more heavily politicised, particularly when the Conservative members of the Convention had to choose whether to support central



Government policies in relation to local government, or to put the interests of their local authorities first. In addition, one or two mainly smaller districts have threatened from time to time to withdraw from membership of the Convention, although they have never carried out the threat.

Thus, despite the various tensions that have arisen from time to time, the Convention has remained the sole association representing the interests of Scottish local government over the past 17 years, since the reform of local government in 1975.

In this regard, the Convention is often cited as a model for all other local authority associations in the UK to emulate - although the wider political, differences between the representatives of the four associations in England and Wales are likely to make such emulation a continuing remote contingency.

It will, however, become apparent from the following paragraphs that, although a single association was formed for Scottish local government, that association did not at its inception embrace the functions of an employers' organisation. Instead, during the period 1975 to 1986, there continued to exist, separate from the Convention, the Employers' Sides of the Scottish National Joint Councils for Local Authorities' Services (NJCS) <sup>(66)</sup> which had been in existence, in a developing form, since 1937. The background to the amalgamation of the two bodies in 1986, since when the Convention has exercised the functions of an employers' organisation, is examined briefly later in this section.

Thereafter, a more detailed analysis of the history of the Employers' Sides of the NJCS and the reasons for the amalgamation is provided in Chapter 3, as part of the main investigation of the role of the Convention as an employers' organisation.

However, by way of continuing confirmation that the decision to create a single association was the correct one, the Convention currently expresses the opinion that

a single association is more economical and administratively efficient and is the most effective way to achieve consultation on concurrent functions such as manpower issues, planning, economic development and some aspects of tourism and recreation. Since most of the important local government issues on which consultation with central government is required affect all classes of authorities, eg local government finance, a single association with appropriate internal machinery recognising distinctive types of authority is very much preferable to a number of disparate associations. <sup>(67)</sup>

It is comforting to note, in the context of this research and in view of the lead time before the amalgamation of the Employers' Sides of the NJCs with the Convention, that 'manpower issues' are specifically mentioned in this statement.

Clearly, during the period up to the amalgamation, the Convention was not able to undertake all ten of the functions identified by Wheatley (see page 206) as appropriate for a local authority association. Throughout that period, it was the Employers' Sides of the NJCs who exercised to a greater or lesser extent many of the functions covered by items (d) to (h) in Wheatley's list. Even after the amalgamation, which followed a detailed formal review of the respective roles of the Convention as previously constituted and of the Employers' Sides of the NJCs in the early 1980s, the Convention has chosen not to assume all of these functions, as later parts of the thesis will make clear.

During the period 1975 to 1986, when the two bodies merged into the present Convention, the former Convention had a Manpower Committee, whose members effectively formed the membership of the NJCs, by appointment from COSLA to the NJCs. It has, however, been suggested to the author that the policies and attitudes of these members within the negotiating bodies were not always consistent with their attitudes and decisions within the Manpower Committee. This did not prove to be a major problem under the system of Rate Support Grant (RSG) operated at that time by the Government, whereby the Support Order made at the end of each year increased grant in line with inflation, including the level of wage settlements.

With a change of government in 1979, cash limits and penalties were introduced as part of the Rate Support Grant (RSG) system, including the opportunity for government to claw back grant. Therefore the level of wage settlements assumed a new importance in the overall financing of local government, to be accommodated within cash limits. The problem experienced by the Convention, in negotiating the level of RSG with central government, was that it had no direct input into the level of wage settlements, despite the interlocking membership of the Convention's Manpower Committee and the NJCs, just referred to. In what has been described to the author on a non-attributable basis as a *ludicrous situation*, the Convention was attempting to negotiate the level of RSG without having sufficient input to the determination of the largest single cost to local government, the wage bill. The reason advanced for this situation is the fact that the links between COSLA and the NJCs were not strong enough, as the Policy Committee of COSLA were precluded from participation in the activities of the NJCs. Even the President of COSLA was prevented from participating in the negotiation of wage settlements,



unless he happened to be a member of the COSLA Manpower Committee.

As a result, COSLA and the NJCs agreed to review the arrangements that existed and decided to bring together the two bodies under the banner of the Convention, with an appropriate revised organisational structure. These changes took place on 1 April 1986, upon the retirement of the former General Secretary of COSLA, Mr Graham Spiers, and of the former Employers' Secretary, Mr John Johnstone.

Following that merger, the Convention has operated as an employers' organisation, in addition to undertaking all its other roles, which are not examined here in detail, as they are not of relevance to the investigation in hand. It is appropriate, however, to refer briefly to the Objects of the Convention and to indicate how its Committee and staffing structures are organised, by way of background to the remainder of the thesis, insofar as it relates to COSLA and the Scottish situation.

The activities of the Convention are formally set out in its 'Objects', thus

#### OBJECTS of the Convention

The objects of the Convention are

firstly, to watch over, protect and promote the respective interests, rights, powers and duties of its member authorities as these may be affected by proposed legislation or otherwise;

secondly, to provide a forum for the discussion of matters of concern to its member authorities and to obtain, consider and disseminate information on matters of concern to its member authorities;

and thirdly, to provide in conjunction, where appropriate, with other local authority associations in the United Kingdom, such essential services for its members as it may consider to be appropriate. <sup>(68)</sup>

In more general terms, the Convention deals with national issues of concern to local authorities and represents the interests of regional, district and islands councils in their consultations with central government departments. In particular, COSLA is the body with which the Secretary of State for Scotland consults about financial support to local authorities.

It has, as already recorded, also formally adopted the role of an Employers' Association on behalf of member councils, since 1986. In this role, the Convention states that it

supplies advice and assistance in respect of collective negotiations on salaries, wages and conditions of service of employees, and on general employment matters. Representatives appointed by the Convention act as the Employers' Sides in negotiations relating to the salaries, wages and conditions of service of local government employees in Scotland including manual workers, administrative, professional, technical and clerical staff, chief officials and teachers. (69)

The general impact of this statement is critically examined in detail in chapters 4 and 5, which consider the negotiating and employee relations role of the Convention, and it is concluded that the Convention is generally justified in the content and tone of the claim.

The Convention also claims that it

places much emphasis on the identification and provision of training for employees or prospective employees of local government. The Convention organises programmes, seminars and courses and makes arrangements with other organisations to meet the training needs of member authorities (70).

This claim is assessed as part of Chapter 6, which analyses the training functions undertaken by the Convention, with the conclusion that the Convention places insufficient emphasis on this aspect of its function as an employers' organisation and does not by its actions generally substantiate this claim.

Turning now to the constitution of the Convention, all the regional, district and islands authorities in Scotland are entitled to be (and have become) members. The full Convention meets four times a year, delegating its day to day business to the Executive Committee, which has been established to cater not only for the common policies of local authorities in Scotland, but also the policies that are appropriate to the various types of authority.

The Convention also has a number of functional committees, such as its Education and Social Work Committees, reflecting the functional activities of constituent members, and joint resource committees such as the Personnel Services Committee.

The present structure of the Convention's Committees is shown in Table 9.

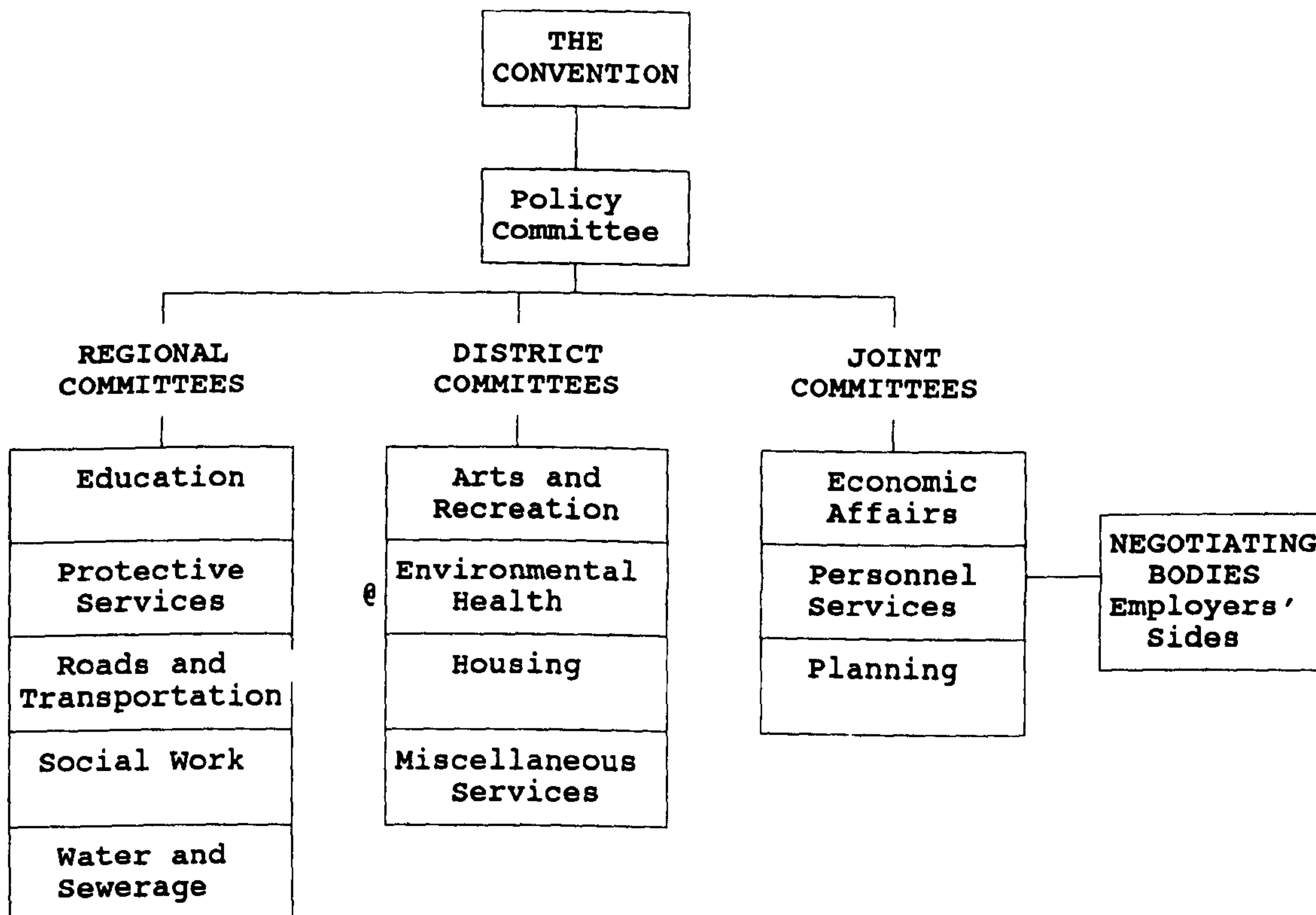
The Convention has its own staff, headed by the Secretary General and consisting of some 45 officers, based at offices in Edinburgh. The Committees referred to here are made up of elected members from constituent authorities, serviced by paid officials of the convention.



Many meetings are also attended by 'officer advisers', who are paid officials of constituent authorities, appointed by their professional associations, to augment the advice available from within the Convention's paid secretariat, especially in relation to matters of technical and professional competence.

Since its reorganisation in 1986, the Convention has also been responsible for employing the staff required to service the employers' sides of the Scottish national negotiating machinery for local government. This role of COSLA interlocks with certain of the functions of the Policy, Education and Personnel Services and Protective Services Committees of the Convention in particular, as the research will indicate later.

**TABLE 9**  
**CONVENTION OF SCOTTISH LOCAL AUTHORITIES**  
**STANDING COMMITTEES**



Source: The Convention of Scottish Local Authorities

In terms of the staffing of the employers' sides, the Secretary General of the Convention is now formally designated as 'Employers' Secretary' to the negotiating bodies serviced by COSLA, with a discrete staffing structure beneath him, reporting to the Depute Secretary (Personnel

Services). This element of the Convention's staffing structure is examined in detail in Chapter 3 (see page 88).

The point has already been made that, within Great Britain, COSLA is unique in representing as a single association all the local authorities within its geographical area. By comparison, there are within England and Wales four main associations,

Association of County Councils (ACC)  
Association of Metropolitan Authorities (AMA)  
Association of District Councils (ADC)  
Association of London Authorities (ALA)

together with a further association representing the interests of parish councils.

Even within Western Europe, there are few examples of a single association representing the interests of all the local authorities within the country. One of the few, is which happens to be pertinent to the present research, is the Norwegian Association of Local Authorities (Norske Kommuners Sentralforbund), which represents the interests of both counties and municipalities.

Another difference between COSLA and the other associations within Great Britain is that COSLA does have a clear role as an employers' organisation, which is central to this investigation. Although the ACC, AMA and ADC each represent the interests of their members on personnel matters and have a small specialist staff to assist in this function, the role of employers' organisation in England and Wales is undertaken by the Local Government Management Board (LGMB). (Until March 1991, the function was carried out by the Local Authorities' Employers' Organisation (LACSAB), which was merged with the Local Government Training Board (LGTB) into the Management Board from 1 April 1991.)

The assumption by COSLA in 1986 of the role of employers' organisation did however bring the Convention substantially into line with the national associations of local authorities in the Scandinavian countries. As the following section explains, these also act on behalf of constituent members in collective bargaining and in offering training to the elected members and employees of local authorities.

#### Local Authority Associations in Scandinavia

Reference has already been made to the fact that in three of the Scandinavian countries there exists a central association for each type



of local authority. Thus, in Denmark, there are the Danish Association of County Councils (*Amtsrådsforeningen i Danmark*) and the National Association of Local Authorities in Denmark (*Kommunernes Landsforening*). In Finland, there are the Association of Finnish Cities (*Suomen Kaupunkiliitto*) and the Finnish Municipal Association (*Suomen Maalaiskuntien Liitto*) and in Sweden there are the Swedish Association of County Councils (*Svenska Landstingsförbundet*) and the Swedish Association of Local Authorities (*Svenska Kommunförbundet*). The exception is Norway, with its single Association already referred to.

Whilst each of the associations has different functions, they are in many respects similar to the Objects of COSLA, as the following extract from the Objectives of the National Association of Local Authorities in Denmark will indicate,

#### Objectives

To look after the interests of local government vis-a-vis central government;

To provide local authorities with services and information and to set up enterprises for that purpose;

To assist local authorities in exchanging experiences and information;

To negotiate salaries and wages for employees in local government on behalf of the local councils;

To provide consultative assistance to facilitate organisation and administration, assistance for economic, physical and social planning, for local industrial development, environmental planning, etc;

To develop and introduce administrative systems, EDP, remedies and routines. <sup>(71)</sup>

It is interesting to note, in the context of this investigation, that the negotiation of salaries and wages for employees in local government is specifically mentioned in the Objectives of the Association. The provision of consultative assistance is also appropriate to the research, insofar as the Association also employs personnel consultants, whose function is to assist with solutions to personnel problems and with the implementation of national agreements where this involves the use of local discretion. The availability of such consultancy assistance is referred to again in Chapter 7, which relates to advisory and executive services not otherwise referred to under the generic headings of 'negotiations and joint collective bargaining' (Chapters 3, 4 and 5) and 'training and development' (Chapter 6).

It is also worth noting that in the three countries with two local authority associations, there is close co-operation on the negotiation of salaries and wages of local authority employees and, in some cases, on their training as well.

In conclusion, it is appropriate to recall that Wheatley had been particularly impressed by the organisation of the local authority associations in Scandinavia. The author formed a similar impression during his study visits undertaken as an essential part of this research.



- 1 Abridged from Samuel Humes and Eileen Martin, The Structure of Local Government - a Comparative Study of 81 Countries, The Hague, International Union of Local Authorities, 2nd edition, 1969, p 27
- 2 Everyman's Encyclopaedia, Fabbri and Partners Limited, 1969, Vol 8, p 2
- 3 Tony Byrne, Local Government in Britain, London, Penguin, 1983, pp 17 - 19
- 4 In Scotland, since the introduction of the community charge, the level of revenue raised by direct local taxation has fallen to approximately 14% of total expenditure. In the other countries under investigation, the level is higher but in none is it 100%.
- 5 Byrne, op cit, p 17
- 6 S Dahlin-Jansson, A Haikonen, H Knappi-Rung and P Varpasuo, Finnish Local Government, Helsinki, Suomen Kaupunkiliitto and Suomen Maalaiskuntien Liitto, 2nd edition, 1983, p 7
- 7 Humes and Martin, op cit, p 28
- 8 ibid, p 27
- 9 Council of Europe, List of National Associations of Local and Regional Authorities, Strasbourg, 1988
- 10 Royal Commission on Local Government in Scotland, 1966 - 1969, Cmnd 4150, London, HMSO, 1969
- 11 ibid, p 240
- 12 Local Government in Scotland, A Short History, part of an Information Pack produced by the Scottish Local Government Information Unit, 1990, p 3
- 13 Local Government (Scotland) Act 1929, London, HMSO, 1929
- 14 White Paper on Local Government in Scotland, Cmnd 4583, London, HMSO, 1971
- 15 Local Government (Scotland) Act 1973, London, HMSO, 1973
- 16 Scottish Information Office, Factsheet 28, Local Government in Scotland, Edinburgh, Scottish Office, 1986
- 17 ibid
- 18 Local Government and Planning (Scotland) Act 1982, London, HMSO, 1982
- 19 Report of Committee of Enquiry into Local Government in Scotland, (the 'Stodart Report'), Cmnd 8115, Edinburgh, HMSO, 1971
- 20 Based on Table in The Structure of Local Government in Scotland, A Consultative Document, Edinburgh, The Scottish Office, 1992
- 21 Local Government in Scotland, What Local Government Does, Part of Information Pack produced by the Scottish Local Government Information Unit, 1990, p 5
- 22 Current expenditure consists of the day to day costs of providing services - examples are employees' pay and salary costs, heating, lighting and telephone bills.
- 23 Capital expenditure creates new fixed assets - examples are council buildings, housing schemes and roads. The overall level of capital spending is controlled by central government.
- 24 Source, COSLA Statistical Information
- 25 Source, COSLA Consultative Document issued to member local authorities on 31 March 1992.
- 26 John Sewel, Reorganised Scottish Local Government: a Review, Scottish Geographical Magazine, vol 103, no 1
- 27 Scottish Education Department, The Parents' Charter, Edinburgh, SED, 1989
- 28 Under the terms of the Local Government Act 1988, London, HMSO, 1988 local authorities are required to expose certain services, which they would otherwise have provided by direct labour, to competition from the private sector. These include refuse collection, cleaning of buildings, catering and grounds and vehicle maintenance. The range of services may be extended in future, in accordance with a list contained in the government consultative paper, Competing for Quality, London and Edinburgh, Environment Department and Scottish Office, 1991.
- 29 Professor Alan Alexander, Professor of Local Government Management at the Scottish Local Authorities' Management Centre, University of Strathclyde, on various platforms and at private meetings.
- 30 Mr Douglas Wynn, Lecturer at the Scottish Local Authorities' Management Centre, also on various platforms and at private meetings.
- 31 Source, various COSLA reports and consultative document op cit
- 32 Under the terms of the Abolition of Domestic Rating (Scotland) Act 1988, London, HMSO, 1988
- 33 Local Government Reform Act 1970, Copenhagen, 1970
- 34 Local Government Act 1954, Oslo, 1954
- 35 Local Government Act 1976, Helsinki, 1976

- 36 Source, Regional Self-Government in Denmark, Copenhagen, Danish Association of County Councils, 1986, p 36
- 37 Tables 4 and 5 were prepared by the author from material contained in Kurt Mathisen, Local Government in Denmark, Copenhagen, Association of Local Authorities in Denmark, 1984, Regional Self-Government in Denmark, *op cit*, Eileen Martin Harloff, The Structure of Local Government in Europe, The Hague, International Union of Local Authorities, 1987 and Local and Regional Structures in Council of Europe Member States - Denmark, Strasbourg, Council of Europe, 1979
- 38 Local Government in Denmark, *op cit*, p 41
- 39 Table 6 was prepared by the author from material contained in The Structure of Local Government in Europe, *op cit*, and Local and Regional Structures in Council of Europe Member States - Norway, Strasbourg, Council of Europe, 1973
- 40 The Structure of Local Government in Europe, *op cit*, p 104
- 41 Agne Gustafsson, Local Government in Sweden, Stockholm, Swedish Institute, 1988, p 35
- 42 Tables 7 and 8 were prepared from material contained in Local Government in Sweden, *op cit*, p 40
- 43 List of functions was prepared from material contained in Siv Dahlin-Jansson, Atte Haikonen, Ritva Hurme, Hilka Knappi-Rung, Helina Tuominen (eds), Finnish Local Government, Helsinki, Association of Finnish Cities and The Finnish Municipal Association, 1988 and Simo Hakamäki, Risto Harisalo and Paavo Hoikka, An Introduction to Local Government Activities, Administration and Finance in Finland, Tampere, Tampereen Yliopisto, 1988
- 44 The statistics of employment in local government in the four Scandinavian countries were obtained from the various works listed in footnotes 37, 39, 41 and 43.
- 45 Regional Self-Government in Denmark, *op cit*, p 25
- 46 Peter Smart, Scandinavia, writing in MJ Scotland, 24 August 1990
- 47 Some Innovation Projects at Swedish County Councils, Stockholm, Swedish Association of County Councils, 1990, p 10
- 48 For an explanation of the concept of 'free communes' see, for example, Michael Clarke and John Stewart, Land of the Free, in Local Government Chronicle, 13 October 1989 and An Introduction to Local Government Activities, etc in Finland, *op cit*, p 100
- 49 Whilst this trend exists throughout local government in Scandinavia, it was particularly mentioned by Matti Holopainen, Director of City Institute, Helsinki (interview, 6 February 1990).
- 50 Convention of Scottish Local Authorities, Information Pack, Edinburgh, COSLA, 1990
- 51 Report of the Royal Commission on Local Government in Scotland, *op cit*, p 239
- 52 *ibid*, p 240
- 53 *ibid*, p 240
- 54 Report on the Staffing of Local Government in Scotland, Edinburgh, Scottish Development Department *et al*, 1968
- 55 Report on the Staffing of Local Government, (the 'Mallaby Committee'), London, HMSO, 1967
- 56 Report on the Staffing of Local Government in Scotland, *op cit*, p 1
- 57 *ibid*, p 36
- 58 *ibid*, p 36
- 59 *ibid*, p 35
- 60 *ibid*, p 36
- 61 Ministry of Health, Report to the Minister of Health by the Departmental Committee on Qualifications, Recruitment, Training and Promotion of Local Government Officers, (the 'Hadow Report'), London, HMSO, 1934
- 62 *ibid*, p 49
- 63 *ibid*, p 49
- 64 Report of the Royal Commission, *op cit*, p 240
- 65 Professor John Sewel, Past President of COSLA, in an interview, October 1988
- 66 The role of the Employers' Sides of the Scottish National Joint Councils for Local Authorities' Services and associated bodies is examined in detail in Chapter 3
- 67 COSLA Information Pack, *op cit*
- 68 Objects of the Convention, Edinburgh, COSLA, 1988
- 69 COSLA Information Pack, *op cit*



70 ibid

71 The National Association of Local Authorities in Denmark, pamphlet describing the Association's functions, Copenhagen, 1987

## CHAPTER 3

### NEGOTIATION AND JOINT COLLECTIVE BARGAINING IN SCOTTISH LOCAL GOVERNMENT

#### PROCESS AND MODELS

##### Introduction

There is a long history of joint collective bargaining of salaries and wages, and other terms and conditions of employment, of local government employees in Scotland, based on the established principles of 'Whitleyism'. In conventional industrial relations terms, this history has more a record of consensus and agreement than of dispute and disagreement, although there have been occasional periods of strife and threatened unrest on the part of different occupational groups that make up the workforce generically referred to here as 'local government employees'.

With such a record, it would be easy to argue that the bargaining arrangements that exist for the negotiation of pay and conditions have served local government in Scotland well, and there is even a tendency in some quarters to suggest that it is probably best to leave well alone. On the other hand, the arrangements are complex, covering as they do over 300,000 employees representing a wide range of occupational groups, including white collar staff, manual workers and craft employees, teachers, and uniformed fire and police personnel. There are about a dozen joint negotiating bodies for these employees, representing from just a few hundred employees in some cases to tens of thousands in others. Some of these bodies, such as those for the uniformed services, are UK wide, whilst others, such as those for teachers and craft employees, are confined to employees of Scottish local government. Yet a third category, the negotiating bodies for white collar staffs and manual workers, is of a hybrid nature, having their foundations in the UK machinery for these groups, but with subordinate negotiating machinery at the Scottish level. This structure is established as an initial schematic model, which will be developed, analysed and critically examined later, in Figure 1.

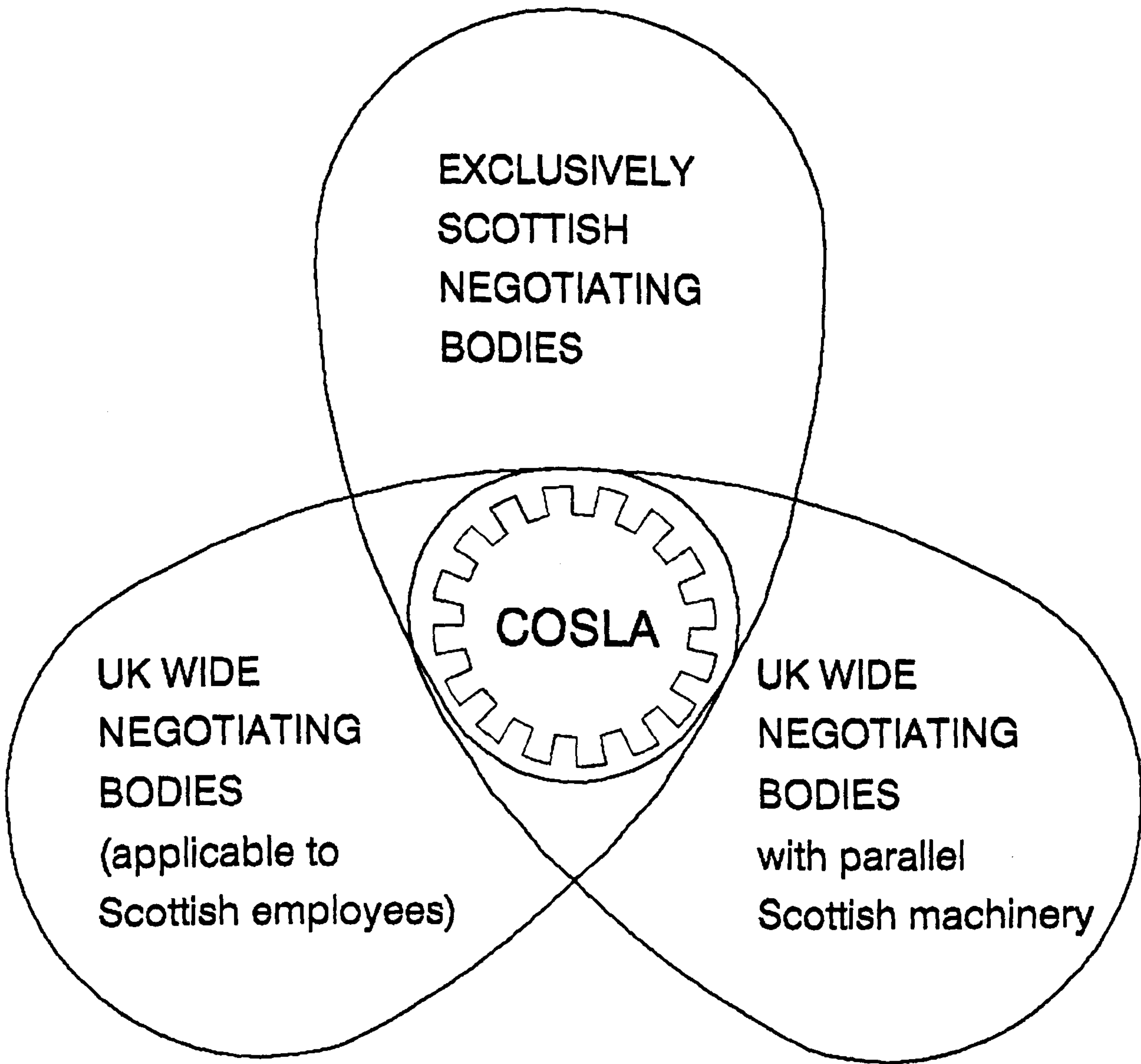
Inevitably, as a result, there are conflicting interests on the employees' sides. Perhaps less obviously, there are different representatives, and different interests, on the employers' sides of the negotiating machinery as well, which can give rise to tensions between the various negotiating groups and the creation of anomalies, especially in salary settlements arising from the ostensible lack of co-ordination of the bargaining arrangements at Scottish level.

It was partly the potential for conflict of interest on the employers' sides and the knowledge that the apparent lack of co-ordination can give



**FIGURE 1**  
**THE SCOTTISH LOCAL GOVERNMENT**  
**NEGOTIATING MACHINERY**

**SCHEMATIC MODEL**



rise to anomalies that this element of the investigation was undertaken. This reflects the hypothesis that, whilst the present collective bargaining arrangements for local government employees in Scotland may appear superficially to meet the needs of Scottish local authorities as employers, it is doubtful that the machinery is the most effective that could exist, given the will to seek, and the ability to agree, changes. The will must clearly come first of all from one side of the negotiating machinery or the other. In the opinion of the author, the initiative should come from the employers' sides, since they should, in theory at least, be able to act in a united and concerted manner and with a common purpose. Agreement would then need to come from the other players in the process of negotiation, that is the trade unions and staff associations, since the machinery is joint machinery and can only be changed on the basis of joint agreement.

This part of the investigation was also occasioned by the changing environment in which local government in Scotland is operating. Reference has already been made (see page 7) to recent major changes affecting the workings of local government, including the introduction of compulsory competitive tendering for many services traditionally undertaken by employees of local authorities, to continuing changes in local taxation, and the introduction of school boards. These changes are to be followed by the removal of further education colleges from local authority control in 1993, the probable extension of competitive tendering to white collar services from a date to be determined, and a reorganisation of local government, probably in 1996. These developments pose the further hypothesis in relation to the joint negotiating machinery for local government, as to whether it will be, or continue to be, appropriate to the continuing needs of local authorities. This hypothesis is also pertinent to the current debate as to whether there should be a greater devolution of collective bargaining from a central, that is national, level to a more local level, such as that of the individual local authority.

In order to address these hypotheses, it will be necessary first to examine the development of the present negotiating machinery and to analyse the processes by which collective bargaining takes place and agreements are reached on changes in pay and conditions of employment. This examination, which will be undertaken principally from the employers' perspective, bearing in mind the main purpose of the research, will inevitably include reference to the development of the corresponding UK wide machinery, in view of the close relationship between it and the Scottish structures. It is relevant to note in this regard that, whilst the general UK machinery, and those aspects of it that relate specifically to England and Wales, have been examined by a number of authors <sup>(1)</sup>, it is believed that the history of the Scottish machinery and



arrangements has never been explained in detail prior to the present work, for which access has been granted to two former Employers' Secretaries and to otherwise unpublished archival material.

The present Chapter contains the results of this examination in detail. Thereafter, Chapter 4 includes a critical analysis of the effectiveness of the present machinery, based substantially on the observations and assessments of the arrangements by elected members, senior personnel professionals in Scottish local government and officers and former officers of the Convention, and draws preliminary conclusions on how the arrangements could be improved.

Subsequently, Chapter 5 examines the corresponding arrangements for the determination of pay and conditions of employment of local government employees in the Scandinavian countries, with particular emphasis on the structures for collective bargaining in Denmark and Sweden. It is noted that, in all four comparator countries, there are joint collective arrangements of the Whitley type, although the exact nature of these has been determined by various social and cultural factors and therefore varies from country to country. Of special relevance, however, is the apparently greater co-ordination of the negotiations, in terms of the timing of negotiations and membership of the employers' sides, and thus their outcomes. The results of this analysis, which concludes the chapters on negotiation and joint collective bargaining, indicate that there are other models that could be adopted by Scottish local government, although these may only be practicable if there were a greater separation between the UK and Scottish machinery, especially for white collar staffs and manual workers.

#### A Brief History of Whitleyism in UK Local Government

The structure of wage bargaining in UK local government is based on principles first proposed in 1916 by a government Committee charged with making recommendations to secure an improvement in relations between employers and workmen throughout the economy <sup>(2)</sup>, in support of the war effort. The Committee was chaired by the then Deputy Speaker of the House of Commons, Mr J H Whitley, hence the common reference to 'Whitleyism' in this connection. The Committee proposed inter alia a whole new structure of joint industrial councils (JICs), under which industries should, as far as possible, make their own arrangements and settle their differences themselves. It also recommended that there should be adequate organisation on the part of employers and employed. These recommendations, which were accepted by the government, have subsequently become the bedrock of collective bargaining arrangements throughout most of the British economy, including local government, which has developed an extensive, complex and highly structured system of

national collective bargaining over the past seven decades, based firmly on the principles.

The first JIC established in local government, in 1919, was the National Joint Council (NJC) for Local Authorities' Non-Trading Services (Manual Workers). This was the forerunner of the present UK NJC for Local Authorities' Services (Manual Workers), which was set up in 1946, at the same time as the NJC for Administrative, Professional, Technical and Clerical Staffs. However, as Kessler explains, the ordered regulation of industrial relations for local authority manual and white collar workers through the establishment of bargaining machinery based on the Whitley model was a long and far from smooth process, involving the integration of a diverse range of occupations and the co-ordination of around 1,400 independent employing units <sup>(3)</sup>, a number of which continued for some time to determine the terms and conditions of employment of their own employees. It is relevant to note here that, with encouragement from the Conservative government from 1979, there is a trend, albeit quite limited in local government, back towards the determination of pay and conditions by individual employers, either on the basis of localised joint collective bargaining or, in some cases, by the introduction of personal contracts which omit reference to joint agreements.

In addition to the two NJCs already mentioned, a number of other NJCs were established in the later 1940s, including those for Chief Officers, Fire Brigades, Building and Civil Engineering workers and many others. By the end of the 1950s all groups of local government employees in the UK were covered by some 40 or more joint councils or committees. Some of these relate to the whole of the UK and others either to England and Wales, or to Scotland.

Before examining the structure of this negotiating machinery, it is appropriate to consider further the principles of Whitleyism. Fowler describes Whitleyism as a comprehensive and integrated system of employer/employee relationships <sup>(4)</sup> which requires all the employers in an employment sector to form a joint employer bloc, and correspondingly requires all the trade unions in that sector (assuming it is a multi-union situation) to form a joint trade union bloc. Further, it implies a high level of trade union membership among employees since the trade unions need to be as fully representative as possible of all employees for a joint council system to operate effectively.

The system also depends on pay and conditions being determined by agreement, and on permanent and voluntarily supported joint systems for bargaining and for the settlement of disputes, and on a readiness on the part of employers and trade unions to resort to arbitration if the standing domestic procedures fail to settle a dispute. Finally, so far



as local government is concerned, Fowler suggests that the system does not rely solely on a national system, but includes regional and local bargaining. <sup>(5)</sup>

In Fowler's opinion, local government meets the majority of these criteria quite well, with two exceptions. The first is that in some employment sectors, the density of union membership is fairly low, and the second is that the system has not incorporated arbitration as a standing routine, although provision is made for its use.

At the United Kingdom level, the co-ordination of the employers' bloc has been undertaken since 1952 by the Local Authorities' Employers' Organisation (LACSAB) <sup>(6)</sup>, whose main task is

to co-ordinate national negotiations for employees of local authorities and related bodies in the country, and to advise local authorities, the local authority associations and other bodies on industrial relations and manpower issues. <sup>(7)</sup>

LACSAB identifies two further features of Whitleyism as it relates to local government. First, it concludes that the complexity of modern day employment structures makes it impracticable for employers to bargain directly with individual employees, thereby requiring arrangements to allow representatives of employers to negotiate with representatives of employees. Secondly, it expresses the view that both parties should take responsibility for protecting the integrity of the machinery; for encouraging joint agreements to be honoured by both parties and their constituents; and for seeking to resolve problems peacefully and by negotiation <sup>(8)</sup>.

The resultant negotiating machinery for local government, at the UK and Scottish levels, is basically voluntary, developed from grass roots pressure, and not imposed from the centre. The exceptions to voluntarism are the negotiating arrangements for the police and in England and Wales but not in Scotland, for the teachers. In LACSAB's words, since it is generally local government's own machinery, *it can be changed - and should be if that is what local authorities want.* <sup>(9)</sup> The point has already been made (page 52) that the machinery is complex, reflecting the fact that local government employment includes practically every type and level of skill and many hundreds of different jobs are covered. At the UK level, the industrial relations system covers 20 separate negotiating bodies involving 400 employer seats filled by representatives of 30 separate organisations who meet 40 trade unions to negotiate pay and conditions for over 2,000,000 employees of 500 local authorities. Within Scotland alone, there are 11 negotiating bodies, involving 16 main unions in the negotiation of pay and conditions of service of 300,000 employees of 65 authorities. <sup>(10)</sup>

Table 10, provides more key data on the Scottish arrangements.

**TABLE 10**  
**LOCAL GOVERNMENT IN SCOTLAND**  
**THE NEGOTIATING ARRANGEMENTS**

**KEY DATA**

Negotiating Body	Main Trade Unions	Employee Numbers	Annual Pay Bill (£m)	Normal Settlement Date
SJNC (Teaching Staff in School Education)	EIS/NAS UWT/SSTA	57,000	953	1 April
SJNC (Lecturing Staff)	EIS/CLA	8,000	144	1 April
SJNC Water Supply (Manual Workers)	GMB/NUPE/TGWU	2,000	23	1 April*
NJC/Scottish Councils (APT & C Staffs)	NALGO	95,000	1,087	1 July
JNC (Chief Officials)	NALGO/MPO	1,400	50	1 July*
SJNC (Building & Civil Engineering)	UCATT	13,000	164	1 July
SJNC (Engineering Craftsmen)	CSEU			
SJNC (Craftsmen) (Electricians & Plumbers)	EETPU			
NJC/Scottish Councils (Manual Workers)	GMB/NUPE/TGWU	107,000	553	1 Sept
Police Negotiating Board	Police Federation	14,000	338	1 Sept
NJC Fire Brigades	FBU/NAFO	4,600	78	7 Nov

**NOTE**

\* The traditional settlement date for these groups is shown, although the date changed for the 1992 settlement.

Source: Based on information provided by COSLA (11)

Finally, LACSAB express the opinion <sup>(12)</sup> that the UK machinery is influential, because negotiations carried out under public gaze and which affect so many employees are bound to be noted by other employers and unions. Wage negotiations in local government are therefore important in terms of the national economy. In terms of pay rates, conditions of service and industrial relations procedures, what happens in local government is very influential in other parts of the public and quasi public sectors.

The Development of the Present Structure

At UK level, the structure conceived in the 1940s and 1950s has developed into the present highly centralised system with comprehensive agreements being reached nationally. The main bodies within the machinery are listed in Table 11, with those bodies having application in Scotland, as well as the rest of the UK, being identified by a double asterisk (\*\*).



**TABLE 11**  
**LOCAL GOVERNMENT NEGOTIATING MACHINERY**  
**AT UNITED KINGDOM LEVEL**  
**LIST OF THE MAIN BODIES**

<b>ADMINISTRATIVE AND PROFESSIONAL STAFFS</b>	
**	National Joint Council for Administrative, Professional, Technical and Clerical Services
	Joint Negotiating Committee for Chief Executive
	Joint Negotiating Committee for Chief Officers
	Joint Negotiating Committee for Justices' Clerks
	Joint Negotiating Committee for Magistrates Courts Staff
<b>MANUAL WORKERS</b>	
**	National Joint Council for Local Authorities' Services (Manual Workers)
	Joint Negotiating Committee for Local Authorities' Services (Building and Civil Engineering)
	Joint Negotiating Committee for Local Authorities' Services (Engineering Craftsmen)
**	National Joint Council for Workshops for the Blind
<b>SERVICES</b>	
**	Police Negotiating Board
**	National Joint Council for Local Authorities' Fire Brigades
**	National Joint Council for Chief Officers of Local Authorities' Fire Brigades
<b>NOTE</b>	
**	These bodies have application in Scotland, as well as England and Wales

Source: Derived from various LACSAB publications <sup>(13)</sup>

The Constitution and Terms of Reference of the NJC for APT&C Services <sup>(14)</sup> is reproduced in Appendix 3, to illustrate the scope of issues that can and are considered at national level. The other negotiating bodies generally have similar terms of reference.

As the NJC for APT & C Services has application within Scotland as well as the rest of the UK, COSLA has direct representation on it, as an examination of the constitution will indicate. In addition, there is also a separate NJC for APT&C Services for Scottish local authorities. This Council has considerable negotiating powers in its own right, although the normal practice is for the general level of settlements reached for APT&C staffs in the UK Council to be taken as a framework for subsequent Scottish agreements (see also page 65). A similar situation

exists in relation to the NJC for Manual Workers.

The sustained and relatively peaceful operation of this machinery throughout the 1950s and 1960s owed much to *increasing local government employment and expenditure and, in particular, public expenditure planning mechanisms which provided for the absorption of increased labour costs by central government* <sup>(15)</sup>. Indeed, even though the growth in local government expenditure has been taken under central government control, the machinery still tends to operate peacefully.

A later part of the thesis will discuss the continuing relevance of the machinery for the 1990s, particularly if the pace of change in local government continues, in relation to structures and methods of delivery of service. Suffice it to quote here two brief comments from LACSAB, as between them, they contain some very critical references for the evaluation of COSLA as an Employers' Organisation.

The first is that the machinery was designed at a time when the main objective was to establish negotiations on a national basis and when both local authorities and their staffs wanted uniformity and order <sup>(16)</sup>.

The other is that the machinery

was designed for another age. An age when only a limited range of topics was subject to joint discussion at national level; an age before the arrival of annual pay increases; an age when a settlement for one group would have little impact on another; and age when strikes and industrial action were unknown in local government; an age when local government services were expanding rather than contracting and above all an age before privatisation, cash limits and severe financial constraints <sup>(17)</sup>.

In explaining its role, LACSAB stated <sup>(18)</sup> that it paid due regard to the tasks and financing of local authorities, and to new developments, particularly those generated by political and economic trends, and such issues as the policies of the trade unions and the Trades Union Congress and the increasing influence of the European Community (EC) upon industrial relations, pay and manpower in Britain.

Outputs from LACSAB included advice to national employers on matters common to all negotiating groups and advice to local authorities on specific issues; sponsoring, servicing, co-ordinating and participating in working groups and studies on a wide variety of manpower issues; lobbying Ministers and government departments on pay and manpower issues of the day; and consultations with trade unions on subjects not exclusive to any one negotiating group, for example, health and safety.

The co-ordinating role of LACSAB was assumed, from 1 April 1991, by the



Local Government Management Board (LGMB), created by an amalgamation into one body of LACSAB and the former Local Government Training Board (LGTB). As this date more or less coincided with the conclusion of the main period of research, it has not been possible to assess whether the revised arrangements at UK level have had, or will have, any particular impact upon the negotiating role of the Convention, which will be examined shortly. It is, however, appropriate to note that the merger arose from a review of the functions of LACSAB in 1988 <sup>(19)</sup> and of the LGTB the following year <sup>(20)</sup>. The reviews were undertaken at the request of the respective bodies and the local authority associations by local authority chief executives and other senior officers.

The review of LACSAB initially recommended that it continue in being because *it offers good value for money and does essential work for local government as a whole, and continued national bargaining and research and advice for authorities requires a national body* <sup>(21)</sup>. It did however suggest the establishment of a forum to discuss areas of overlap in the work of central bodies, such as workforce planning, which would meet with the central bodies, primarily LACSAB, LGTB and LAMSAC <sup>(22)</sup> on a regular basis.

On the other hand, the review of the LGTB recommended that a Local Government Management Board be established to replace LGTB, LACSAB and LAMSAC. The review had concluded that some parts of the structure, costing a large sum of money which required justification, were anachronistic, lacked accountability and did not meet the needs of local authorities in a rapidly changing environment. It was felt that no-one would in 1989 have designed the structure in that form.

The report recommended that the Board's terms of reference should incorporate the activities of LGTB, LACSAB and LAMSAC *appropriately revised* (italics from the Review Report) to concentrate on strategic and important emerging issues and encompassing for example management practice, strategic training, management development, pay and pay negotiations strategy, skills planning and recruitment, equal opportunities and research and information. Thus, from 1991, the relationship of COSLA previously with LACSAB (which is examined on pages 83 to 86) has become a relationship with the LGMB.

#### The Development of Whitleyism in Scottish Local Government, 1937 - 1975

Having examined and described the history of Whitleyism from 1916 to the present day in local government in Great Britain as a whole, the remainder of this Chapter concentrates on the development of the negotiating machinery in Scottish local government, and in particular the

role of COSLA as the employers' representative in collective bargaining. The contents have been based on extensive interviews with two former Employers' Secretaries <sup>(23)</sup> of the Scottish negotiating machinery, and others with specialist knowledge <sup>(24)</sup>. Particular acknowledgement is made to Mr John Johnstone, formerly Employers' Secretary to the Scottish Negotiating Bodies, who is almost certainly able to offer more years of direct service to Whitleyism in Scotland than any other single person. Indeed, it will be seen from various comments in this work, that the development of the present arrangements in Scotland owes much to a small number of people, including Mr Johnstone, because the history of the arrangements reflect the influence exercised by the people who held senior office within them over some five decades.

First, however, it is important to note that whereas the forerunners of the present NJCs at UK level had been formed in England shortly after the publication of the Whitley Report in 1916, it was not until 1937 that similar bodies were formed in Scotland. These were the National Joint Industrial Councils (NJICs) <sup>(25)</sup> for Administrative Staff and for Manual Workers respectively. They were established with the approval of the local authority associations then operating in Scotland. At that time, the constitutions of the NJICs were loose <sup>(26)</sup> and the organisations had no permanent staff. Edinburgh Corporation provided the necessary secretarial support for the NJICs, with the City Chamberlain, Sir John Imrie, nominally holding the office of Employers' Secretary from 1937 to 1949.

Thereafter the Senior Depute City Chamberlain responsible for establishment <sup>(27)</sup> matters, Mr Arthur G Hamilton, assumed the office of General Secretary to the NJICs (this designation was used at that time, because Mr Hamilton was responsible for sending out NJIC documents on behalf of the trade unions as well as the employers, whereas the current practice is for such documents to be issued over the joint signatures of the Employers' and Staff Side Secretaries, thus emphasising the unity of the decisions of the negotiating bodies). This arrangement continued until 1961, when Mr Hamilton reached the normal retirement age of 65.

Even after that date, the local authority associations expressed the wish that Edinburgh Corporation continue to provide its previous services on their behalf. Mr Johnstone succeeded Mr Hamilton as Senior Depute City Chamberlain responsible for establishment matters and assumed some of Mr Hamilton's duties in the NJICs, although Mr Hamilton continued on a part-time basis as General Secretary until 1964.

The Minute of a joint meeting of the Employers' Sides of the NJICs and representatives of the Scottish local authority associations held on 6 September 1963 recorded the desire of Mr Hamilton to retire and the



outcome of the consideration of the arrangements for carrying out the secretarial work of the NJICs. The minute recorded that,

the Employers' Secretary of the Industrial Councils had given careful consideration to the appointment of a successor, and there appeared to be two alternatives:-

- (a) to appoint an official of a local authority to undertake the duties on a part-time basis along with his other duties, the authority providing such arrangements and services as may be required in return for an appropriate payment;
- (b) appointing a full-time Secretary and staff with the necessary office accommodation <sup>(28)</sup>.

The minute commented that it had been possible to run the Councils at very moderate cost owing to the very generous arrangements provided by Edinburgh Corporation, and the willingness of the present Secretary to undertake the duties for a relatively small allowance, but concluded that whichever of the above alternatives was adopted, the cost would be considerably higher in the future. The meeting still favoured the first alternative, if the services of an appropriate official could be made available, in view of the possibility of a reorganisation of local government in Scotland (this was 12 years before such reorganisation actually took place!) and the possibility of the NJICs being amalgamated with the corresponding English Joint Councils.

The City Chamberlain of Edinburgh thereafter offered the meeting a similar arrangement to that which had hitherto prevailed - at an increased cost - whilst the Chairman of the meeting indicated that Mr Hamilton would continue to act in an advisory capacity, *an arrangement (which) would be very desirable having regard to his very long experience* <sup>(29)</sup>

Following these deliberations, Mr Johnstone assumed the office of Employers' Secretary at the end of December 1964, whilst continuing also in his appointment of Depute (later Senior Depute) City Chamberlain for Edinburgh Corporation until 1975. During this period, however, the 'Secretariat' began to appoint specific staff (as indicated later in this Chapter), although they continued to be employees of the Edinburgh Corporation right up to 1975, when the Scottish negotiating bodies appointed their own full-time secretariat to undertake their growing workload.

During the early part of this period, there were just the two National Joint Industrial Councils already referred to. They both consisted of 24 representatives, with 12 appointed by each Side. The Local Authority Side representatives were appointed annually in the proportion of four each by the three local authority associations. The representatives on the Employees' Side were appointed by the principal employees'

organisations and the trade unions dealing with local authority employees.

The NJIC for Administrative Staff was responsible for the determination of salaries and conditions of employment for all but the most senior Administrative, Clerical and Technical Staffs, whose terms and conditions were still dealt with at local level by individual authorities. The Manual Workers' Council on the other hand dealt with manual workers in all Departments (including water and county roads), except transport, police and fire, which were dealt with by separate negotiating machinery. By 1962, the number and scope of NJICs in Scottish local government had increased to cover chief officials of local authorities, teachers and craftsmen. By this date also, Scottish authorities had representation on the UK negotiating machinery for uniformed fire and police personnel. At that time, Scottish authorities also had representation on Whitley Councils for the health service, although that arrangement ceased with the reorganisation of the health service at the same time as the reorganisation of local government in 1974 - 75.

Despite the diversity of negotiating machinery that had developed at Scottish level during this period, the two original NJICs were arguably the most influential in the Scottish machinery, probably because of the length of time that they had been in existence and because of the number of employees and range of occupational groups to which they related. It could be argued that even today, despite the strength of the teachers' negotiating machinery, these are still the two most influential negotiating bodies in Scottish local government. This is despite (or maybe because) these two bodies are not now solely Scottish bodies but part of the National (UK) machinery.

This amalgamation took place in 1969, as recorded in a Circular to Scottish local authorities from the Employers' Secretary at the time, which stated that

with effect from 1 July 1969 the following United Kingdom Councils will be established:-

- (a) National Joint Council for Local Authorities' Administrative, Professional, Technical and Clerical Services;
- (b) National Joint Council for Local Authorities' Services (Manual Workers).

.....

There will also be two Scottish Councils, one within each of the national councils, and secretariat services will continue to be provided (in Edinburgh) as for the present NJICs <sup>(30)</sup>.

Within the terms of the amalgamation, the general movement of pay and



changes in the main conditions of service, such as holidays, sickness and other allowances, would be determined on a UK basis, although there would be a number of matters dealt with on a delegated basis in Scotland. In practice, some of these delegated matters have been quite significant, including the determination of salary scales for Scottish APT&C staffs, which differ from those that apply south of the border to corresponding groups of employees, and a purely Scottish method of implementing the results of the manual workers' job evaluation review. Perhaps to emphasise the independence of the Scottish machinery in the determination of salaries and wages, the Circular establishing the new arrangements recorded that *apart from general increases, no alteration in the existing pay structures will be made except after agreement by both Sides of the Scottish Councils and conditions will only be changed by the wish of the same parties* <sup>(31)</sup>.

As part of the amalgamation arrangements, it was agreed that the (then) present Scottish schemes would be reviewed to see what changes needed to be made to bring them in line with the prevailing conditions elsewhere in the UK. It was also confirmed that agreements reached at the UK Councils would be promulgated by the Scottish Secretariat in respect of their application in Scotland, thereby incorporating the Scottish version of new pay scales or wage rates or conditions fixed at UK level, until the time when differences could be reduced to a minimum or eliminated altogether. In practice, well over 20 years on, there continue to be many differences in approach, such as those just mentioned, some of which could be described as significant. It seems possible that they are even increasing in number, with a perceptibly greater degree of centralisation at Scottish level in respect of certain conditions of employment, such as those for manual workers affected by competitive tendering, whilst there is a greater element of devolution to local level within the corresponding schemes in England and Wales.

The amalgamation of Scottish negotiating arrangements with the general UK structure did not extend to the craft or chief officials negotiating machinery. Beyond the changes that took place in 1969, very little amendment has been seen in the structure of the negotiating machinery in the ensuing period, except to cater for the changes required on the Employers' Sides to reflect the reorganisation of local government in 1975.

Johnstone recalls that, during the period up to the reorganisation of local government in Scotland in 1975, the Cities always had the greatest representation in proportional terms (4 seats for 4 authorities, compared with 4 seats for the 33 counties and 4 for more than 90 burghs). They thus carried the greatest weight in negotiations and - up to the 1960s - their chairmanship of the Employers' Side was always held by either

Edinburgh or Glasgow. Even where axes formed, between the socialist authorities of Glasgow and Dundee, or the progressive/conservative authorities of Edinburgh and Aberdeen, there was a concentration of urban power.

As local government approached the 1975 reorganisation, there were increasing complaints from the Counties and Burghs that insufficient representation was available to authorities outside the Cities and suggestions that not enough attention was paid to the cost of settlements arising from the decisions reached by the NJICs. This is a suggestion disputed by Johnstone, on the basis that the Employers' Side representatives on the NJICs were inevitably senior political representatives of their respective councils, such as the Chairmen of the Establishment and Finance Committees, convenors of counties and provosts of burghs, all closely connected with the cost of settlements in their own authorities. It is nevertheless not dissimilar to the reason recounted by Sewel (see page 72) for the amalgamation of the former Employers' Sides of the Scottish NJCs into the present structure of the Convention, that the policy making politicians within the Convention did not have sufficient authority over the level of settlements being reached in the semi-independent negotiating machinery prior to 1986.

Despite the apparent importance of the NJICs for APT&C staffs and manual workers in the development of Whitleyism in Scottish local government, it is necessary also to consider the development of the machinery for teachers, craftsmen and chief officials.

The teachers' negotiating machinery was not serviced by the Employers' Secretariat until 1970/71 - up to that time, the machinery was serviced by the Town Clerk's Office of Edinburgh Corporation in conjunction with the Scottish Office. With the retiral of the officer responsible for the machinery within the Corporation, servicing transferred to Johnstone as part of a wider remit and the machinery as currently exists for teachers in day schools and lecturers in further education establishments began to evolve, with the machinery now under the control of elected members from the employing authorities. The existing machinery was introduced in 1978/79, although limited changes have since taken place, particularly the removal from scope of the Joint Negotiating Committee for Lecturers in Further Education of staff employed by the Colleges of Education and Central Institutions, which were never under local authority control. It is important to note that there has never been a link between the Scottish negotiating machinery for teachers and the corresponding machinery in England and Wales (the former 'Burnham Committees'), which has been removed by statute from local authority control since 1986 <sup>(32)</sup>.

Similarly, the machinery for craftsmen and chief officials has always



been separate in Scotland, with the Employees' Sides never traditionally showing any inclination to merge with the English and Welsh equivalent bodies. This is a view which appears to have been modified somewhat in the case of chief officials during the currency of the investigation, since there is a feeling among some of the employees covered by this machinery that their counterparts in England and Wales have achieved more beneficial salary settlements than have been awarded in Scotland. On the Employers' Side, though, there was (and continues to be) regular contact with the English and Welsh machinery to make sure that the respective Employers were not being played off one against the other by the trade unions. As a consequence, it is felt that the general level of settlements has tended to be more or less the same, although the detail has been different, as are the dates of effect of settlements for craftsmen.

To complete this historical review of the development of the Scottish negotiating machinery from 1937 to 1975, reference is made to one further document, a briefing note <sup>(33)</sup> prepared by the Employers' Secretary in about 1962, dealing with the role and benefits of joint negotiation as they were then perceived. Along with the Reports of the Wheatley Commission and the Working Party on Staffing in Local Government, discussed in detail in Chapter 2 (see pages 37 to 39), this document helps to clarify some of the attitudes, thinking and proposals that have affected subsequent developments, including the present role of the Convention as an employers' organisation.

The briefing note reminded the members of the Employers' Sides of the Scottish negotiating machinery that joint negotiating machinery, by whatever name it may be called, *is now the generally accepted method for dealing with pay and conditions in employment in all the principal industries and public services* <sup>(34)</sup> - well established and universally recognised as an essential feature in modern industrial relations.

The note appreciated that, while local authorities might feel that national negotiating machinery excluded them, to some extent, from the right to deal directly with their employees, the general opinion was that the advantages of national negotiating machinery very greatly outweighed any disadvantages. Further, if the machinery was fully representative of all types of local authority, and if its decisions were designed so as to leave reasonable latitude for local variations, any disadvantages would be reduced to a minimum.

The note then identified some of the advantages of joint negotiating machinery in the local government service, as follows:

- (a) much time is saved to local authorities and their officials by the avoidance of local negotiation on matters which are

common to all local authorities;

- (b) general questions are dealt with on a uniform basis which obviates local authorities being set against one another, as would inevitably happen if these matters were left to local negotiation;
- (c) questions in connection with the employment of labour have now become very complicated and require the services of officials who have made a study of these matters and become expert in dealing with them. The employees already have this advantage in their full-time trade union officials. The officials of the Industrial Councils provide similar expert advice for the local authorities;
- (d) much fuller information and more skilled assistance is available to Industrial Councils than to individual local authorities on questions concerning industrial relations, and the Councils are therefore in a position to take a broader view and to reach better instructed conclusions than individual authorities;
- (e) the knowledge that their conditions are being dealt with by a body on which their views are adequately represented makes for greater contentment amongst employees and is an aid to discipline and harmony;
- (f) the Industrial Councils provide a means of settling disputes without recourse to the more complicated and formal procedure of arbitration by a National Tribunal <sup>(35)</sup>.

Later in the thesis, some of these views expressed a quarter of a century ago will be tested against present day attitudes, for example in relation to the consideration of the LACSAB document '*An Employers' Strategy?*' <sup>(36)</sup>, which examines *inter alia* the current trends in some sectors of the economy, including some local authorities, towards more localised determination of pay. At this point it is simply appropriate to note that there are examples of this trend in local government in parts of England, but no real indication of the trend in Scottish local government.

In any consideration of the views expressed in the briefing note just referred to, due attention must also be given to the growth in employment of personnel specialists by local authorities, especially during the past fifteen years or so, which has in fact led to a greater concentration of relevant expertise within individual local authorities than was the case when the note was prepared.

#### A Period of Transition

This section completes the history of the Employers' Sides of the Scottish negotiating arrangements from 1975 up to the point of amalgamation into COSLA, the reasons for which have already been examined in Chapter 2 (see pages 41 to 43).



The arrangement whereby the Employers' Sides were represented by the three Scottish local authority associations continued up to 1975, with these Associations responsible for decisions affecting their constituent members up to 15 May 1975, that is, the day before the major reorganisation of local government took effect. However, no guidance emerged until November 1974 from the Associations regarding appropriate grading arrangements for the *shadow authorities* (the term given to the embryo new authorities), as they developed their staffing and organisational structures for full operation from 16 May 1975. Similarly, no advice was offered until the same time on the arrangements that should apply to and for the new authorities. At that time, the Employers' Sides decided that the negotiating machinery would need to continue basically in its existing form, except that representation on the Employers' Sides would need to be from the new authorities.

In practice, these representatives were appointed by the COSLA Manpower Committee, as already indicated (see page 42). It is interesting to note that the Manpower Committee was in fact the last of COSLA's standing committees to be created. When it was, it was as the Convention's initial response to the Wheatley recommendations on manpower matters.

It was at this time (January 1975) that a full-time Secretariat was set up, although it continued to occupy Edinburgh Corporation premises until September of that year, when the Secretariat moved to its own premises in Coates Crescent, Edinburgh. The arrangements thus made in 1975 continued until the amalgamation of the Secretariat with COSLA in 1986.

It is pertinent to note here that in 1975 there had been an Officers' Working Party convened to discuss the relationship between the Convention and the negotiating machinery. Even at that time, there had evolved a recommendation that there should be a merging of functions, but no action was taken until the mid-1980s, when the situation was reviewed again. The second review led eventually to the merger which took place in 1986. It will already be clear that Scottish local government is littered with recommendations for the creation or strengthening of its central representative organisations, many of which have never been fully implemented. In this case, there is no official record as to why the 1975 recommendations were not accepted, although it is understood that the two organisations were felt to function satisfactorily under the respective officer arrangements, a suggestion perhaps borne out by the fact that the eventual amalgamation took place at the date when the General Secretaries of the two bodies chose to retire, leaving the field clearer for changes in structure.

Fairly extensive reference has already been made to the personal contribution made to the development and servicing of the Scottish

negotiating machinery by Messrs Hamilton and Johnstone. Gradually, from the early 1970s, additional staff had to be appointed, to help them deal with the growing workload generated by the machinery.

This increase started with the appointment of a Senior Assistant Secretary and an Administrative Officer who assisted with the NJICs and the craftsmen's negotiations. Shortly afterwards, another Assistant Secretary was appointed to deal with the teachers' negotiating machinery after it was absorbed into the Secretariat. As explained above, these were all employees of the Edinburgh Corporation, although a substantial proportion of their salaries was reimbursed to the Corporation by the local authority associations.

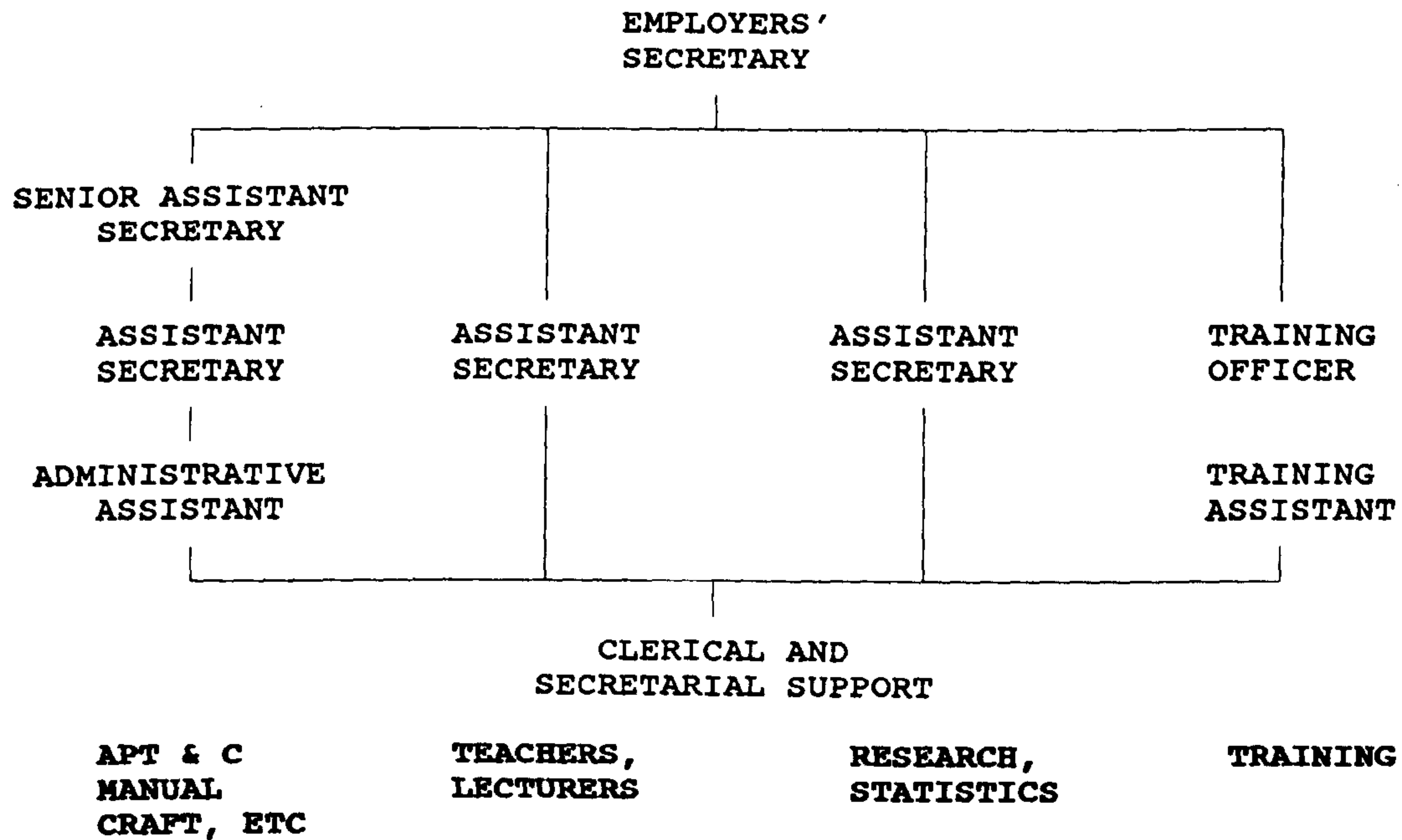
By 1975, 8 whole time equivalent staff of the Corporation were contributing to the work of the Secretariat. When the full-time Secretariat was established in 1975, there was a staffing complement of 10 whole-time equivalents, who were joined in late 1979/early 1980 by two training staff.

The increasing workload which gave rise to the additional staff can be explained by a number of changes. First, the early agreements reached by the NJICs tended to be fairly simple, with their application left to individual authorities to determine. This became increasingly unpopular with the authorities, so staff were appointed to answer queries and give advice on the agreements. At about the same time (1969), the increasing importance and stress placed upon bonus schemes for local authority manual workers had resource implications, which had to be met at central as well as local level. Finally, there was the welter of industrial relations legislation of the early 1970s, upon which local authorities expected advice from the Secretariat.

The organisational structure of the Secretariat that existed in 1985 is set out in Table 12. If a comparison is made with the staffing structure that applied in early 1992, set out in Table 17 (page 88), it will be seen that there has in fact been a modest reduction in the number of staff in the Secretariat since its merger with the Convention, even allowing for the pooling of secretarial and administrative support. The question will be addressed in the evaluative section of the thesis whether this reduction, however modest, best serves the interests of constituent authorities.



**TABLE 12**  
**THE EMPLOYERS' SECRETARIAT**  
**STAFFING STRUCTURE 1985**



Source: Based on information provided by Johnstone (37)

The Present Scottish Arrangements

Having reviewed the history of the joint negotiating arrangements for Scottish local government up to 1986, the remainder of the Chapter examines the arrangements that have existed since the amalgamation of the negotiating machinery into the overall COSLA structure. As part of this examination, it is intended to define the model which the negotiating machinery forms, emphasising especially the complexities already referred to briefly at the beginning of this Chapter, whereby some parts of the machinery are purely Scottish, other parts rely on a Scottish contribution to UK wide machinery and yet a third part depends on UK parentage, with associated Scottish machinery. Finally, the Chapter briefly considers the way in which the decisions of the negotiating bodies are put into effect (the 'outputs').

One point needs to be reiterated here, at the outset, that the basic machinery that existed in 1986 - or, indeed, as long ago as 1969 - has changed little, although the range of problems tackled by the various negotiating bodies has become much more extensive. Yet, because of a tight staffing policy adopted by the Convention, the number of staff available to service the machinery has if anything reduced since the amalgamation with the rest of the COSLA organisation.

Each of these points will shortly be considered in turn, in a manner that will paint the most detailed picture possible, in order to lead effectively into the evaluative stages of the research.

Before doing so, however, it is appropriate to consider the effects of the union between the negotiating machinery and the remainder of COSLA. Certainly, the Employers' functions of the Scottish local authorities are now a constituent part of the Convention, whereas they were previously separate. This, as the thesis has already commented, sets them apart from the negotiating arrangements that apply in local government throughout the remainder of the United Kingdom, where the Employers' Organisation (LACSAB until March 1991 and the LGMB thereafter) is separate from the local authority associations - although the associations have an allocation of seats on the Employers' Side. On the other hand, the arrangement in Scotland is not dissimilar to the arrangements that apply in Norway and Sweden, for example (see Chapter 5).

Having stated that the Employers' functions in Scotland are very much part of COSLA, it could be argued that they are organisationally separate in most respects from the remainder of the Convention. The section which follows on 'Staffing Arrangements' will clarify this statement. For the moment, however, it is relevant to note that, whilst the Secretary General of the Convention is nominally also the Employers' Secretary (an arrangement that has only formally existed since 1990), the day to day management of the functions under consideration in this work is under the control of the Depute Secretary (Personnel Services) who is formally designated the Depute Employers' Secretary. For this reason, there has been no difficulty in disaggregating the functions under consideration from the remainder of the functions of the Convention. At the same time, the thesis will not ignore the relationship of the negotiating functions to relevant Committees of the Convention, such as the Personnel Services and Education Committees. This part of the debate will consider, *inter alia*, whether bringing the Employers' functions under the wing of COSLA has overcome, in whole or in part, the criticisms levelled by Sewel <sup>(38)</sup> at the previous arrangements.

The comment was just made that the present structure has changed little since the late 1960s, when the Scottish machinery forged its links with the general UK machinery. Indeed, the main changes have been the removal of the Whitley machinery for the health services, from 1974, and the inclusion of the exclusively Scottish Joint Negotiating Committee (SJNC) for Manual Workers in the Water Supply Industry <sup>(39)</sup>. A list of the current negotiating bodies was provided as part of Table 1. This is now supplemented by the contents of Table 13 and the map in Table 14, which provide an immediate indication of the number and range of Scottish



negotiating bodies that currently apply and their relationship to the UK machinery, where appropriate. In addition, a copy of the Constitution and Terms of Reference of the NJC for APT&C Services (Scottish Council) <sup>(40)</sup> is reproduced in Appendix 4, as an illustration of the way in which the machinery is intended to operate.

TABLE 13

**THE SCOTTISH NEGOTIATING MACHINERY  
LIST OF BODIES**

**NEGOTIATING BODIES EXCLUSIVELY FOR SCOTTISH LOCAL AUTHORITIES AND THEIR EMPLOYEES**

Joint Negotiating Committee for Chief Officials of Local Authorities (Scotland)

Scottish Joint Negotiating Committee for the Water Supply Industry (Manual Workers)

Scottish Joint Negotiating Committees for

Building and Civil Engineering Craftsmen  
Engineering Craftsmen  
Electricians and Plumbers

Scottish Joint Negotiating Committee for Teaching Staff in School Education

Scottish Joint Negotiating Committee for Lecturing Staff

**NEGOTIATING BODIES FOR SCOTTISH LOCAL AUTHORITIES AND THEIR EMPLOYEES WHICH ALSO HAVE SEATS ON THE CORRESPONDING BODIES FOR THE WHOLE OF GREAT BRITAIN**

National Joint Council for Administrative, Professional, Technical and Clerical Staffs

National Joint Council for Local Authorities' Services (Manual Workers)

**NEGOTIATING BODIES COVERING GREAT BRITAIN, UPON WHICH SCOTTISH LOCAL AUTHORITIES ARE REPRESENTED**

National Joint Councils for

Local Authorities Fire Brigades  
Chief Officers of Fire Brigades

Police Negotiating Board



## Three Levels of Negotiating Bodies (NJC's)

### Scotland Only:

JNC Chief Officials  
 SJNC Education  
 SJNC Further Education  
 SJNC Water Workers  
 SJNC Craftsmen  
 SJNC Building & CE  
 SJNC Engineering

### UK Wide NJCs with a Scottish Council 'adjusting' outcomes

NJC (APT&C Staffs)  
 - Scottish Council (APT&C)  
 NJC (Manual Workers)  
 - Scottish Council (Manual)

### UK-Wide NJCs with Direct UK Application

Police Negotiating Board  
 NJC (Fire Officers)  
 NJC (Chief Fire Officers)  
 JNC for Fees of Doctors



Under the present arrangements, the Employers' Sides of the Scottish negotiating bodies are appointed by the Convention. In the case of the APT&C, Chief Officials, Manual Workers and craft bodies, the appointments are made by the COSLA Personnel Services Committee from within their number; in the case of the Teachers and Lecturers negotiating committees the appointments are made by the Education and Personnel Services Committees; whilst in the case of the Fire and Police negotiating bodies, the Scottish representatives are appointed by the Convention's Protective Services and Personnel Services Committees. These arrangements are illustrated graphically in Table 15.

This last illustration, together with the schematic model on page 53 will emphasise the complexity of the arrangements and enable the author to introduce some of the problems inevitably associated with them. This may be done by reference in turn to the three different types of negotiating machinery existing within the overall Scottish structure and by comparison with other models of collective bargaining.

The simplest model within the Scottish structure is that which exists for, say, the chief officials, the craftsmen or the manual workers in the water supply industry. Here, the machinery relates solely to Scottish local government and all of the employers' representatives are appointed by the Convention's Personnel Services Committee. The complication of plurality of membership comes, in each of these bodies, on the employees' sides, where there is more than one trade union representing the interests of the employees. This model is illustrated in Figure 2. Subject, as always, in negotiating practice, to the members of the employers' side being able to exercise unity in their approach to the subject of negotiation, there is unlikely to be a simpler model of collective bargaining from the employers' point of view.

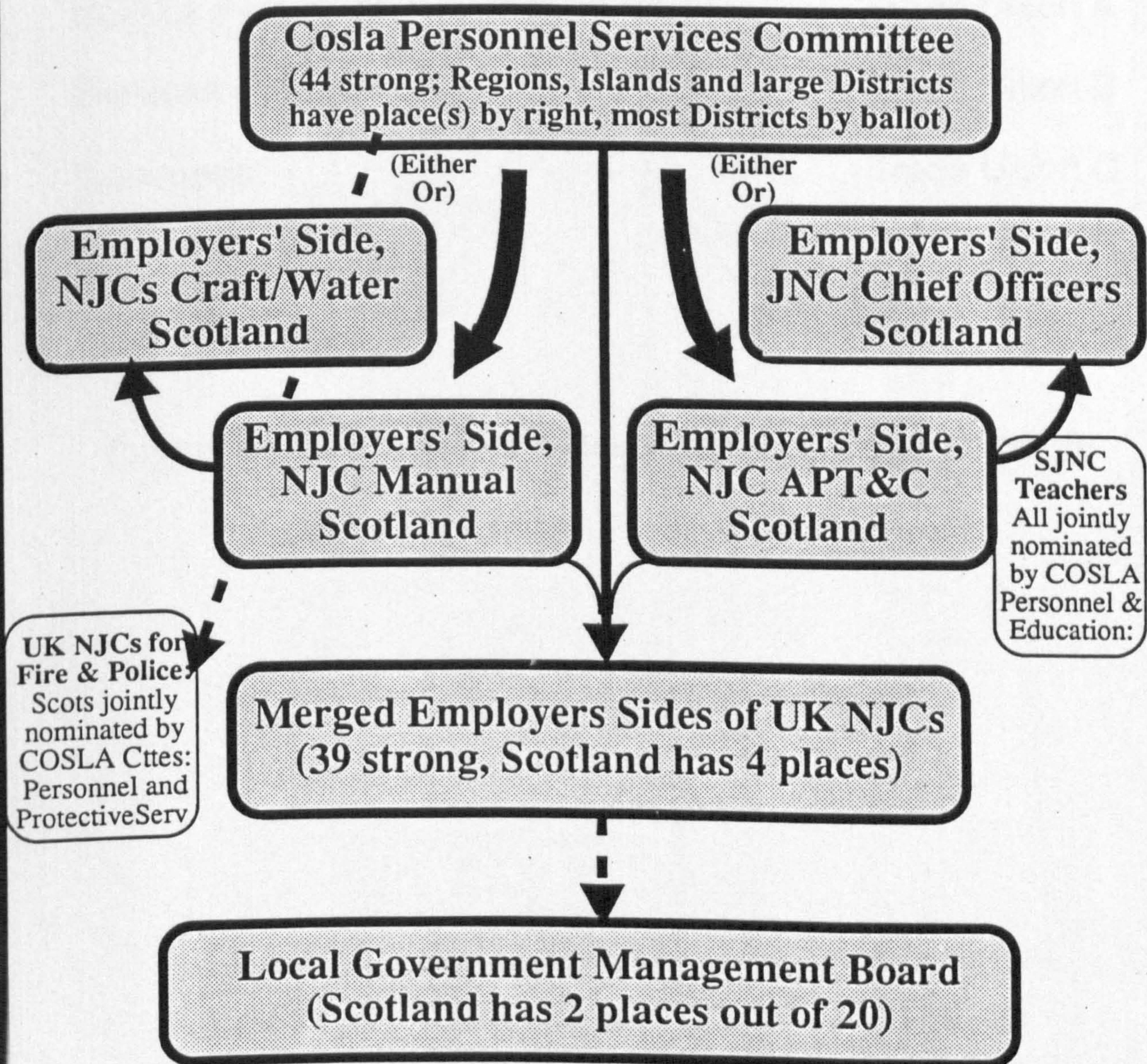
In the case of the SJNC for Manual Workers in the Water Supply Industry, the employers' side membership is further restricted to the Regional and Islands members of the Personnel Services Committee, as it is these authorities that are water authorities.

A variation on this theme is to be found in the case of teachers' and lecturers' negotiating machinery, where the geographical limits are clearly defined as Scotland, but where the employers' side membership, although all appointed by COSLA, is drawn from two of its Committees. One, the Education Committee, has essentially the interests of the education service at heart. The other, the Personnel Services Committee, will wish to reflect also the outcomes of negotiation within all the other local government negotiating bodies to which it is party. One could perhaps be forgiven for assuming that all the COSLA representatives





# Scottish Authorities & the National Structures for Personnel



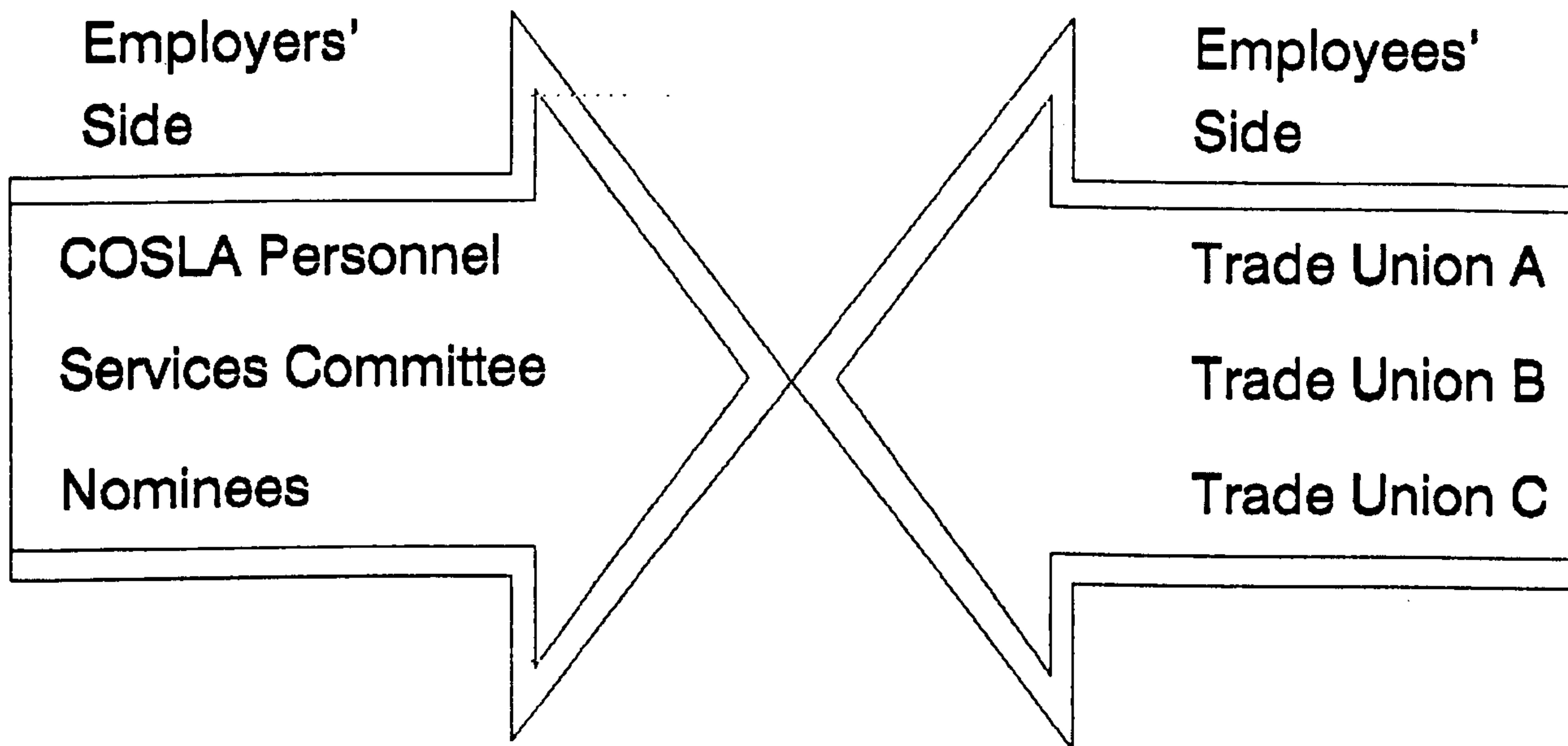


on this kind of body should be speaking with one voice: the outcomes of the negotiations would sometimes appear to contradict this expectation.

This model is illustrated in Figure 3.

## FIGURE 2

### THE SIMPLE MODEL OF COLLECTIVE BARGAINING

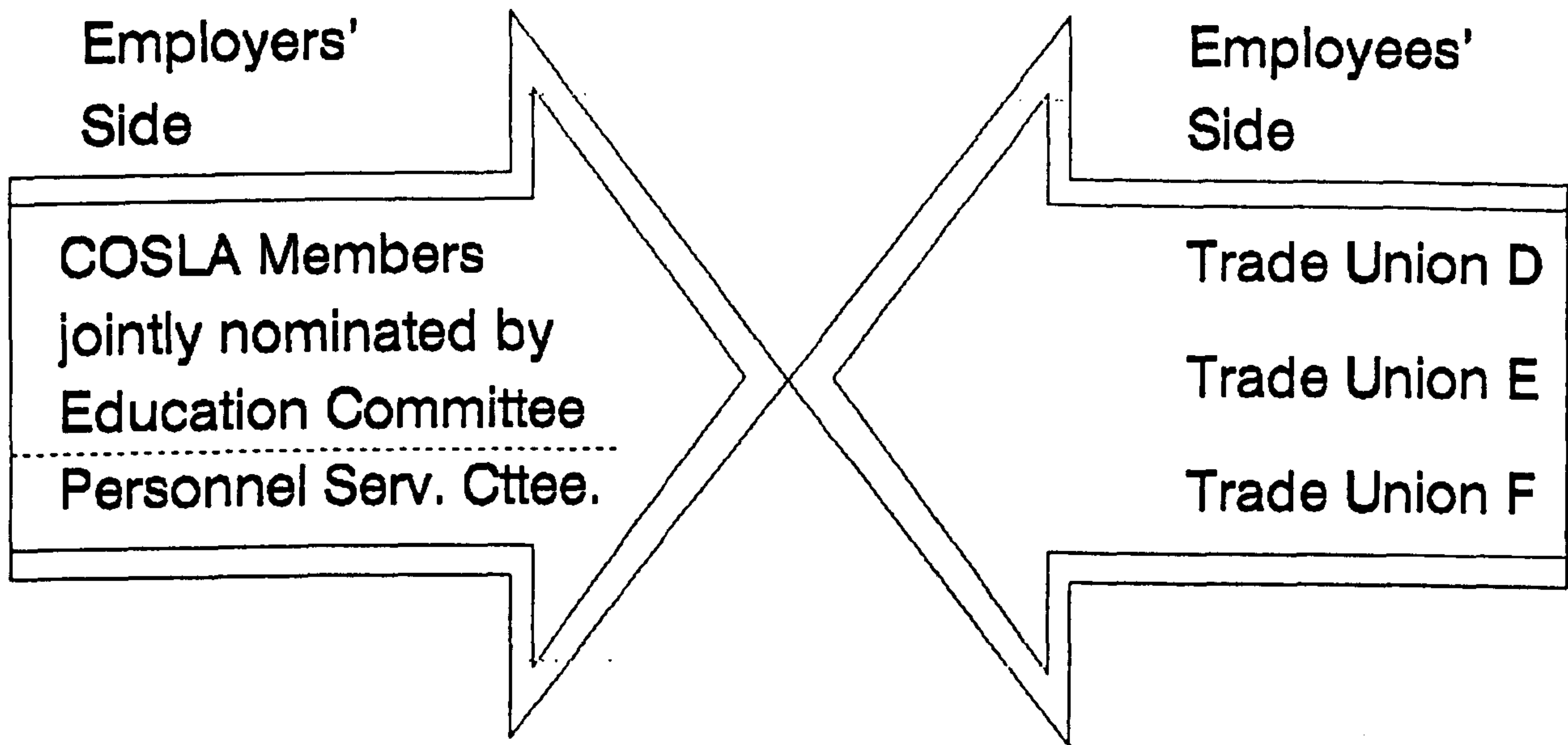


Example The SJNC for Manual Workers (Water Supply)



### FIGURE 3

## THE MODIFIED SIMPLE MODEL OF COLLECTIVE BARGAINING



**Example** The SJNC for Teachers in School Education

Next in complexity comes the negotiating bodies for uniformed fire and police officers. Here, there is a similar duality of appointments from COSLA, from the Protective Services and Personnel Services Committees, but to UK wide bodies which also have on their employers' sides members appointed by the relevant local authority associations and the LGMB. In each case, the Convention's representatives will be in a minority, representing as they do approximately ten per cent of the overall population of the United Kingdom. In this situation, even though the Convention's nominees may be united in their approach to negotiations, they may not share the same view as the representatives from other parts of the UK.

This model is illustrated in Figure 4.

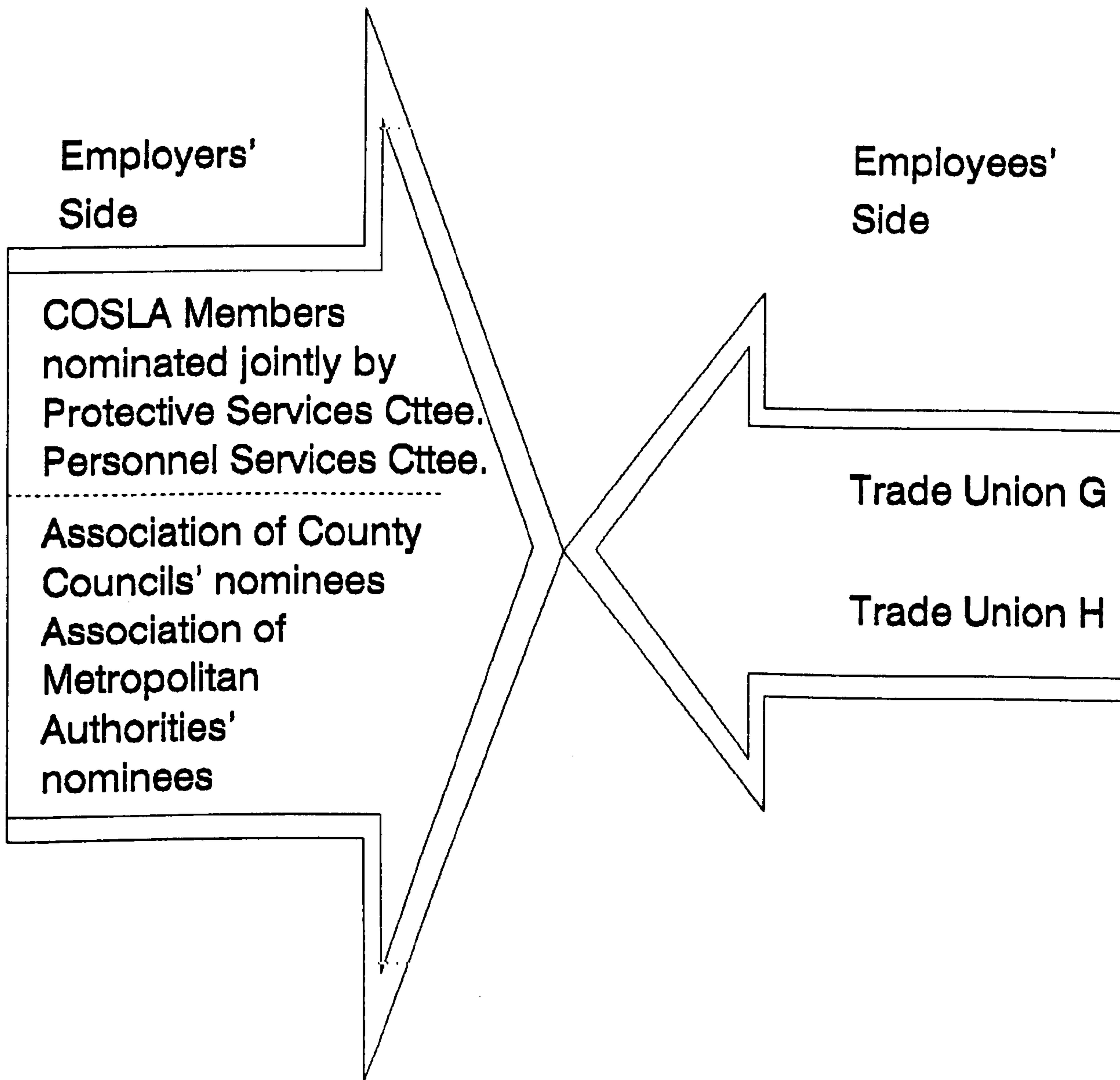
Finally there is the hybrid model in the case of the NJCs for APT&C Staffs and Manual Workers. As already explained, there are UK wide NJCs for these two groups, on which COSLA's Personnel Services Committee has nominees. In this respect, the Scottish representatives are in the same overall position as their colleagues on the police and fire negotiating machinery, that is, they are full partners on the employers' side, but in a minority when set alongside the members from the English and Welsh local authority associations, the Provincial Councils and the LGMB. Superimposed upon this model are the associated corresponding Scottish NJCs, which take the simple model, as illustrated in Figure 2. Despite the minority allocation of seats to the Scots on the UK NJCs for these two groups, there has been a history of Scottish representatives holding the chairs of the employers' sides.

This model is defined in Figure 5.



FIGURE 4

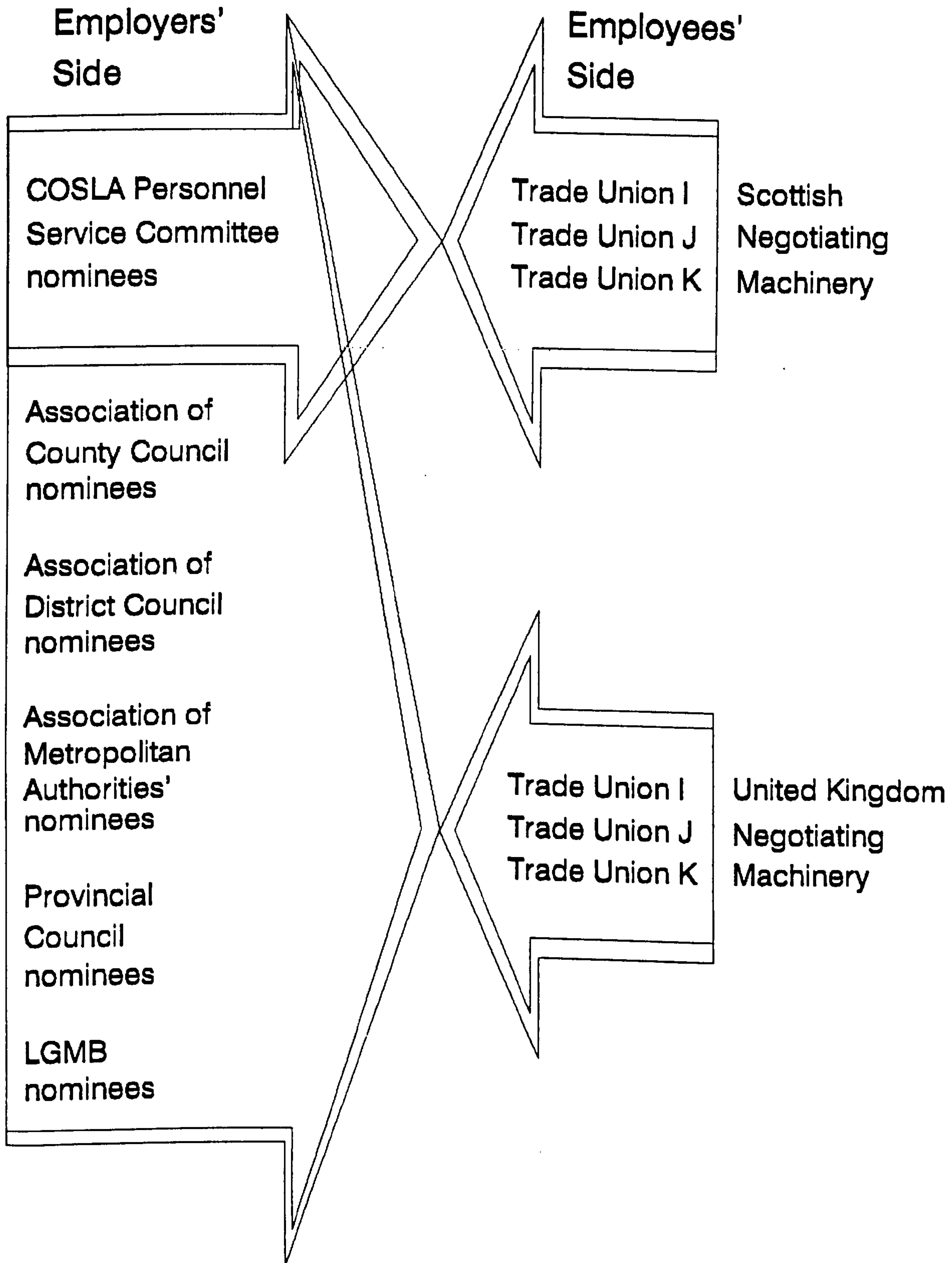
THE COMPLEX MODEL OF COLLECTIVE BARGAINING



Example The NJC for Local Authorities Fire Brigades

FIGURE 5

THE HYBRID MODEL OF COLLECTIVE BARGAINING



Example The NJC for APT & C Services



The overall structure of the negotiating machinery for Scottish local government is an amalgam of these four models, in itself a model too complex to create in two dimensions on a sheet of paper if the whole plethora of bodies, with their respective employers' and employees' sides were to be shown. For this reason, a simplified overall model is attempted in Figure 6. The constant factor on the employers' sides, imported from each of the four preceding models is representation from the Personnel Services Committee of the Convention.

With the complexity thus emphasised, it is appropriate to pose the question, whether there is any way in which the structure could, or should, be simplified, in the interests of Scottish local government. A substantial amount of the next Chapter is devoted to answering that question. In the meantime, there are a number of other issues that require explanation in relation to the structure and outputs of the Scottish machinery. These are considered in the remainder of this Chapter.

#### Links with the UK Machinery

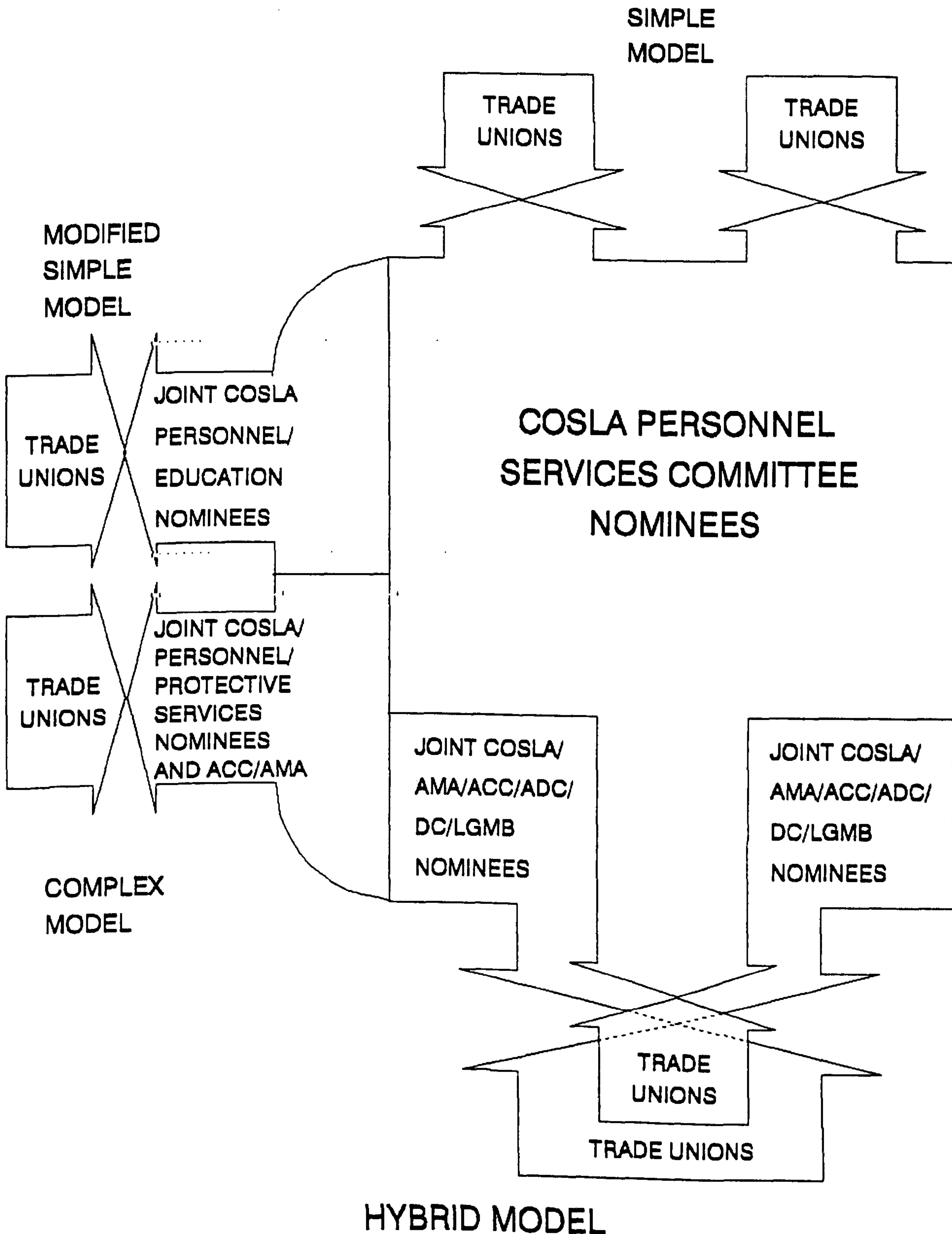
The first issue is to conclude discussions on the relationship of the Scottish machinery with the corresponding United Kingdom arrangements. Extensive reference has already been made to the contribution made by the Scottish employers to the LGMB and to the membership of Scottish authorities to the APT&C, Manual Workers, Police and Fire negotiating bodies.

Even where the Scottish machinery is entirely separate from UK machinery (eg that for Chief Officials), arrangements exist for liaison between the Scottish employers and their UK counterparts, to monitor settlements for corresponding groups. Thus, on the one hand the Scottish employers will wish to assess the implications for them of settlements for, say, chief officers or the craft groups in England and Wales. On the other hand, the Scottish employers will keep the LGMB informed of the size and detail of settlements reached in Scotland, to enable them to monitor the outcome and possible effects of the negotiations on the wider collective bargaining machinery.

# FIGURE 6

## SCOTTISH NEGOTIATING MACHINERY

### OVERALL MODEL





This relationship is formally cemented in the view expressed by Thomas, that *COSLA is the first point of contact in Scotland for the UK employers' sides* <sup>(43)</sup>. In discussing the relationship between the UK and Scottish employers with him, he felt that one could discern a different approach at UK and Scottish levels to the two hybrid models just defined. On the one hand, he felt that in relation to the NJC for Manual Workers, the Scottish Council tended to be subordinate to the UK NJC, working in a similar manner to a Provincial Council. On the other hand, the Scottish NJC for APT&C Staffs has tended to display a greater degree of independence from the UK machinery. Towards the end of the 1980s, the Scottish NJC for Manual Workers also flexed the muscles of greater independence, especially in the methodology adopted for the implementation of the Manual Workers' Job Evaluation Review and in relation to the introduction of compulsory competitive tendering.

The relationship between the UK and Scottish employers is also enhanced by the attendance of Scottish representatives at meetings convened by the LGMB of Provincial Councils, and at meetings with Government Ministers. For its participation in the activities of the LGMB and the UK machinery, COSLA is required to pay a levy to represent its share of the running costs, whereas in England and Wales, finance comes partly from top slicing the Revenue Support Grant and partly from a levy on Provincial Councils. It has been stated by one source (non-attributable) that the costs of having representation from COSLA on the LGMB and the UK bodies, including travel and subsistence costs of those representatives, actually outstrips the levy paid by COSLA for membership.

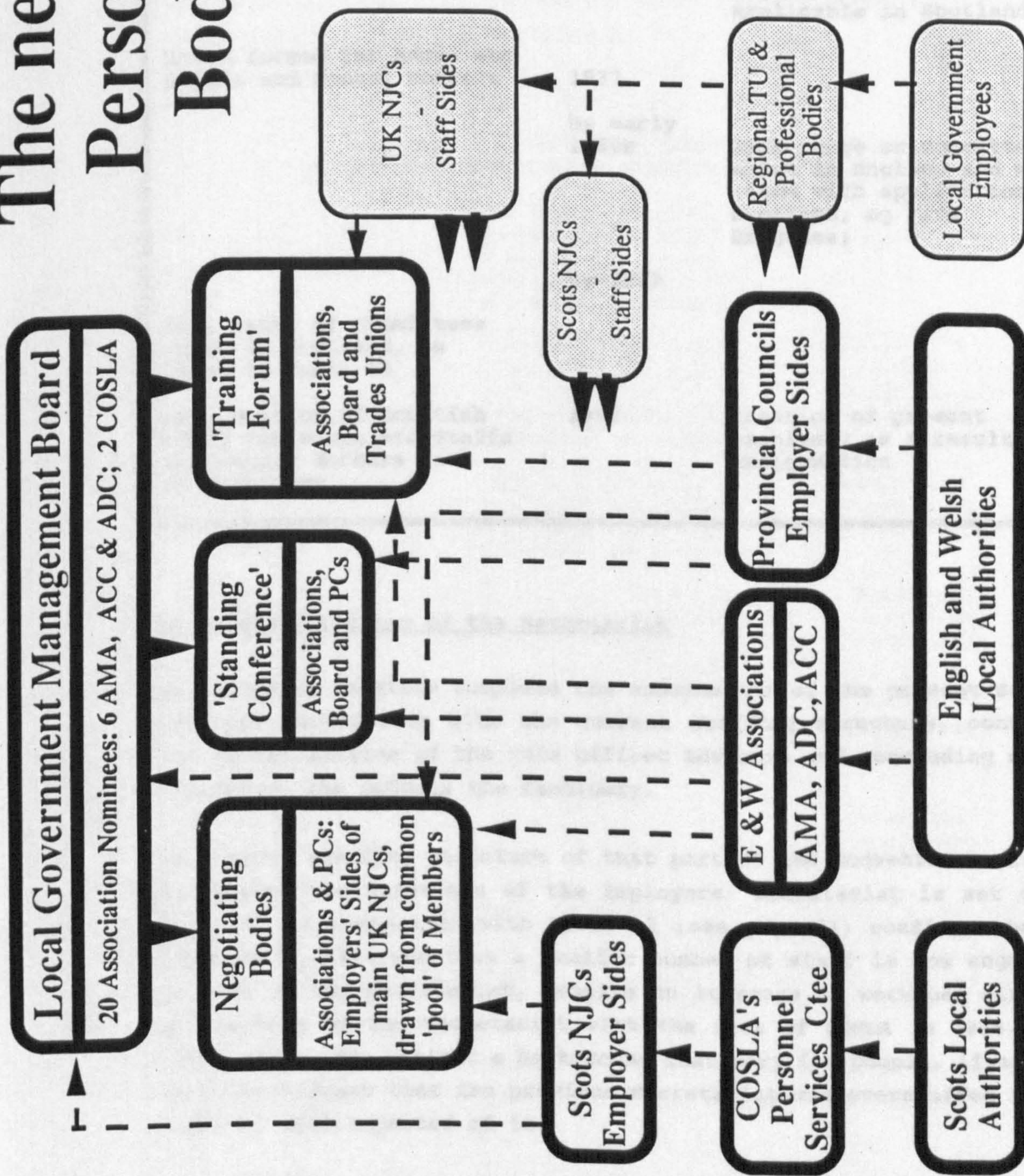
A schematic illustration of the relationship between COSLA and the LGMB may be found in Figure 7.

Finally in this section on the relationship between the UK and Scottish arrangements, a chronology of the main landmarks in their respective histories has been provided, in Table 16.

**TEXT BOUND INTO  
THE SPINE**



# The new UK Personnel Bodies





**TABLE 16**  
**A CHRONOLOGY OF WHITLEYISM**  
**IN LOCAL GOVERNMENT**

IN SCOTLAND		IN THE UK GENERALLY
	1919	Whitley Councils formed for Admin etc Staffs and Manual Workers (not applicable in Scotland)
NJICs formed for Admin etc Staffs and Manual Workers	1937	
	by early 1950s	Wide range of Committees exist in England and Wales (some with application in Scotland, eg Fire Brigades)
	by 1962	
Full range of Committees exist in Scotland, as shown in Table 13		
Amalgamation of Scottish NJICs for Admin etc Staffs and Manual Workers into UK machinery	1969	Creation of present machinery as a result of amalgamation

#### The Present Staffing of the Secretariat

The following sections complete the examination of the present Scottish machinery, commencing with the current staffing structure, continuing with an explanation of the role Officer Advisers and concluding with an overview of the outputs the machinery.

The present staffing structure of that part of the Convention currently undertaking the functions of the Employers' Secretariat is set out in Table 17. A comparison with Table 12 (see page 71) confirms the view expressed by Paterson that a smaller number of staff is now engaged on the work of the Secretariat, despite an increase in workload since the amalgamation of the Secretariat with the rest of COSLA in 1986. This statement is made against a background that very few people, if any, are likely to suggest that the previous Secretariat was overstaffed for the amount of work expected of it.

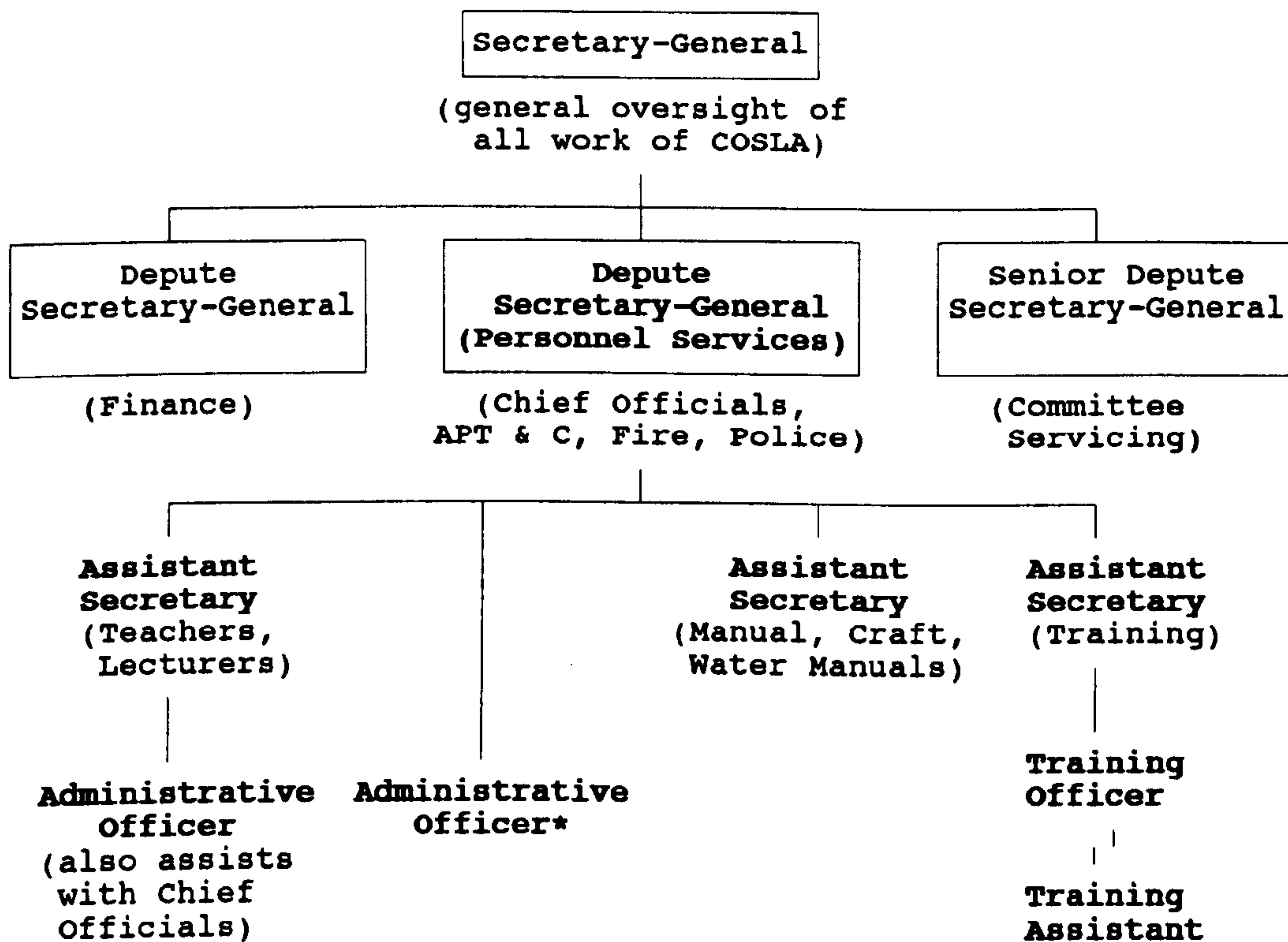
Of the posts shown in Table 17, only one (the Administrative Officer post highlighted by an asterisk (\*)) has been approved since 1986 as a modest increase in establishment. However, the view was expressed by Paterson that in a normal year, the staff specifically appointed to service the



negotiating machinery (as compared with the Training Staff) *should be able to cope with the normal negotiating workload* <sup>(45)</sup>. This proviso reflects the additional amount of work that has had to be absorbed within the Secretariat as a result of the Manual Workers' Job Evaluation Review and the negotiating workload arising out of competitive tendering. The question has to be addressed, however, whether all of this 'additional' work has in fact been strictly necessary or even desirable if a comparison is drawn with the way in which such matters have been dealt with elsewhere in the United Kingdom.

TABLE 17

CONVENTION OF SCOTTISH LOCAL AUTHORITIES  
EMPLOYERS' SECRETARIAT STAFFING STRUCTURE 1991



**NOTE** This Table was accurate at January 1991. The posts allocated to the Secretariat are shown in bold lettering. The main areas of responsibility of the various officers are shown in brackets, although there is a degree of flexibility between officers which it is not possible to reflect on a summary chart of this kind.

In addition to the staff shown in Table 17, the Employers' Secretariat shares pooled administrative and clerical support with the remainder of COSLA.

It has to be acknowledged here that, in common with so many organisations, the Convention has experienced a substantial amount of staff turnover in the posts shown in Table 17 during the currency of this

time. These variously provided the basis for the simple, modified simple and complex models already defined. Subsequently, in 1969, the original NJICs merged with their UK counterparts, but at the same time retained a Scottish identity, thus giving rise to the hybrid model of Figure 5. All in all, this piecemeal organic growth of the structure has given rise to the complexity of the present overall model presented in Figure 6.

The criticism has also been made that, largely as a result of the complexity of the arrangements, there is a tendency for anomalies to be created, between the outputs of different negotiating bodies.

The question inevitably has to be asked, therefore, whether there is any way in which the structure could be simplified, and the potential for anomalies reduced, without affecting the ability of the machinery to serve its purpose effectively. These issues are now addressed in a number of ways. First, the outputs of the process are examined, with appropriate regard being paid to the types of anomalies that arise. This is followed by a detailed assessment of the present arrangements, from the perspective of elected members, senior personnel practitioners in Scottish local government, trade union officials who are party to the joint collective bargaining arrangements and the senior staff of COSLA employed to service and support the machinery.

From this examination and assessment, which is set out in Chapter 4, preliminary conclusions are drawn as to the possibilities for change. Thereafter, the corresponding arrangements for joint collective bargaining in local government, in Denmark, Finland, Norway and Sweden, are investigated, in order to assess whether they are able to offer other models for consideration, for possible application in Scotland. This section, on negotiation and joint collective bargaining, is then concluded, in Chapter 5, with proposals for consideration.



- 1 These publications include
- I Kessler, Bargaining Strategies in Local Government, in R Maily, S J Dimmock and A S Sethi, Industrial Relations in the Public Services, 1989, London, Routledge, 1989
- Alan Fowler, Personnel Management in Local Government, London, Institute of Personnel Management, 1975
- LACSAB, LACSAB Employer Guide No 2: Who and What is LACSSAB?, London, LACSAB, 1982
- Geoff Kelly, A History of LACSAB, Industrial Relations in Local Government 1947 - 1991, London, Centurion, 1991
- 2 Committee on Relations between Employers and Workmen, (Chairman, J H Whitley), London, HMSO, 1916
- 3 Bargaining Strategies in Local Government, op cit, p 156
- 4 Personnel Management in Local Government, op cit, p 117
- 5 ibid, p 118 - 9
- 6 The Local Authorities' Employers' Organisation was formerly known as the Local Authorities' Conditions of Service Advisory Board, hence the acronym LACSAB, by which the organisation continued to be known until its amalgamation with the Local Government Training Board into the Local Government Management Board in 1991.
- 7 Who and What is LACSAB?, op cit, p 3
- 8 LACSAB, An Employers' Strategy, London, LACSAB, 1987, p 8
- 9 ibid, p 14
- 10 During the course of the research period, the established joint negotiating committee for teachers in England and Wales (the 'Burnham Committee') was, first, put in abeyance by the Government and, subsequently, replaced by a Pay Review Body. These changes have not affected the joint negotiating arrangements for teachers in Scotland.
- 11 Source, COSLA consultative document issued to local authorities on 31 March 1992
- 12 An Employers' Strategy, op cit, p 14
- 13 Source, various LACSAB documents, of which the main one is Who and What is LACSAB?, op cit
- 14 Extracted from National Joint Councils for Local Authorities' Administrative, Professional, Technical and Clerical Services, Scheme of Conditions of Service, (the 'Purple Book'), London, LACSAB, 1979 as amended, pp 5 - 10
- 15 Bargaining Strategies in Local Government, op cit, p 156 - 7
- 16 An Employers' Strategy, op cit, p 15
- 17 ibid, p 15
- 18 Who and What is LACSAB?, op cit, p 4
- 19 Review of LACSAB, London, Report to the Local Authority Associations, 1988
- 20 Local Government Training Board Review, Final Report, London, Report by the Review Panel to the Association of County Councils, Association of District Councils and Association of Metropolitan Authorities, 1989
- 21 Review of LACSAB, op cit, pages unnumbered
- 22 LAMSAC was the acronym used by the former Local Authorities' Management Services and Computer Committee, a body which was wound up shortly before the establishment of the LGMB, although certain residual functions were transferred to the LGMB.
- 23 The two former Employers' Secretaries were Mr John Johnstone, who held the post from 1964 to 1986, and his successor, Mr George Paterson, who held the post 1986 - 1990.
- 24 Others who have contributed directly or indirectly to this part of the investigation are the present Depute Secretary of COSLA (and Depute Employers' Secretary), Mr Iain Roberts, the former Assistant Secretary (Training and Development), Mr Joe Soden, former Chair of the Employers' Sides, Mr Douglas Wynn, former President of COSLA, Professor John Sewel, and former Secretary of LACSAB, Mr David Thomas.
- 25 The term 'National Joint Industrial Council' predated the present term 'National Joint Council'. It continued to be used in Scotland until the former NJICs merged with the UK NJCs in 1969.
- 26 Mr John Johnstone, in private interview, October 1988, used this adjective.
- 27 'Establishment' was the term used until about 1975 for what is now generally referred to as personnel work in local government.
- 28 National Joint Industrial Councils for Local Authorities' Services (Scotland), Minute of Meeting between the Employers' Side of the Industrial Councils and Representatives of the Scottish Local Authority Associations held in the City Chambers, Edinburgh on Friday 6 September 1963, Edinburgh, unpublished document
- 29 ibid

- 30 National Joint Industrial Councils for Local Authorities' Services (Scotland), Merger of Negotiating Machinery, Edinburgh, unpublished document, 1969
- 31 ibid
- 32 See also footnote 10 above. In 1986 the Secretary of State for Education removed the 'Burnham Committee' from the negotiating machinery administered by LACSAB and replaced it with an Interim Advisory Committee, under the Teachers' Pay and Conditions Act 1987. Originally the Interim Advisory Committee, which comprised the Secretary of State's appointees, was due to be abandoned in March 1989 but (following an announcement in July 1989 it continued until it was replaced by a Pay Review Body for Teachers. These arrangements do not apply in Scotland.
- 33 National Joint Industrial Councils for Local Authorities' Services, Joint Industrial Councils, Edinburgh, briefing note for members of the NJICs, estimated date 1962.
- 34 ibid
- 35 ibid
- 36 An Employers' Strategy, op cit
- 37 Johnstone, private interview, October 1988
- 38 Professor John Sewel, Past President of COSLA, in private interview, October 1988
- 39 Whereas in England and Wales, the water industry was established from 1974 in the form of non-elected Regional Water Authorities (now the privatised Water Companies plc) separate from local government, in Scotland the function was allocated to the Regional and Islands councils at the reorganisation of local government in 1975 and remains part of local government. There has thus remained a need for an appropriate negotiating body to determine the terms and conditions of employment of water supply workers in local government in Scotland.
- 40 Extracted from National Joint Council for Local Authorities' Administrative, Professional, Technical and Clerical Services (Scottish Council), Scheme of Conditions of Service, (the 'Blue Book'), Edinburgh, 1978 updated, pp 48 - 51
- 41 This Table is reproduced courtesy of Mr Douglas Wynn, Lecturer, Scottish Local Authorities' Management Centre.
- 42 ibid
- 43 Mr David Thomas, former Secretary of LACSAB, in an interview, 1988.
- 44 This figure is reproduced courtesy of Mr Douglas Wynn.
- 45 Mr George Paterson, in interview, 1989



## CHAPTER 4

### NEGOTIATION AND JOINT COLLECTIVE BARGAINING IN SCOTTISH LOCAL GOVERNMENT

#### A PRELIMINARY ASSESSMENT

##### The Effects of Complexity

The previous Chapter identified, through the definition of five models of collective bargaining, the complexity of the arrangements. It explained that the amalgamation of the former Employers' Sides of the Scottish negotiating bodies into the overall structure of COSLA in 1986 had been designed to promote a greater cohesiveness in the determination of pay and other settlements, through the integration of the Employers' Sides under the general umbrella of the Convention.

The Chapter concluded conversely that, despite this action in 1986, the negotiating machinery still lacked the degree of unity and cohesion expected from the merger. Reference was made to the potential that still exists for the creation of anomalies, especially between the decisions of the different negotiating bodies, and the impact that this can have on the employment policies of individual local authorities.

Essentially, the preliminary conclusion has been drawn that the cause of the problem is the complexity of the machinery, while the effect is the impact on authorities of the outputs of the machinery. In order to attempt to validate this preliminary conclusion, it is necessary now to study the form that these outputs take, and the mechanisms and safeguards that could help to prevent anomalies and difficulties occurring within the Employers' Sides.

Thereafter, the assessment will be further developed by reference to the opinions of elected members and officials associated with the bargaining machinery, as obtained through the medium of the questionnaire (see page 11 for detailed explanation of the questionnaire).

##### The Outputs of the Machinery

The principal outputs of the machinery reflect the respective roles of COSLA as an employers' organisation in its own right on the one hand and as one side of joint collective bargaining machinery on the other.

In the former case, the public outputs tend to be in the form of written and oral advice to constituent authorities. The written advice will itself take a number of forms: it could be a reactive response to a query on a specific subject from one or more local authorities, or involve the universal issue of an *Employers' Circular* on matters of current importance to one or more negotiating groups, for example, an update on

the progress in current negotiations from the employers' point of view. A sample of a typical Employers' Circular is reproduced in Appendix 5.

A further type of output will be the issue of details of pay and conditions claims from trade unions which will form the basis of forthcoming negotiations. This will normally be accompanied by a request for the views of local authorities on the claim, in the form of the *sounding board procedure*. This is an important regular part of the cycle of negotiations, and therefore merits a specific section (see pages 98 to 100).

From the joint perspective, each of the negotiating bodies is responsible for negotiating and producing a complete scheme of conditions of service for the employees who are subject to it. Each of these schemes, published in a 'handbook' often running to a hundred or more pages, tends to contain a number of commonly recurring sections, although the detailed content will vary from scheme to scheme. These common headings include the grading structure and rates of pay, provisions for premium rates of payment for certain duties, details of holiday and sick pay schemes and maternity leave arrangements and provisions for training. They are likely also to include model disciplinary, grievance, disputes and appeals procedures and other relevant conditions of employment. Pensions (superannuation) provisions are not contained within the schemes of conditions of service, as these provisions are, within Scottish local government, covered by statutory regulations.

Some parts of the schemes, once approved and implemented, will remain static for many years, whilst others will be reviewed regularly. The former tend to include non-financial provisions, such as basic hours of work and holiday entitlements. The latter tend to include all those provisions to which a monetary value is attached, such as rates of pay and car and subsistence allowances, which require to be reviewed against prevailing rates of inflation.

The changes in the schemes, as agreed, are promulgated jointly by the employers' and employees' sides in the form of *joint circulars*. These will include the terms of any settlement reached and any joint notes of guidance agreed as part of the collective bargaining process. The most common form of advice under this heading will include details of annual pay awards: an example is reproduced in Appendix 6.

It is not the intention of this research to consider and review each of the provisions of the various schemes, but to indicate those areas of commonality between the schemes and to highlight those aspects where anomalies and problems can be generated as a result of there being a number of separate bodies.



### The Annual Pay Round

Before investigating these issues, however, it is necessary to examine the timing of the various negotiations within the Scottish system, and also some of the arrangements underpinning the process of collective bargaining, as these have a bearing on the outcomes and creation of anomalies.

Since the mid-1960s, local government employees, in common with their colleagues in most of the public and private sectors of the economy have become accustomed to an annual 'cost of living' pay increase. In the local government environment, as in most other sectors, the increase has been achieved through the process of collective bargaining between representatives of the employers and of the employees, meeting in joint negotiating committees (Whitley Councils) of the kind already described. In other sectors, particularly those with little or no trade union penetration, and no formal negotiating machinery, any award is likely to be granted by the employer, at his discretion. Throughout much of the period since the mid-1960s, collective bargaining has been relatively 'free', with constraints on settlements depending on such factors as the relative strength of the parties and the ability to pay. For certain periods, however, notably during the late 1970s, the normal arrangements for collective bargaining were constrained by the imposition by government of a statutory pay policy. During the currency of this particular investigation, local government was operating in conditions of relatively free collective bargaining.

Alongside the concept of the annual pay round has also developed that of the pay year, whereby it is generally agreed that the settlement year runs from September to the following August. Under this arrangement, the outcome of certain major settlements are seen as pace setters for all that follow during the remainder of the pay year; the settlement for manual workers employed by the Ford Motor Company is frequently cited as the main trendsetter in this regard.

The consequence of the pay year is that there is no single date for settlements within the British economy. Their timing generally appears to have no rhyme nor reason, other than the fact that one year's settlement is applied from the anniversary date of the previous year's. Only where a settlement is reached for a period other than a year does the effective date of operation of a pay award vary from one year to the next. Local government in Scotland is almost a microcosm of this national pattern, with some half dozen different settlement dates from a dozen negotiating bodies. However, in terms of numbers of employees covered by individual settlements, three dates could be described as more important than the others: April, July and September. This is

illustrated by the calendar of the pay year in Table 18.

**TABLE 18**  
**THE LOCAL GOVERNMENT PAY YEAR**

<b>Traditional Settlement Date</b>	<b>Negotiating Body</b>	<b>Number of Employees</b>
September	NJC (Manual Workers)	107,000
	Police Negotiating Body	14,000
October		
November	NJC Fire Brigades	4,600
December	-	
January	-	
February	-	
March	-	
April	SJNC (Teachers)	57,000
	SJNC (Lecturers)	8,000
	SJNC (Water Supply)* (Manual Workers)	2,000
May	-	
June	-	
July	NJC (APT & C)	95,000
	SJNC Chief Officials *	1,400
	SJNC (Building & Civil Engineering)	14,000
	SJNC (Engineering Craftsmen)	
	SJNC (Craftsmen)	
August	-	

**NOTE**

\* In 1992, the settlement date for these groups differed from the traditional settlement date.



Although it is not suggested that either side of the local government negotiating machinery ever set out to create this spread of settlement dates over the year, it is not difficult to conclude that it is an almost inevitable consequence of the range and complexity of the negotiating machinery. Indeed, when there was debate in the mid to late 1970s on the advantages and disadvantages of greater synchronisation of settlement dates, general opinion was in favour of the present system for two main reasons. The first was practical and reflected the unsophisticated nature of payroll systems then in operation, that payroll sections of local authorities would have been unable physically to cope with the implementation of more than one major pay award at a time. The second was perceived more in industrial relations terms, that a synchronised settlement date would tip the balance of negotiating power in favour of the unions.

It is suspected that with the availability of computerised payroll systems most, if not all, local authorities could cope more adequately now than they could have done 20 years ago with a common implementation date for pay settlements. There is potentially still validity in the other perceived disadvantage. However, since local authority employees and their trade unions have not generally resorted to industrial action in support of their pay claims, it is questionable whether this would be a real problem, rather than an imagined one.

At this point, suffice it to say that within the comparator countries, there is a synchronised pay settlement date for local authority employees, as well as a less complex model of collective bargaining (see Chapter 5), and therefore this aspect of the assessment of the Scottish processes and outputs will be reconsidered later.

The system of free collective bargaining just referred to applies to the majority of the negotiating bodies being examined. It does not, however, apply in the case of pay awards granted by the negotiating machinery for uniformed fire and police personnel. For both of these occupational groups, annual increases in pay are determined by pay formula.

In simple terms, this is a system of index-linking pay. In the case of the police, index-linking was introduced in 1979, along with the creation of the present Police Negotiating Board, under the Edmund-Davies recommendations <sup>(1)</sup>. The increases in police pay have, since that time, been determined by reference to the index of average earnings.

The index-linking of fire fighters' pay was also introduced in 1978/79, following a period of strike action requiring the intervention of the army with their 'green goddesses' <sup>(2)</sup> to maintain a level of fire cover in many areas. Under the formula, the pay of basic rank fire fighters is

linked to the upper quartile of average male earnings, with the pay of more senior ranks being increased appropriately.

These formulae have the benefit of certainty of increase in pay, in line with other movements identified in the respective formula. They obviate the need for the submission of a claim by the trade unions, response by the employers and the almost inevitable posturing of both parties during negotiations, before a settlement is reached. The existence of a formula does not, however, always lead to unbridled satisfaction with the outcome of the pay award. It can, on the other hand, transfer feelings of dissatisfaction to other conditions of service, not covered by the pay formula, on which protracted discussions will take place. Examples in the two services mentioned here include a dispute over long service payments in the fire service and one over rent allowances for the police.

#### The 'Sounding Board' Procedure

In the case of the majority of the negotiating bodies, where the conventional process of collective bargaining for salary awards occurs each year, it is essential for the negotiators on the Employers' Side to have some indication of the level of settlement that would be acceptable to its constituent members. In the case of APT&C Staffs and manual workers, there has been a longstanding arrangement to determine the views of employing authorities, known as the *sounding board procedure*.

Under this procedure, as part of their annual routine, the Employers' sides of these two negotiating bodies have sought to ascertain from individual local authorities what they are able (or prepared) to fund by way of increases in wages or improvements in conditions of service in the coming pay year. This has helped the national negotiators to determine their negotiating strategy for the period.

For both these groups, the procedure has traditionally started at UK level, by the formulation of questions by the LGMB (and its predecessor, LACSAB), to be asked of local authorities. In Scotland, the procedure is supervised by the Employers' Secretariat, which has tended to modify the questions before they have been asked of authorities. The Secretariat co-ordinates the responses from Scottish authorities and uses a summary of the responses as the basis of the briefing given to Scottish representatives on the appropriate UK national body and to assist the Scottish negotiators in any purely domestic elements of the bargaining round. The Scottish Secretariat also communicates the Scottish responses to the LGMB Secretariat as part of the overall briefing of the UK negotiators. According to Paterson <sup>(3)</sup>, there has normally been no great disparity between the replies of Scottish local authorities and the corresponding replies south of the border, although inevitably there is



bound at times to be some divergence of opinion between the more Conservative dominated Associations of County Councils and District Councils and the more predominantly socialist Association of Metropolitan Authorities and COSLA.

The procedure has been seen as important by local authorities, as one small way in which they can have a direct input to national negotiations, especially if they have no representative on the Scottish negotiating machinery, and by the national negotiators, since they are then able to reflect - or at least, try to reflect - the collective views of individual authorities in negotiations with the trade unions. This has given them greater strategic strength than they would otherwise have. In order to respond quickly to the sounding board, local authorities have been asked to have an *expedited machinery* for considering requests for comment under the procedure <sup>(4)</sup>.

In practice, the 'main round' of the sounding board has tended to coincide with the submission by the trade union side of a claim for improvements in pay and conditions of service. A second round of the procedure has sometimes been required, particularly if the national negotiators have had difficulty in reaching an agreement. It is in the secondary round that there is normally greater need for speed.

In Scotland, the responses to the sounding board for APT&C staff have tended also to be used as the guideline for Scottish chief officials negotiations, and those for manual workers as the guideline for the craft groups and for the manual workers in the water supply industry. Until 1990, there had been no similar formal provision for a sounding board for teachers and lecturers, but remedial steps have recently been taken to correct what has now been seen as a shortcoming in the system.

Throughout the foregoing paragraphs, the past tense has been used in examining the sounding board procedure. Just as the thesis was being finalised, early in 1992, the Scottish Employers' Side agreed to modify the previous arrangements, by setting out a resume of the present circumstances relating to the pay and conditions of local authority employees and asking for the opinions of local authorities as to the parameters that they would wish to see applied to pay settlements generally during the 1992 settlement period.

During the early stages of the research, consideration was given to possible ways in which the present sounding board procedure could be improved, particularly taking account of methods of consultation on pay claims employed by some of the local authority associations in the comparator countries. One proposal that was to have been made, based on longstanding practice in Norway and Sweden, was the convening of an

annual conference of local authorities, in addition to the sounding board procedure. Such a conference would be held before the start of the annual pay round, and would be designed to assess from local authorities the format and size of any salary and wage awards that they would be prepared to accept in the following pay round. In fact, the Convention stole the author's thunder, by adopting this concept for the pay year 1991, with the first such conference being held in Glasgow at the end of January 1991. It having proved beneficial, a similar conference was held in 1992 and extended to include a specific consultative session in relation to the pay and conditions of teachers - an innovation that would, it seems, have scarcely been contemplated even a year or two earlier.

The first part of the 1992 conference took the form of a presentation of recent and current trends in pay settlements, in local government and in other sectors of the economy, followed by syndicate discussions during which delegates were asked to consider issues relating to the longer term strategy for negotiations in local government. The second part, which related specifically to teachers' negotiations, provided an opportunity for the chief negotiators to describe and obtain observations on their preferred strategy for this group of employees, in a 'confidential' environment <sup>(5)</sup>.

The conference now looks set to become a regular feature in the pay round calendar of Scottish local government.

#### The Provisions of the Schemes Contrasted

In order to give substance to earlier comments about the complexity of the negotiating arrangements and the scope for the creation of anomalies, the study continues with an examination of the outputs of the various negotiating bodies, providing examples of the way in which anomalies occur. The examination is in two parts, the first dealing with salaries and wages and the second with other conditions of employment.

The examples will illustrate some of the worst excesses of anomaly and problem, particularly as they impact upon employing authorities. They will also explain the scope for local determination and flexibility within some of the schemes of conditions of service and the corresponding lack of flexibility in others. They will also serve as the basis of contrast with the outputs of the negotiating machinery in the comparator countries (see Chapter 5).

#### **Salaries and Rates of Pay**

Almost inevitably, the greatest potential dissatisfier within the schemes



of conditions of service is the basic rate of pay. This statement can relate to the actual rate of pay set by the negotiating body. It can also apply where an employee or trade union, or even an employer, perceives an adverse change in relativities, especially between negotiating groups.

Such problems arise in particular when one negotiating group achieves a higher level of increase than another with which it relates in some way. For example, the relativity between supervisor and supervised can be upset if the supervised achieve a higher percentage increase than the supervisors. Equally, the employer may find a traditional source of recruitment drying up if the group from which the recruits have previously come obtains a higher level of increase than the group to which they would have been appointed.

In any discussion of such problems, however, regard must be had to a number of factors. The first of these is the identification of the appropriate starting point. Within the system of collective bargaining there will be relativities established at different points in time, and the group that has the lead will, perhaps naturally, jealously guard their position in the pecking order.

The second factor to note is the impact of relative bargaining power, which will vary from time to time. There is, for example, a widespread view that the police in particular have had a favourable position within the bargaining structure generally, in view of their responsibilities for law and order, with the result that they have achieved a pay formula which endorses that strength. At times in the recent past, teachers have within the Scottish context also appeared to have gained a favoured status, as did manual workers throughout the United Kingdom, especially during the late 1980s when their rates of pay and grading structure were the subject of a detailed job evaluation review <sup>(6)</sup>. The trade union side of the SJNC for Manual Workers in the Water Supply Industry has traditionally within Scottish local government maintained a position of strength, said to be based upon the potential of its members for disruption of the public water supply, were they to take industrial action.

The third is social and legislative pressure. One particular manifestation of this factor was the outcome of the job evaluation review just referred to, under which the previously longstanding relativities within the manual worker negotiating group were challenged, by granting higher grades within the wage structure for jobs involving a high level of caring (for example, home help or care assistant in a home for the elderly) compared with a high level of physical effort (such as refuse collector). The review took account of the *equal value legislation* <sup>(7)</sup>

and established a new ranking of jobs which reflected recent attitudes to the relative worth of jobs.

The fourth is the scope within the output of a negotiating group for flexibility and, as a direct or indirect result, salary drift. This is almost impossible within many of the schemes which lay down at national level the rate of pay or salary grade for a specific job; this comment applies in relation to the schemes of conditions for manual workers, teachers and uniformed staff. It is, however, feasible throughout almost the whole of the salary structure for white collar staff. Whilst there are nationally approved grades and arrangements, the general application of these is for each local authority to determine. Thus, in times of recruitment difficulties, for instance, individual local authorities may take steps to regrade certain posts. There has been clear evidence within local authorities that such action has in the Scottish context over the past few years led to rounds of salary drift as authorities have sought to outbid each other in terms of grading for scarce staff.

Having cited the factors which can affect the relativities within the wage and salary structures, a number of examples are given below (see pages 103 to 104). The context within which each of these examples is given is described in the introduction to the example. In view of the changes in monetary values of salaries and wages, as a result of successive annual pay awards, the examples are set out in narrative form.

These examples have been included to provide an indication of the kind of anomalies that are created from time to time within the local authority family of employees. They constitute by no means an exhaustive list. It is pertinent to remember, however, that the negotiators on the employers' sides are appointed from among the elected members holding office in COSLA, representing the range of Scottish local authorities: therefore, one would be justified in asking how it is, once they become members of the respective Employers' Sides of the negotiating committees, they permit such anomalies to occur. Has much changed, one could demand, since the days prior to 1986, when the Employers' Sides of the NJCs were a separate body from the Convention? These questions could be criticised for being somewhat simplistic. They are, however, intended to be indicative of the issues that do need to be considered within the convention, if anomalies are either to be reduced or eliminated altogether.

Even when the negotiating body responsible for the anomaly covers the whole of the UK, there are Scottish representatives nominated by COSLA on them, and reference has already been made to the fact that from time to time it has been a Scottish representative who has held the chair of the UK wide negotiating body.



Likewise, where the representatives are appointed by different Committees of the Convention, they are serviced by the same group of officers within COSLA and share a number of common officer advisers.

#### Example 1

##### The Impact of a Change in Relativities between Supervisor and Supervised

The supervisor is a Home Help Organiser graded on an APT&C grade and the supervised is a Home Help, employed under manual worker conditions of service. The Home Help's grade and rate of pay increase as a result of the Manual Workers' Job Evaluation Review, while the Organiser's grade remained unchanged. The Organiser's earnings remained ahead of those of the Home Help, but the differential was eroded.

#### Example 2

##### Impact on Recruitment

In this example, the two posts being contrasted are that of an Education Officer (a white collar managerial position within the headquarters of an education service) and a Principal Teacher. The Education Officer is subject to APT&C conditions, and the teacher receives a rate of pay negotiated by the SJNC for Teachers.

Traditionally, the source of recruitment of Education Officers has been from within the ranks of Principal Teachers, as an appropriate career move for teaching staff who wish to transfer to the management of the service. The salary for Education Officers has historically been greater than that for Principal Teachers.

As a result of reviews of the teaching service, teachers have been awarded higher percentage pay settlements than APT&C staffs, and the salaries payable to Principal Teachers have overtaken those of Education Officers. The traditional source of recruitment has therefore diminished, since few people will seek a 'promotion' to a job with a lower salary, even as a short term measure, prior to moving up a new ladder.

**Example 3****Relative Bargaining Power**

This example relates to two manual workers, both within the Water Services Department of a Regional Council. Both are required to undertake substantially the same duties. One is employed in the water supply section of the department, and is employed under the Scheme of Conditions of Service of the SJNC for Manual Workers (Water Supply). The other is employed in the drainage section, under the Scheme of Conditions of Service of the NJC for Local Authorities' Manual Workers.

Both employees are paid according to a single point, but the first has traditionally had greater 'industrial muscle' and has over the period since local government reorganisation tended to negotiate a higher rate of pay than his drainage colleague.

**Example 4****Pay Formula versus Free Collective Bargaining**

In this example, one employee is a Superintendent of Police and the other is his senior civilian colleague within the Police Department, working closely with the Superintendent. The Superintendent's salary is increased each year in accordance with the relevant pay formula. The other employee's salary is increased in line with the relevant negotiated settlement (for APT&C staffs).

Experience has shown that the pay formula, relating to settlements throughout the economy, has generally resulted in a higher percentage increase in salary for the Superintendent each year than the negotiated settlement for his civilian colleague.

Finally, lest it is thought that the examples have been chosen to indicate that APT&C groups have generally fared less well than others in the recent past, it is worth reiterating that there is greater scope for posts subject to APT&C conditions to be regraded than there is for others. However, whereas the solution to one anomaly may be seen as the regrading of a post, it has to be accepted that this 'solution' may of itself lead to the creation of further anomalies within an authority's staffing structures.

**Non-Pay Conditions of Employment**

There are other conditions where differences exist.

Some are perhaps understandable, even though they may be debatable. For example, the hours of work (particularly class contact hours) and holidays of teachers have historically in most respects been a reflection of the school attendance hours of pupils. It was, however, only in 1987



that a national agreement was reached which specified certain of these terms and conditions for teachers, including class contact time, preparation time and provision of in service training days.

Similarly, it is possible to understand that the emergency services require a provision that enables officers to be called upon to work outside their standard working week as required.

On the other hand, there have traditionally been differences in the main terms and conditions of the other related groups, in relation to such conditions as the basic standard working week and holidays.

For example, the basic working week specified for APT & c staffs within their national scheme of conditions of service is 37. Despite this prescription, the majority of Scottish local authorities operate a shorter working week, with about half permitting their staff to work a 35 hour basic week.

On the other hand, the basic working week for Manual Workers is currently 39 hours. Perhaps understandably, the manual workers have campaigned for a reduction in their normal working week, to bring them more closely in line with the APT & C staffs, whilst the latter are themselves seeking a reduction in the nationally agreed working week to 35 hours.

The former group have, during 1991, seen some fruits of success, insofar as a framework agreement has been reached, requiring local authorities to negotiate locally on ways in which the basic working week for manual workers can be reduced to 37 hours, by 6 January 1994, with the constraint that any settlement should have no cost to the local authority. In practice this will be difficult to achieve in certain areas of activity, such as residential care where the majority of employees tend to be part-timers. It also poses a potential burden on services subject to compulsory competitive tendering if the working week is reduced with hidden costs which make the service less competitive. Such an outcome could lead not to a reduced working week, but even to a loss of jobs in the longer term.

This framework agreement is seen as part of a process of 'harmonisation' of conditions between APT & C staffs and manual workers.

Allied to hours are the terms and conditions relating to payment for overtime hours and for working at week-ends and at times classed as 'unsocial'. The provisions for the different negotiating groups vary, with clearly defined conditions for manual workers and for the more junior staffs subject to the APT & C conditions. It is at the more senior levels that the provisions become less generous, historically on

the basis that more senior staff are expected to devote their whole time to their job and not expect additional payments.

Holiday provisions tend to be more consistent between the negotiating groups, as do the provisions relating to sick pay, sick leave and maternity leave. In addition, the model disciplinary, grievance, disputes and appeals procedures are much more consistent, although it has to be admitted that these are not conditions that raise emotions and claims of discrepancies.

These paragraphs have been illustrative of some of the issues that confront the national negotiators, where notions of fairness and harmonisation tend to be outweighed by the costs of achieving desired improvements in conditions of employment. The advent of compulsory competitive tendering and the likelihood of its extension to white collar occupations may well impose further strains upon such objectives. This will almost certainly be the case unless, as part of an overall pay strategy, it is possible to negotiate improvements in certain basic areas, such as hours of work, by offsetting the costs involved by savings on (or deterioration in) other conditions, such as premium rates for week-end working.

#### The Complexities of the Schemes

The remark was made earlier in this Chapter that each of the schemes of conditions of service is a complex document in its own right. Each scheme also requires to be updated as decisions on changes in conditions of service are reached. Such changes are notified in the first instance by printed circulars issued jointly by the Employers' and Trade Union Sides, to enable them to be implemented and applied as expeditiously as possible. These circulars are subsequently supplemented by new printed pages for the handbooks containing the schemes of conditions of service.

With the complexities of the schemes, the historical developments that have led to their creation and application, and the different negotiating pressures that have been responsible for the creation of their contents, it is perhaps hardly surprising that anomalies have occurred and there is now a need for harmonisation. It has been acknowledged at Scottish level that this process will be long and may be difficult to achieve, and the outcome will not be available for examination as part of this thesis.

It is not the purpose of the investigation to identify or propose solutions to the anomalies and problems just used as illustrations. However, one aim of the research has been to determine whether there are more appropriate negotiating arrangements for the future which might help the negotiators to overcome such problems. This aim will now be advanced



in two ways. First, in the remainder of this Chapter, an assessment will be made of the current arrangements, based on the results of the questionnaire already mentioned.

Secondly, the next Chapter will contrast the Scottish arrangements with the corresponding machinery in the comparator countries. Thereafter, possible future models for the Scottish negotiating machinery will be developed and evaluated, based on the assessment that follows and on the international comparison.

#### A Third Party Assessment of the Scottish Negotiating Arrangements

The preliminary evaluation of the Scottish machinery reported thus far has understandably been made by the author, based principally on his primary research and personal knowledge of the structures, processes and outputs already examined. In order to assess the validity of these preliminary findings, the opinions and comments of a number of elected members, officer advisers, employees of COSLA and trade unions officers associated with the machinery were sought, on the efficiency and suitability of the present arrangements, through the medium of the questionnaire.

The results of that survey are now reported and examined. They will then be used as part of the detailed evaluation of the arrangements that completes the next Chapter.

#### **The structure of the Machinery**

In examining the history of the development of the present Scottish negotiating machinery, due emphasis was placed on the various models that exist within the overall structure. There are, on the one hand, the bodies that have had an established relationship with the corresponding UK machinery since 1968, whereas on the other there are those parts that have been and are likely always to remain entirely separate from any corresponding machinery for England and Wales. With this plurality of approaches, it was fundamental to obtain the views of respondents on the structure that the machinery ought to take for the future.

Thus, the first question related to the bodies that have an established relationship with the UK machinery, the NJC for APT&C Services and for Manual Workers. Respondents were asked whether they would prefer the bodies

- (a) to become entirely separate from the present UK machinery

- (b) to become fully absorbed into the UK and Provincial Council framework
- (c) to stay as they are.

Table 19 summarises the response to these questions.

This spread of opinion between the three options is maintained even when a detailed analysis is undertaken of responses by category of respondent. For example, two councillors, two Officer Advisers, three other personnel specialists, one trade unionist and two COSLA staff expressed a preference for the machinery to become entirely separate from the UK machinery, whilst three councillors, two personnel specialists, one trade unionist and two COSLA staff preferred the machinery to stay as it is.

The second preference, (ie for the Scottish machinery to become fully absorbed into the UK machinery) was expressed by one officer adviser and one trade unionist.

If the second option is set to one side as not having sufficient support, one could posit that about half of the respondents are satisfied with the familiar, whilst the other half would prefer the challenge of an entirely separate arrangement. This latter option could, of course, offer greater scope for changes within the Scottish machinery, if such changes are felt desirable.

The second question related to those bodies at Scottish level which are not linked to corresponding machinery at UK level, ie the SJNCs for chief officials, craft groups and teachers and lecturers. It asked whether respondents would prefer them

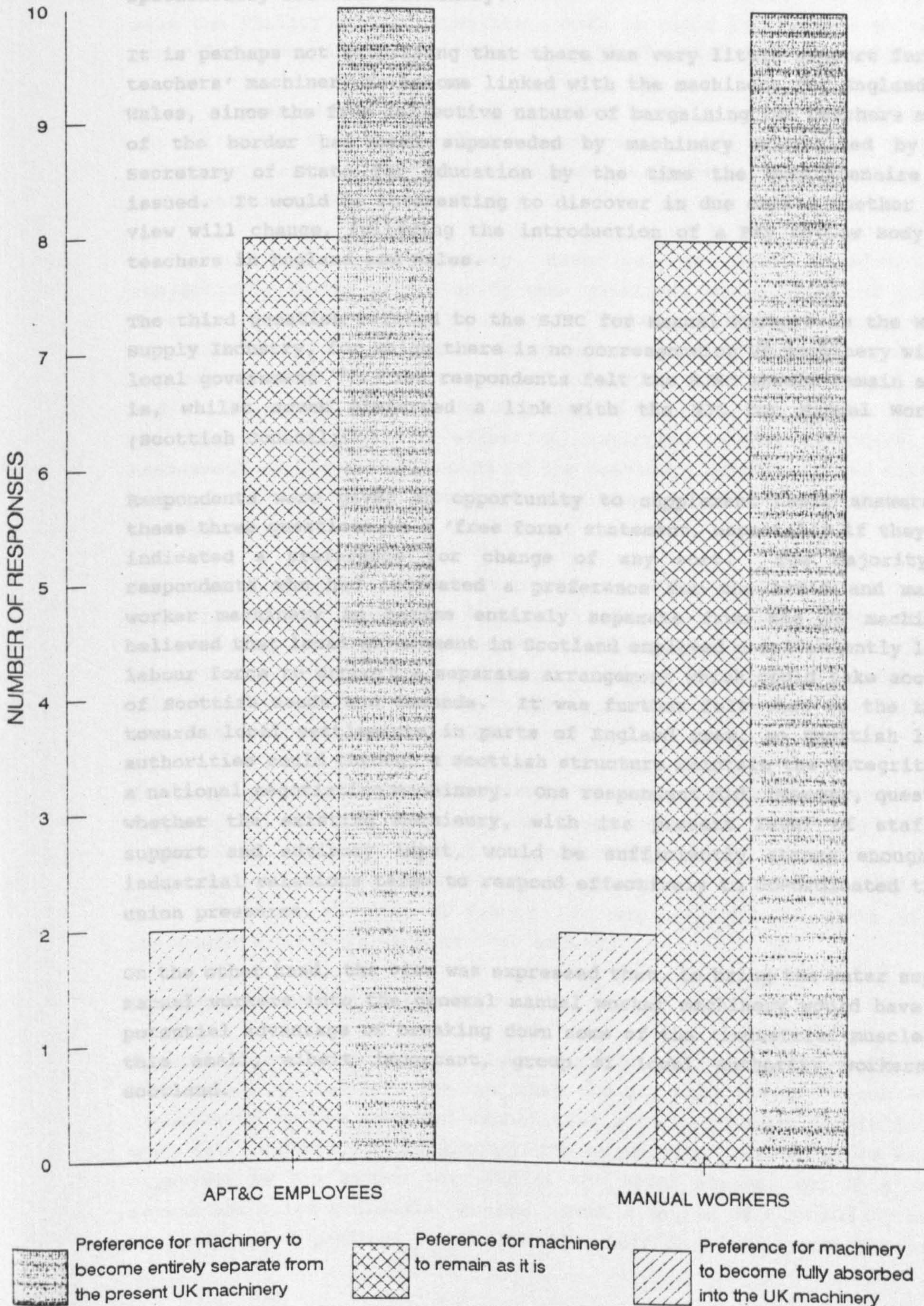
- (a) to be linked with the appropriate UK body
- (b) to remain as they are.

Seventeen respondents wished both the SJNC for chief officials and the SJNCs for craft groups to remain as they are, whilst three preferred them to link with the appropriate UK body. On the other hand, fifteen respondents felt the teachers' machinery should stay as it is, with two expressing a preference for it to link with the appropriate UK machinery. Three respondents indicated no preference in relation to the teachers'/lecturers' machinery.

The widespread support for the machinery to remain as it is could indicate that respondents feel comfortable with machinery that is familiar to them. This view (that the machinery should remain Scotland



TABLE 19  
 APT&C AND MANUAL WORKERS' NEGOTIATING MACHINERY  
 SUMMARY OF PREFERENCES





specific) would appear to correlate with the level of support for the APT&C and manual worker bodies to become entirely separate from the corresponding UK machinery, thereby permitting the development of specifically Scottish machinery.

It is perhaps not surprising that there was very little support for the teachers' machinery to become linked with the machinery for England and Wales, since the free collective nature of bargaining for teachers south of the border had been superseded by machinery controlled by the Secretary of State for Education by the time the questionnaire was issued. It would be interesting to discover in due course whether this view will change, following the introduction of a Pay Review Body for teachers in England and Wales.

The third question related to the SJNC for Manual Workers in the Water Supply Industry, for which there is no corresponding UK machinery within local government <sup>(8)</sup>. Ten respondents felt the SJNC should remain as it is, whilst seven preferred a link with the NJC for Manual Workers (Scottish Council).

Respondents were given an opportunity to supplement their answers to these three questions in a 'free form' statement, especially if they had indicated a preference for change of any sort. The majority of respondents who had indicated a preference for the APT&C and manual worker machinery to become entirely separate from the UK machinery believed that local government in Scotland employed a sufficiently large labour force to support a separate arrangement which could take account of Scottish needs and demands. It was further felt that as the trend towards local settlements in parts of England grew, so Scottish local authorities could through a Scottish structure maintain the integrity of a national negotiating machinery. One respondent did, however, question whether the existing machinery, with its present level of staffing support and advisory input, would be sufficiently strong enough in industrial relations terms to respond effectively to co-ordinated trade union pressures.

On the other hand, the view was expressed that, to bring the water supply manual workers into the general manual worker machinery would have the potential advantage of breaking down some of the 'industrial muscle' of this small, albeit important, group of local authority workers in Scotland.



### **Effectiveness of the Structure**

The next question asked respondents to rank the effectiveness of the present Scottish negotiating machinery. ('Effectiveness' was defined to mean the ability of the negotiating body to reach settlements which are generally acceptable to all parties, with the minimum of conflict.)

Table 20 summarises the general response to this question. (Note that not all of the twenty respondents answered all, or part, of the question and therefore the numbers of respondents expressing a view varies from one negotiating body to another.)

There will, perhaps inevitably, have been at least an element of subjectivity in the responses to this question, but a number of general comments can be made. The first is the wide spread of opinion as to the effectiveness of the arrangements, from *less than effective* at one end of the continuum to *very effective* at the other, for the same negotiating body. The second is that the majority of respondents consider most of the bodies to be *generally effective*, bordering on *very effective*. The assessment of the effectiveness of the machinery overall showed slightly less of a spread of opinion, with a clustering of responses just above average.

The general spread of opinion as to the effectiveness of the machinery is reflected in the responses from the various categories of respondent. For example, even within the staff of the Convention who replied, the view of effectiveness ranged from *generally effective* to *very effective* (with one respondent declining to answer the question as he felt he could not give an objective response).

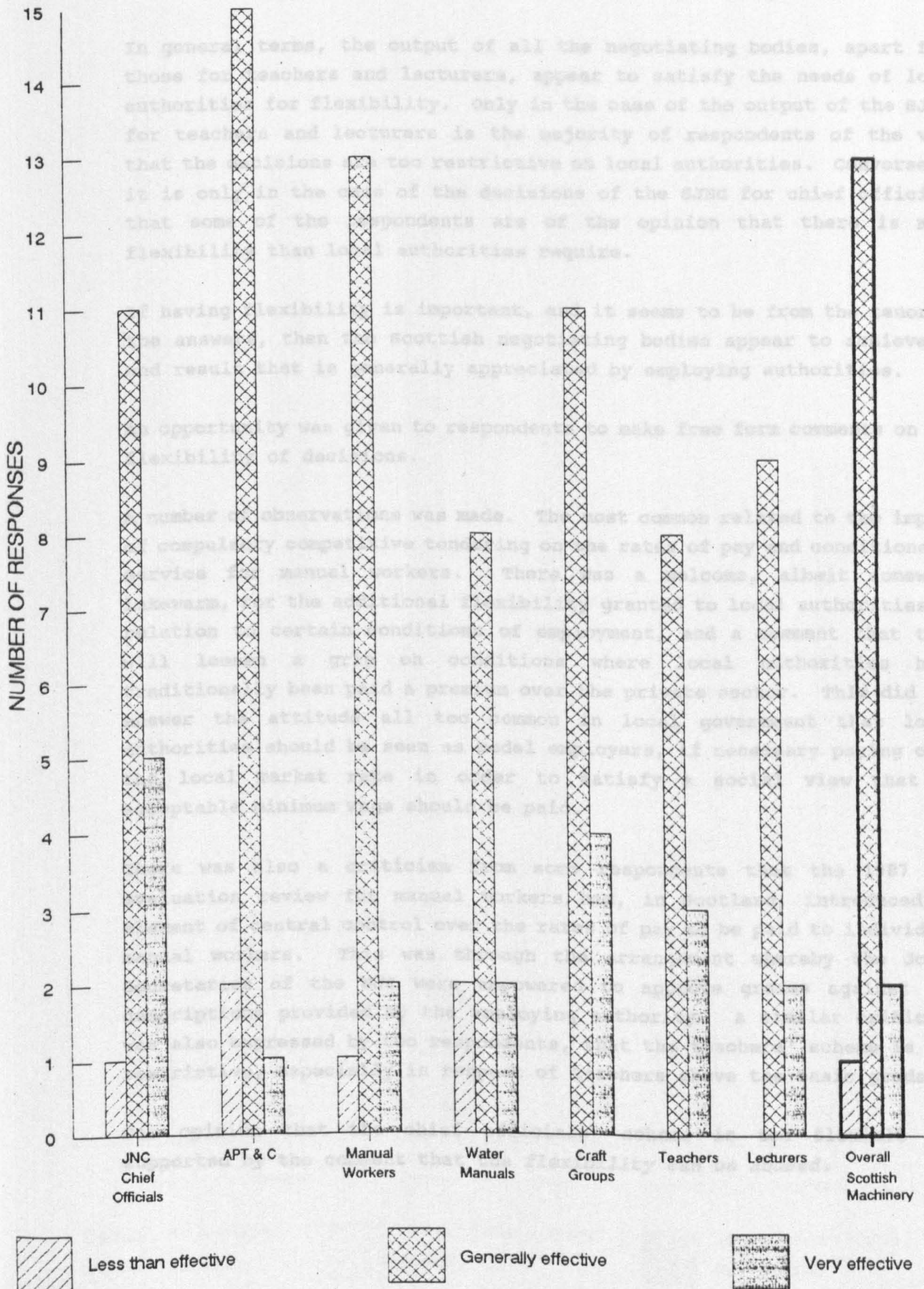
The next question asked respondents to rank the effectiveness of the support and advice given to the negotiating machinery by COSLA's professional officers and by the officer advisers. The majority of respondents rated this element of effectiveness as *generally effective*, with a slight skewing in favour of *very effective*. None of the respondents rated it as *less than effective*.

### **The Appropriateness of the Outputs**

The next question related to the outputs of the negotiations, by asking respondents to indicate whether they thought that the decisions of the negotiating bodies provided authorities with sufficient flexibility to meet their needs. It is appropriate to restate here the view already expressed by the author that whilst the APT&C scheme, and to a lesser extent the chief officials' scheme, grant a degree of flexibility in the application of gradings for many staff, this feature is not repeated in



TABLE 20  
EFFECTIVENESS OF SCOTTISH  
NEGOTIATING MACHINERY





most of the other schemes, which tend to be much more prescriptive in the allocation of gradings.

Table 21 summarises the responses in relation to this question.

In general terms, the output of all the negotiating bodies, apart from those for teachers and lecturers, appear to satisfy the needs of local authorities for flexibility. Only in the case of the output of the SJNCs for teachers and lecturers is the majority of respondents of the view that the decisions are too restrictive on local authorities. Conversely, it is only in the case of the decisions of the SJNC for chief officials that some of the respondents are of the opinion that there is more flexibility than local authorities require.

If having flexibility is important, and it seems to be from the tenor of the answers, then the Scottish negotiating bodies appear to achieve an end result that is generally appreciated by employing authorities.

An opportunity was given to respondents to make free form comments on the flexibility of decisions.

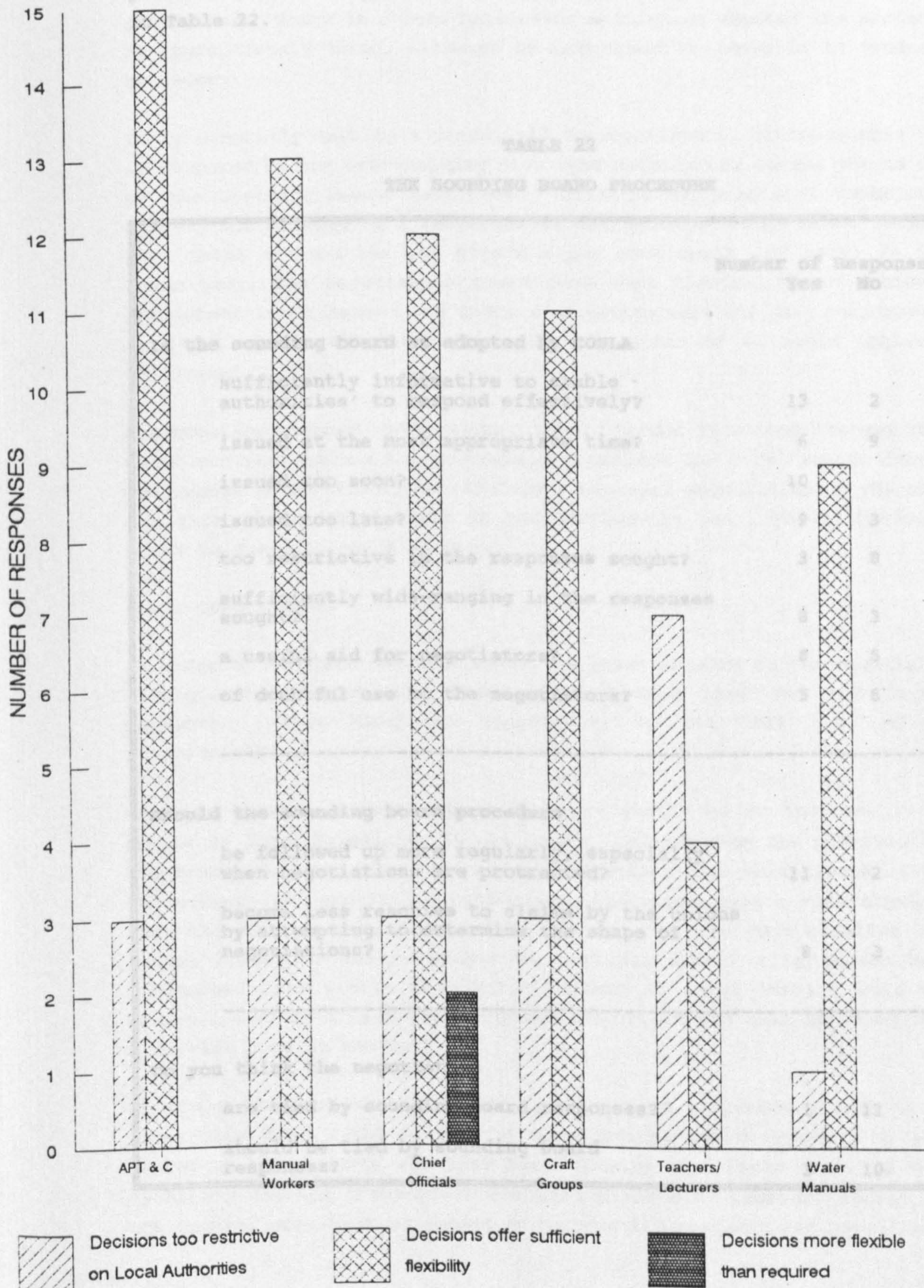
A number of observations was made. The most common related to the impact of compulsory competitive tendering on the rates of pay and conditions of service for manual workers. There was a welcome, albeit somewhat lukewarm, for the additional flexibility granted to local authorities in relation to certain conditions of employment, and a comment that this will loosen a grip on conditions where local authorities have traditionally been paid a premium over the private sector. This did not answer the attitude all too common in local government that local authorities should be seen as model employers, if necessary paying over the local market rate in order to satisfy a social view that an acceptable minimum wage should be paid.

There was also a criticism from some respondents that the 1987 job evaluation review for manual workers had, in Scotland, introduced an element of central control over the rates of pay to be paid to individual manual workers. This was through the arrangement whereby the Joint Secretaries of the NJC were empowered to approve grades against job descriptions provided by the employing authority. A similar criticism was also expressed by two respondents, that the teachers' scheme is too restrictive, especially in respect of teachers above the basic grade.

One opinion that the chief officials' scheme is too flexible was supported by the comment that the *flexibility can be abused*.



TABLE 21  
 FLEXIBILITY OF DECISIONS OF  
 THE SCOTTISH NEGOTIATING BODIES





### The Sounding Board Procedure

The last set of multiple choice questions related to the sounding board procedure, its timing, form and usefulness. The answers are summarised in Table 22.

**TABLE 22**  
**THE SOUNDING BOARD PROCEDURE**

	Number of Responses	
	Yes	No
<b>Is the sounding board as adopted by COSLA</b>		
sufficiently informative to enable authorities' to respond effectively?	13	2
issued at the most appropriate time?	6	9
issued too soon?	10	
issued too late?	9	3
too restrictive in the responses sought?	3	8
sufficiently wide-ranging in the responses sought?	8	3
a useful aid for negotiators?	8	5
of doubtful use to the negotiators?	5	6
-----		
<b>should the sounding board procedure</b>		
be followed up more regularly, especially when negotiations are protracted?	11	2
become less reactive to claims by the unions by attempting to determine the shape of negotiations?	8	3
-----		
<b>Do you think the negotiators</b>		
are tied by sounding board responses?	1	11
should be tied by sounding board responses?	3	10

There is a clear majority who believe that the Convention provides sufficient information to enable local authorities to respond effectively to the procedure. There is a similar level of opinion that the procedure should be followed up more regularly, especially where negotiations are protracted. There is a less consistent opinion on whether the procedure is appropriately timed, although no respondent believes it is conducted too soon.

It is generally seen as a useful aid to negotiators, although this view is tempered by the overwhelming view that negotiators should not be tied by the sounding board responses. This is of practical importance. Whilst, for example, the responses to the sounding board might indicate that local authorities can afford a pay settlement of (say) 7% in a given year, the negotiators would need some flexibility to achieve a settlement if an impasse and industrial action were the only responses to an offer of 7%, whereas (again, say) an offer of 8% would achieve a settlement.

The question whether the procedure should become less reactive was asked about one year before the Convention organised its first Pay Conference to discuss at Scottish level the views of local authorities on the shape and size of pay settlements in the forthcoming year, before having to react to specific pay claims.

#### **Other Observations**

In order to complete the section of the questionnaire on the negotiating arrangements, respondents were asked whether they had any further comments. Most took the opportunity to use this part of the questionnaire.

The most common response was that there should be an increase in the amount of local bargaining in the future, unleashed by the provisions in the manual worker scheme that gave local authorities more flexibility in the context of competitive tendering. There was even a view expressed that the APT&C negotiations could end up with the determination of a spinal column of salary points at national level, with grades being determined from within that spinal column at local level. This was, however, seen as a last resort by one respondent and what appeared to be a fervent hope by another!

In the context of these answers, a number of respondents felt it was inevitable that COSLA's role in negotiations would change. A small number of respondents who have been closely associated with the COSLA machinery and its predecessor for many years did, however, stress that the central organisation needed to improve its research and intelligence



capacity, whether or not there was a tendency to more local bargaining.

There was also one suggestion that COSLA appeared to be trying to enhance what was seen as a centralist role, especially in view of the role adopted in relation to the manual workers' job evaluation review.

#### Preliminary Conclusions

At the end of Chapter 3, criticism was levied at the complexity of the negotiating arrangements that currently exist for Scottish local government and the rhetorical question was asked, *is there scope for greater simplicity?*

It was indicated that this question would be addressed further, at the end of Chapter 5, once the negotiating arrangements for local authorities in the comparator countries had been examined in detail. In the meantime, this Chapter has sought to endorse the view that the present system is unduly complex, leading to outputs that are inconsistent between the occupational groups covered by the various negotiating bodies and providing scope for the creation of anomalies in the decisions of the different negotiating bodies, when one is compared with the other.

Reference has already been made, during the discourse on the history of the Scottish negotiating arrangements, that the principal reason for the former Employers' Sides of the Scottish NJCs being embraced within the wider COSLA family was the need for greater co-ordination between the national policy makers within COSLA and the Employers' Side negotiators. This greater co-ordination may partly have been achieved. On the other hand, the fact that there is still no apparent overall co-ordination of the negotiating arrangements within COSLA, at elected member level leads to the preliminary conclusion that there is scope for further improvement.

This could be in a number of areas. First, consideration could be given to a single Employers' Side within the Convention, with an agreed policy towards all negotiations, from which the members of individual negotiating bodies could be chosen. This would potentially upset the present arrangements, whereby the members of the various negotiating bodies are drawn from three separate Committees of the Convention.

A further, more radical step would be the development of a single negotiating body for all Scottish local authority employees, which would determine all the main terms and conditions of employment. There would probably need to be a series of sub-committees for specific employment groups, such as police officers or teachers, to deal with issues specific to them. It is here acknowledged that any body charged with collective

bargaining has two sides, and that a radical change of this kind would also require the support of the relevant trade unions. No attempt has been made as part of the research to assess the reaction of the trade unions to such a proposal, although it would not seem unreasonable to assume that such a departure from the *status quo* would be less than favourably received. Such a development would also be impossible to achieve all the time certain groups negotiate on a UK wide basis and others subscribe at least in part to UK negotiations. It is appropriate to recall here the view expressed by about half the respondents to the questionnaire, that the Scottish machinery should become entirely separate from that for the rest of the UK. If such a view gained support, from trade unions as well as employer representatives, then such a development could appear on a future agenda (maybe to coincide with the reorganisation of local government).

A third approach, which would also require the support of the trade unions and a break with the UK machinery, would be the introduction of a common settlement date for pay claims each year. Each of these possible approaches will be further considered as part of the next Chapter, which will also propose a simplified model for the Scottish negotiating machinery based, *inter alia*, on the corresponding arrangements in the comparator countries.

There are further complications within the present structure that also need to be recalled as part of this preliminary assessment. The first is the fact that certain groups have had their salary increased by pay formula for well over a decade: initially, the arrangements were introduced as a means of resolving actual or potential industrial unrest but they have now developed as part and parcel of the local authority bargaining arrangements, and any proposal to replace them would no doubt be met with resistance by the trade union sides.

Secondly, there have traditionally been different approaches within the Convention's machinery to the sounding board procedure, whereby it has consistently been used to obtain the views of local authorities on pay settlements for white collar staff and manual employees, but not for teachers until a modified system was introduced in 1991, nor for police or fire officers, whose increases are determined by pay formula.

Next, reference has been made to the different degrees of flexibility available to local authorities from the decisions of the various negotiating bodies. At the one extreme, the pay and conditions of service of, say, a principal teacher will be identical from Shetland to the Borders, because there is currently no flexibility built in to the Scheme of Conditions of Service for teachers. Similarly, the basic rate of pay of a home help or refuse collector should be the same



throughout Scotland, as the grades applicable to manual workers have been confirmed by representatives of the manual worker joint negotiating machinery in Scotland since the conclusion of the manual workers' job evaluation exercise in 1987. It is, however, feasible that the gross pay for the same category of manual worker will vary between authorities, as different authorities are likely to apply different bonus arrangements. Thus, the same basic grade should apply, by national determination, but there is some local flexibility through bonus schemes.

At the other end of the spectrum, there can be no guarantee of consistency in the grading of most groups of white collar staff. The national scheme defines a grading structure, but local authorities are free to determine the grades that apply to specific posts within their establishments. Thus, there will be differences in the grading of, say, civil engineers between authorities, based on a number of factors, including market forces, recruitment and retention issues and the generosity (or otherwise) of individual local authorities. This approach can lead to salaries drift, as local authorities seek to outbid each other for scarce staff resources, and to dissatisfaction among staff in those authorities which are perceived as 'poor payers'. The exceptions to this general situation include social workers and community education workers for whom, currently, there are prescribed grades within the Scottish scheme.

It is interesting to note that, despite the different levels of flexibility between schemes, respondents to the questionnaire generally believed that the schemes offered *sufficient flexibility*, with the exception of the schemes for teachers and lecturers, where a majority of respondents thought the schemes were too inflexible.

Finally, there is the perceived effectiveness of the machinery itself. Whilst the majority of respondents to the questionnaire expressed the view that the machinery is generally able to reach settlements that are acceptable to all the parties concerned, with the minimum of conflict, there were few who were prepared to express the view that the machinery is *very effective*. This commentary is on the machinery that has effectively celebrated its half century although it has, of course, been modified over this period.

From this preliminary assessment, it is apparent that the policy makers within the Convention should give active consideration to changes in the present structures and arrangements, in order to improve the effectiveness of the negotiating machinery and, thereby it is suggested, its outputs. This issue is taken up again, after the international comparison of negotiating arrangements which follows, in the next chapter.

- 1 The recommendations arose from an independent committee of enquiry into police pay and negotiating arrangements, chaired by Lord Edmund-Davies.
- 2 The term 'green goddess' was used to describe the fire fighting appliances used by the army. They were painted in a military green and were, to be kind, generally somewhat lacking in terms of modern fire fighting equipment: many of the appliances were apparently a legacy of army fire fighting equipment from the second world war.
- 3 Mr George Paterson, former Employers' Secretary of the Scottish joint negotiating machinery, in interview, 1989.
- 4 Most local authorities tend to delegate responsibility for responding to the sounding board to a sub-committee which can be convened at relatively short notice, outside the normal committee cycle.
- 5 The objective was to give the Employers' representatives an opportunity for a private discussion on options available. The general substance of those discussions was published in the Scottish press the following day.
- 6 This review was undertaken during the mid-1980s with the results published for implementation in 1987. In Scotland, the outcome of the review was published to member authorities and trade unions by the NJC for Manual Workers.
- 7 Equal Pay Act 1970, London, HMSO, 1970 as amended by Equal Pay (Amendment) Regulations 1983, Lond, HMSO, 1983.
- 8 Until the privatisation of the water industry in England and Wales, there existed national negotiating machinery, co-ordinated by the Water Authorities' Association. The settlements reached under that machinery tended to be persuasive, but not binding, on the settlements reached by the SJNC for Manual Workers in the water supply industry.



## CHAPTER 5

### NEGOTIATION AND JOINT COLLECTIVE BARGAINING

#### INTERNATIONAL COMPARISONS AND RECOMMENDATIONS FOR CHANGE

##### Introduction

The last two Chapters have concluded that the present arrangements for the negotiation of pay and conditions of employment of local authority employees in Scotland are, from the employers' perspective, less effective than might exist. At the same time, it has been acknowledged that it would require considerable political will on the part of the Convention to attempt to change them and an acceptance on the part of the trade unions that they need to be changed.

Nevertheless, in proposing the international dimension of the investigation, it was felt that the comparator countries could potentially offer other models that could be examined and considered for application in Scotland, given the appropriate conditions. These would include not only an acceptance of the need for change, on the part of both sides in the present arrangements, but also a willingness to break away from the UK-wide machinery (see page 107) and to supplement the present staffing resources within the Convention, in terms of numbers and skills, to undertake the increased workload that would inevitably arise from such changes.

Reference has already been made, in Chapter 2, to the fact that the local authority associations in all four comparator countries act in some way on behalf of their constituent members in the negotiation of salaries and wages, and terms and conditions of employment of local authority employees. Indeed, there are highly centralised systems of joint collective bargaining in all four countries, although the historical, cultural and legislative backgrounds are different in each. These differences will be examined briefly in the early sections of the present chapter, in order to provide an appropriate backcloth to the comparisons contained herein. Thereafter, the Chapter will concentrate on the arrangements, processes and outputs, in Denmark and Sweden, although reference will be made to the systems in Finland and Norway by way of support where appropriate. Finally, the results of the international comparison will be employed to conclude the assessment of the Scottish arrangements and to propose a model for consideration.

By way of background, reference has already been made (see page 35) to the extent of local authority employment in the comparator countries, including the health service, aspects of the public utilities and some activities which would in Scotland be covered by the civil service. This emphasises the impact that the local authority sector can have on the

respective national economies, in relation to the costs of employment and from the point of view of joint collective bargaining.

As in Scotland, the machinery is designed to cater for the needs of all local authorities as employers, from the capital cities with their populations of half a million or more to the sparsely populated municipalities in the wildernesses of the north of Scandinavia. Consideration will be given in this Chapter to the ways in which attempts are made to meet these disparate needs, to contrast them with the ways in which COSLA tries to meet the different needs of, say, the central belt of Scotland on the one hand and the farthest flung islands of Shetland or the Western Isles, on the other.

In addition to these specific international comparisons, an assessment will be made of the extent to which COSLA meets the criteria for joint collective bargaining in local government determined in the mid-1980s by the Council of Europe Standing Conference on Regional and Local Government.

#### The Process in Denmark

In Denmark, the main parties on the Employers' Side are the two local authority associations (see page 47) and a supervisory body, the Local Authority Pay Board. The associations are responsible for negotiating with the trade unions representing local government employees. They also deal with proposals for changes in staff gradings in individual authorities where, as a rule they assist with negotiations between the authority and the local union representatives.

The Local Authority Pay Board supervises and co-ordinates this aspect of the work of the associations. It has 16 members, appointed by the Minister of the Interior on the recommendation of the local authorities and the associations, who between them represent the main political parties within the Danish multi-party system. Under the guidance of the Board, the task of negotiating agreements with the unions, and subsequently interpreting them, is seen as an essential part of the associations' work.

On the employees' side of the negotiating machinery, the parties are divided according to trade and functions, rather than on any political basis. Some of the unions will have members employed by both types of local authority, municipality and county, while others will have members only in one type of authority. However, there is a need for close working between the various trade unions, as the nature of the negotiations is much more co-ordinated, in terms of level of settlement and timing, than in Scotland, as will be explained below.



In addition to the national bargaining arrangements, there are liaison committees at local workplaces with multiple occupational groups, such as hospitals, where management and employees discuss and perhaps decide local working conditions, though generally speaking not wages and employment conditions.

The general structure of the negotiating arrangements is illustrated in the model in Figure 8. Certain differences from the Scottish system are immediately apparent: first, there are two associations and not just one; secondly, there is the existence of a supervisory body, whose appointment is determined by the Minister of the Interior; and thirdly, the initial comments have implied a greater degree of co-ordination of the staffing decisions of individual authorities. Yet the Pay Board does not have, for example, the same responsibility as the LGMB has in England and Wales, to negotiate on behalf of the associations.

The present system has been in operation since the reform of local government in 1970, although the framework has been developed over an extensive period. It is based upon the concept of joint collective bargaining and in this respect is therefore very similar to the British system of Whitley Councils. Within the Danish economy, this system is common to local and central government and the majority of the private sector. Prior to the local government reform, the system was constituted by a number of Pay Committees, with elected members representing the local authorities on the Employers' Sides.

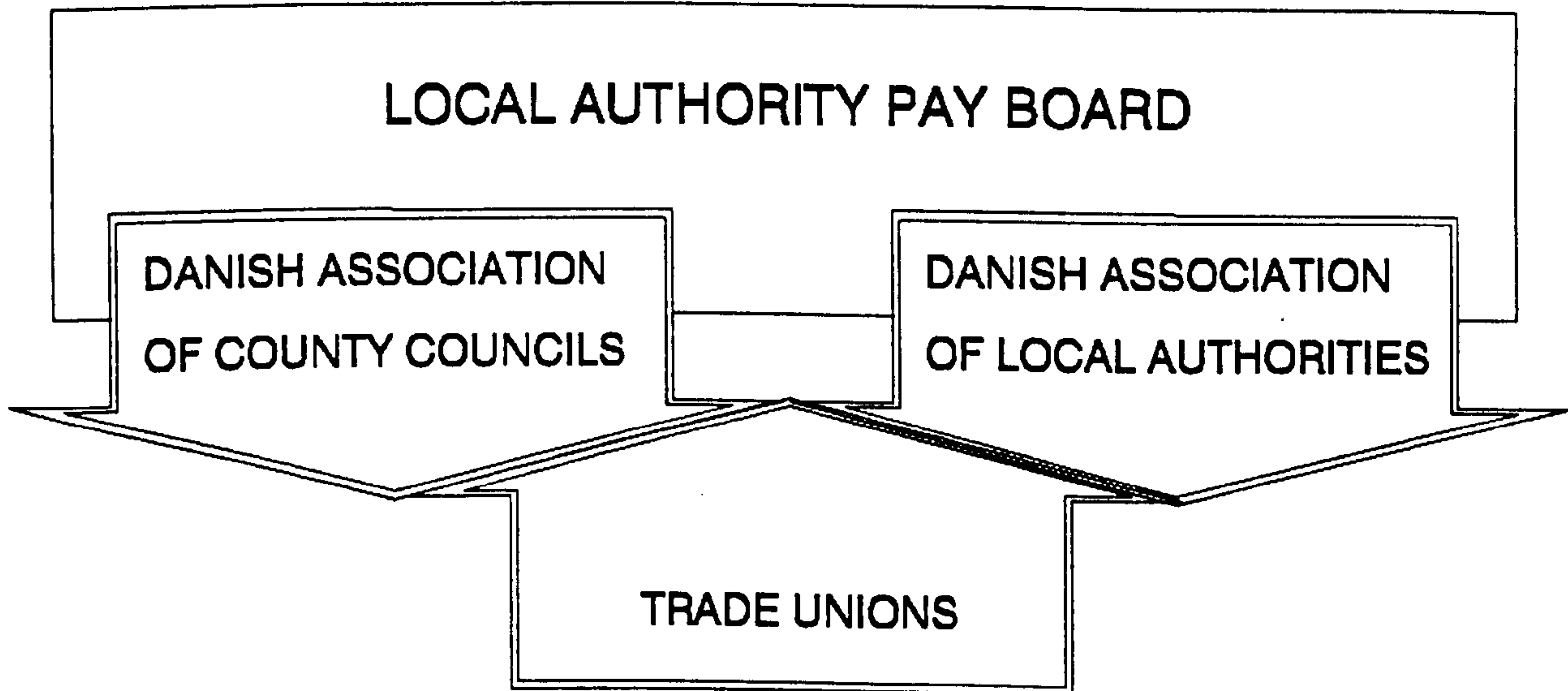
However, as Konow <sup>(1)</sup> explained, the machinery has had to change to be more responsive to the increasing effectiveness of the trade unions and to meet demands from the government that the local government pay system should be organised in harmony with that of the central government. Local authorities have taken advantage of this development to exercise more influence over the determination of local pay systems through the associations.

Following the reforms of 1970, the associations obtained powers from their constituent members to conclude agreements with the unions that would be binding on authorities. At the same time, they agreed to the establishment of the Pay Board, to be constituted on a statutory basis but with its membership nominated by local authorities and their associations.

In order more fully to understand the Danish arrangements, it is necessary to examine the respective roles of the Pay Board and of the associations, in the negotiation and determination of local government pay policy. First, the stated aim of the Board is to strengthen co-

# FIGURE 8

## THE DANISH NEGOTIATING ARRANGEMENTS SCHEMATIC MODEL





operation on the development of local government pay and staffing policy and to act as a co-ordinator for the pay policies of the local and county authorities, although it has been put to the author that the Board could be seen as a statutory compromise.

The Board, and its objectives, were established by section 67 of the Local Government Act 1970 <sup>(2)</sup>, with the detailed rules controlling its activities being laid down later by Ministerial Order <sup>(3)</sup>.

According to this Order, the Pay Board is required to sanction, before they come into force, general rules for the employment of and pension terms for local government officials, guidelines for the grouping of officials into pay brackets, and collective agreements and other general rules governing the pay and employment terms of local government non-officer staff. Furthermore, the Pay Board may determine the number of employees of certain types that may be employed by individual local authorities. This provision relates mainly to the most senior types of post, and is designed *inter alia* to discourage poaching of staff and over-employment at these levels within authorities.

According to the Order, the Pay Board may take note of changes in conditions in the private sector or for central government staff and consider a consequential change in the employment terms applying to local government staff, and on the basis of this determine directions for the implementation of such changes in the local authorities. Finally, the Order directs that prior to negotiations with the trade unions in respect of changes in conditions currently in force, the matter shall be submitted to the Board.

In practice, the Pay Board has formal and informal contacts with the government and its representative bodies in what has been described nominally as the establishment of guidelines within which the local government negotiating bodies are to conduct their affairs, although an unattributable source has suggested that these 'guidelines' are really a formal mandate within which the negotiators are required to keep. It has also been stated to the author that, despite the fact that the members of the Board are politicians, they rarely appear to be taking partisan initiatives. More commonly, in keeping with the national style of government, they maintain a consensus, acting primarily as the representatives of the local government employers rather than of a particular party.

The Pay Board thus has an overall co-ordinating role within the Danish local government pay bargaining scene, the actual task of negotiation being conducted by the Pay Committees of the local authority associations, as now examined. The inter-relationship between these

various bodies, the local authorities themselves and the trade unions is shown schematically in Figure 9.

The two main local authority associations and the smaller Association of Local Authorities in the County of Copenhagen each has a Pay Committee, representing the views of the employers (ie in the form of an Employers' Association). In addition, the City of Copenhagen and the Municipality of Frederiksberg have their own pay bodies.

It is to these Pay Committees that matters are formally submitted for consideration in the first instance although, in common with the arrangements in COSLA, the actual preparation of matters on behalf of the employers is handled by the pay secretariats and pay administrations of the associations.

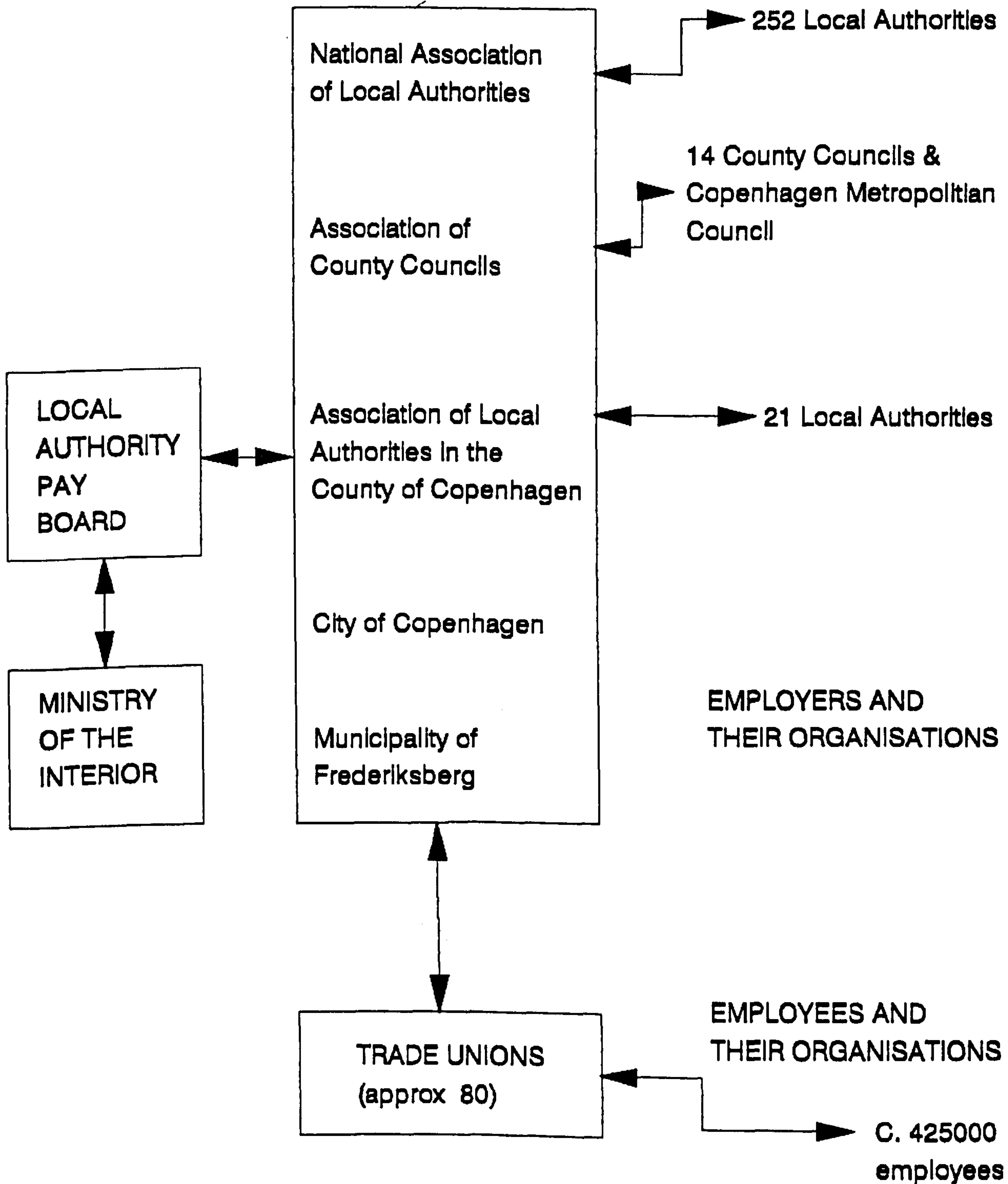
Proposed amendments to existing agreements or to agreements which have been terminated in accordance with Danish employment practice are submitted to the Pay Board and will include an outline from the Pay Committee(s) concerned as to how they would wish to see the negotiations approached. The Pay Board then recommends what the negotiating body should consider in the light of what is happening in other sectors of the economy. Contact is maintained with the negotiating bodies during consultations to ensure that the result of the negotiations can be approved by the Pay Board, generally without hesitation. When a general set of rules has been approved by the Pay Board the rules are to be followed by local authorities, unless a departure is approved by the Board following a concrete submission.

The results of these negotiating arrangements form the public pay structure. They will be examined shortly, but before doing so, it is appropriate to complete this study of the negotiating process in Danish local government by reference to certain historical and economic influences, and peculiarly Danish institutions, that have a bearing on the process.

The first of these is the system of biennial agreements, which applies throughout the whole of the Danish economy. Under this system, settlements in the private sector are implemented from March of every second year and in the public sector (that is, central and local government) from April. The opinion has been expressed by the present Permanent Secretary of the Pay Board that there is an advantage in an economy the size of Denmark's that all wage bargaining takes place during the same period every second year. On the other hand, if there is to be conflict between employers and employees as a result of a breakdown in the bargaining process, then it could be total, in either or both the public and private sectors. In this situation the unions are likely to send out signals as to which parts of the economy are to be 'targetted' for unrest, and it is by this stage of the negotiations that the national conciliation machinery (see pages 129 to 130) would come into operation.



**FIGURE 9**  
**THE DANISH MUNICIPAL LABOUR MARKET**



Source Danish Association of Local Authorities (4)

Within this overall timetable, the following arrangements tend to operate, in order to ensure that a similar approach is taken during negotiations, by both the central and local government. At the start of the period of negotiations, contact is established between the five local government Pay Committees and the central government to ensure that general changes, including changes to the pay system, are common to both sectors. These contacts are described as regular in the 'open season' for negotiations and will involve, for example, close consultation between the chief local government negotiators and the Ministry of Finance to ensure that the various negotiating groups are heading towards a common goal. The author would regard this situation as substantiation, in the normal course of events, of the unattributable comment already recorded (page 125) that the Pay Board is faced with a negotiating mandate, rather than guidelines, from its contacts with central government. Although the system is well-established within the economy, it is perhaps understandable that such a situation could lead to a jaundiced view that the local authority negotiations are not entirely 'free'.

Nevertheless, the aim is to achieve through normal collective bargaining the pay rates that will apply for the ensuing two year period. It is, however, a manifestation of the highly structured pay system within which Danish local government negotiators work, that away from the Pay Board and the Pay Committees there exist a number of statutory mechanisms which may be invoked, on the one hand where there is a breakdown in relations after the conclusion of an agreement, and on the other where the parties to negotiations are unable by themselves to conclude an agreement. The first situation is resolved through the Labour Court and the other through the Court of Conciliation: both apply not only to local government but to all sectors of the economy. These form the second of the peculiarly Danish arrangements referred to above.

The Labour Court is established to adjudicate where there is a breakdown in relationships between employer and employee during the period of *industrial peace* that is supposed to follow a negotiated agreement. The Court consists of 12 lay members and 4 lawyers. Their remedy, where they find that a party has broken the industrial peace, is to fine them and to award the fine to the injured party. In addition, there is normally provision for binding arbitration where a collective agreement is in dispute.

The Court of Conciliation has existed, with statutory backing, since 1934 and reflects the Scandinavian tradition of fitting industrial relations into a legal framework. It is a government financed institution, charged with mediating in pay disputes, with the aim of settling them. Although it is described as a 'Court', it is in fact a neutral body available to the parties in joint collective bargaining for consultations, negotiations, recommendations and mediation<sup>(5)</sup>. It is not staffed by lawyers, but by lay members who can offer from their personal background



and experience the kind of service required at times of potential industrial unrest. At the time the primary research was being conducted in Denmark (early in 1989), the Court was headed by an economist (and lecturer at the High School for Primary School Teachers) in her mid-60s, Mette Kofoed Bjørnsen, and her services were being called upon to help resolve difficulties that were being experienced in the 1989 round of biennial negotiations.

In strict terms of its Constitution, the Court has no formal competence apart from a right to postpone a summoned conflict, when vital public interests are involved <sup>(6)</sup>. Where there is the likelihood of a conflict, for example, by the service of a strike notice by a trade union on an employer as a result of a breakdown in negotiations, the employees' and employers' organisations have a standing obligation to inform the Court and to attend a hearing and, upon request, to renegotiate the matter under dispute. In practice, the Court will at this stage in a dispute issue a notice postponing the proposed industrial action for two weeks to enable negotiations to be reopened in the hope that a settlement can be reached. The Court can use this device a second time over before industrial action is permitted to proceed.

Generally it is possible during this 'cooling off period' for the Court of Conciliation through separate consultations, recommendations and undertakings to formulate an agreement acceptable to the parties. If these efforts at mediation prove futile, the Court can propose a *mediatory suggestion* <sup>(7)</sup> to the parties involved.

The work of the Court has been commended by the observation that its work has been *characterised by discretion, a mutual respect for impartiality and confidence* <sup>(8)</sup>. This is endorsed by the fact, for instance, that once negotiations are being conducted under the aegis of the Court the parties are forbidden to make any statement about progress in the discussions. On the other hand, comment has also been made to the author that the existence of the Court often leads to the breakdown of negotiations because it is hoped by the unions that the Court will suggest a more favourable settlement than that initially proposed. Finally, it has been stated that *although the Court is government financed, its independence has never been questioned* <sup>(9)</sup>.

The third peculiarly Danish arrangement is the ability of the government to impose a settlement, if the efforts of the Court of Conciliation, through a rejection of a mediatory suggestion, fail. Such a settlement will be imposed by law through the parliamentary process and will be legally binding for the following two years and will have force as if it were the outcome of negotiations.

In practice, successive Danish governments have intervened in the bargaining situation on a number of occasions since 1970 and the right wing coalition government in power during the 1980s also introduced a

restrictive incomes policy which had proved effective within the public sector since 1982. This, combined with an increasing economic recession, had caused strong reactions within the labour market, although these had been of a more anti-governmental than anti-employer nature.

#### Outputs of the Danish Process

One part of Chapter 4 examined the outputs of the Scottish negotiating arrangements. In order to complete each section of the international comparisons, it is appropriate to conduct a similar examination of the outputs of negotiations in the comparator countries. As in Scotland, the outputs are undoubtedly complex, although there are different influences on the results of the negotiations in each of the comparators, including tradition and national legislation.

In Denmark, where the public pay system has been developing since 1919, there are a number of features that influence the product of negotiations. One has already been mentioned, the need for the local government negotiators to keep in step with their central government counterparts. Indeed, the salaries of one major group of local authority employees, the teachers, are not currently negotiated by the local government machinery at all, but by the central government machinery. There is also a growing tendency for legislation to influence areas traditionally regulated by collective agreements, including for example the regulation of working hours. Next, the public pay system has traditionally been based on a detailed job evaluation system, although some of the former public undertakings that have recently been privatised have abandoned this system in favour of new arrangements, including the introduction of performance related pay.

It has been suggested to the author by Konow that, against this general background, there are two potentially conflicting features of the local government pay system. The first is that there should not be competition between counties and municipalities for staff (which would overcome one of the problems experienced over the past decade by many Scottish local authorities), while the second is that the present system is so rigid and formal that it inhibits the ability of local authorities to attract suitably qualified staff.

This is not the only problem with the present system. The scheme of job evaluation already referred to ignores the diligence and competence of individual employees and therefore, in Konow's opinion, the salaries payable tend to reflect the contribution made by the person who performs average work of a medium quality. This differs from the pay arrangements in the major part of the private sector, where the typical pay system is founded on a minimum wage settled by collective bargaining, supplemented by a bonus according to productivity. The pay structure resulting from the job evaluation scheme is complicated, insofar as it seeks to cater for a large number of employees in the central and local government



services, distributed across a very large number of occupational groups. It is worth noting at this point that, although there are separate negotiations for central and local government employees, the resultant salary scales have traditionally tended to be identical.

The pay system is characterised by long scales, of as many as ten incremental points. This arrangement reflects relatively long periods of seniority and applies particularly to salary scales for professionals in the health services, teachers and engineers and the like. The scales for manual workers are much shorter. The system is also largely qualification based, insofar as more highly qualified entrants can expect both a higher starting salary and ultimate maximum than their less well educated colleagues.

Some of these features are not too dissimilar from those of the Scottish arrangements. Another is the openness of the public pay system in Denmark, where details of pay and salary scales are available to any member of the public who wishes to know and there is little political accountability for their determination.

One major difference is the more universal use of objective criteria, such as the number of inhabitants of a local authority, the number of employees and the number of subordinates, used by authorities in Denmark to fix the number of officials and their pay. The reader is reminded in this connection of the role of the Pay Board in determining the numbers of the most senior posts in individual authorities, as a control on salary drift and poaching of staff between authorities.

In Chapter 4, reference was made to the number of different negotiating bodies in Scotland, and to the different types of pay and salary arrangements that they produce, from a series of single point (hourly rate) salaries for manual workers to the spinal column of salary points from which the scales for white collar staff are constructed. At first glance, the Danish product looks relatively simple in comparison, despite some of the foregoing observations. During the period in which the Danish aspect of the research was undertaken, the scales negotiated in spring of 1989, for application for the following two years, applied. These scales consisted of a spinal column of 53 points, from which 40 different pay scales were constructed. Most of these scales consisted of between four and eight incremental steps, some of which were made up of double increments. Many of the salary scales overlapped and some, for the most senior staff, were of a single point.

These different arrangements are illustrated in Figure 10, by taking extracts from the overall structure:

FIGURE 10

**DANISH MUNICIPAL  
SALARY ARRANGEMENTS**

<u>Example 1</u>	<u>Long overlapping scales</u>											
Pay scale	Salary points											
1	1	2	3	4	5	6	7	8				
2					4	5	6	7	8	9	10	11
<u>Example 2</u>	<u>Overlapping scales with different sized increments</u>											
19	25	26	27	28	29							
20	25		27		29			31				
<u>Example 3</u>	<u>Senior salaries, shorter or single point scales</u>											
31	40		42		44							
32					43		45					
33									46			

Source: Danish Local Authorities' Salaries Card <sup>(10)</sup>

Between them, the total of 40 scales apply to all types of local authority employee, from manual worker to chief executive, following one set of national negotiations involving a whole range of trade union and professional interests.

Having exemplified the structure, it is essential to note that the relative simplicity of 40 scales constructed out of 53 spinal points hides the complexities of construction of every one of those 53 points. Whilst it is not relevant to examine the manner in which the individual points are made up, suffice it to say that for every point up to and including 41, there are six different salary rates that could apply, depending on a number of factors best understood by the Danish negotiators! One illustration of this effect is that, from a basic annual salary of 53,586 Danish kroner (DKK) for scale point 1, the actual salary payable varies from DKK 119,192 to 139,845 following additions, whilst the pensionable element of each of these salaries is DKK 114,486 <sup>(10)</sup>. At the top end of the salary range, the corresponding figures for scale point 53 are DKK 336,715 basic, DKK 470,078 gross and DKK 440,037 pensionable salary.

Normally, a particular staff group is paid according to a specific pay range, regardless of the authority for whom they work. New employees are normally appointed to the bottom point of their scale, advancing by



increments every second year until the top of the scale is reached, often not until ten or more years after appointment to the scale.

In order to overcome some of the rigidity of the salary scales referred to above, the negotiations of 1987 and 1989 sought to introduce some small element of flexibility into the pay arrangements, for application at local level. The initiative in this was taken by the national employers prior to the 1987 negotiations, to offer some form of incentive for authorities to recognise and reward the skills, efforts and education of individual employees. The resulting experimental system was called the *kommunepulje* ('municipal pool') <sup>(11)</sup>.

In the 1987 settlement, 0.2% of the total wage costs were reserved for local application. To put this amount into context, the 1987 settlement granted an increase of 11.15% payable as 6.9% from 1 April 1987 and a further 4.25% from 1 April 1988, by way of general and special settlements at national level. The 0.2% was in addition to the 11.15% and was available on the basis of 0.1% in each of the two years of the settlement. The municipal pool could be used by authorities to grant one-off payments to employees judged to be deserving of such treatment, for regradings and for personal allowances to employees, either on a permanent or a time-limited basis. It could be used for all employee groups other than chief officials, at the discretion of the authority, operating either on its own initiative or in response to a case made by a trade union.

The municipal pool was not supported by all trade unions and was described in some quarters as a *fedterøvstillaeg* (which may be politely translated into English as a boot-licker's allowance). As the pool formed a very small part of the overall pay bill for Danish local government, it did not offer a particularly significant amount of money for use by individual authorities.

Having been tried for the two year experimental period, the concept of the pool was abandoned in the 1989 settlement, although it was replaced by the *Municipal Non-Organisationally Divided Wage Formulation* <sup>(12)</sup>. Under the 1989 settlement, a total increase in wages and salaries costs of 2.5% was approved, distributed with 1.25% in the year 1 April 1989 to 31 March 1990 and 1.25% in the following year. Of this amount, just 0.5% was allocated to a general wage increase in each of the two years, the remainder being available at the rate of 0.75% for each of the two years of the agreement for other purposes.

First, the existing municipal pool of 0.2% was converted into a local (organisational) pool. To this, 0.3% of the total wage bill was earmarked for local wage arrangements. The amounts already used from the municipal pool for personal allowances and permanent regradings were to count against this sum. It was then at the discretion of each authority to decide how to use the organisational pool, provided it followed

certain guidelines, including reaching local agreement on the use of the available sum, whether the proposed use came from the employer or the trade unions. In effect, the allocation could be used for any kind of wage settlement.

There was also a framework agreement reached at national level that enabled employees to benefit from a share in any savings accruing to a local authority as a result of any efficiency improvements and rationalisation. Agreement was also reached on the payment of full wages during statutory negotiations and adoption leave. It was further agreed that negotiations would take place to simplify and harmonise conditions of employment, with 0.2% allocated for this purpose, with the first call being allocated to an improvement in sick pay arrangements. A number of other adjustments also took place as a result of the 1989 agreement.

### The Process in Sweden

As in Denmark, the arrangements for the negotiation of pay and conditions of employment of local government employees in Sweden are generally comparable to the Whitley Council system in Scotland. In Sweden, the main players in employee relations <sup>(13)</sup> on the Employers' Sides are the two local authority associations, the Swedish Association of Local Authorities (*Svenska Kommunförbundet*) and the Swedish Association of County Councils (*Svenska Landstingsförbundet*). As there is no equivalent of the Danish Local Authority Pay Board, however, the two associations act in concert in their dealings with the trade unions, without the kind of co-ordinating function offered by the Pay Board.

Indeed, it is in the role of employers' organisation that the two associations are, according to the Association of Local Authorities, best known to the general public <sup>(14)</sup>. The importance of this role is emphasised, in fact, by the claim that the most important section of the Association is the Negotiating Division, which represents the member municipalities in negotiations on pay, terms and conditions of employment and co-determination for the 490,000 employees of local authorities.

Within the overall structure of the Association, the Negotiating Division is assisted in its tasks by the Personnel Policy Division, which is responsible for maintaining services over the entire field of personnel policy, including labour law, pensions, personnel welfare and the working environment, as well as the negotiating functions with which this Chapter is concerned.

Between them, the two associations are concerned with the negotiation of wages and salaries and terms and conditions of employment for almost one million employees. This number excludes teachers who, whilst local authority employees, currently have their terms and conditions of employment negotiated by central government, as in Denmark. It is, however, understood that the transfer of responsibility for the



negotiation of teachers' salaries and conditions of employment to the local authority associations has been approved in principle, although no date has been announced for the transfer to take place.

Whilst membership of the local authority associations is voluntary, all municipalities and county councils belong to their respective organisation. One commentary on the public sector pay system in Sweden expresses the view that *membership is dictated by the need to be represented by a strong employer organ at central level* <sup>(15)</sup>. One reason for this, which will be considered in greater detail, is the highly organised nature of the employees' sides, through three main cartels of trade unions.

As in Denmark, the local authority negotiators work closely with the body having central responsibility for personnel policy in the government service (the Swedish National Agency for Government Employers). In 1985, the following guidelines were laid down for that body, and have been adopted as policy also by the local authorities:

The future direction of the government's wage policy should be as follows, namely

that wage policy and wage systems should be compatible with a balanced national economy

that wide wage differentials among workers doing equal work in different sectors of the labour market should be avoided

that the government's position in wage negotiations should be more clearly determined by the nature of the activities and by the need to bring about suitable personnel recruitment and progression

that the wage system shall promote flexibility, decentralisation and delegation

that wage policy shall be based in other respects on democratic ideals of fairness in distribution. <sup>(16)</sup>

Whilst the policies of the local authority associations are in essence coincidental with those of the government, their practical application may differ, for example, in the length of the term of an agreement, local negotiating practices and the technical structure of the wage system. In this regard, there is more freedom for the local authority associations in their negotiating role in Sweden than there is in Denmark.

In common with the Whitley model of joint collective bargaining, the employees' interests are represented on a collective basis by trade unions: in Sweden, this representation is by three 'cartels' of trade unions who, between them, represent around 90% of the total workforce of the local authorities.

The largest of these negotiating groups is the Swedish Local Government Workers' Union (*Svenska Kommunarbetare Forbundet*, or SKAF), with over 635,000 members. This Union is, itself, the largest single member of the dominant trade union confederation within Sweden, the LO

(*Landsorganisationen i Sverige*), which organises around 90% of all workers within the Swedish economy. SKAF represents the majority of manual workers employed by local authorities, including refuse collectors, transport workers, home helps and a large proportion of workers employed within the Swedish health services.

The second largest negotiating group is the cartel known as the Federation of Salaried Local Government Employees (*Kommunaltjänstemannakartellen* or KTK). KTK is itself part of the Confederation of Salaried Staffs (*Tjänstemannens Central-organisation* or TCO) and has in membership eight trade unions representing around 165,000 local authority employees.

Finally, there is the smallest cartel, the Central Confederation of Professional Associations (SACO/SR) which has within its umbrella 22 trade unions representing some 50,000 employees. KTK and SACO/SR represent salaried staffs such as nurses, doctors and dentists.

Despite the overall number of trade unions having members in local government, their disposition into three cartels, negotiating with two associations, enables a simple model of the process to be drawn, as illustrated in Figure 11.

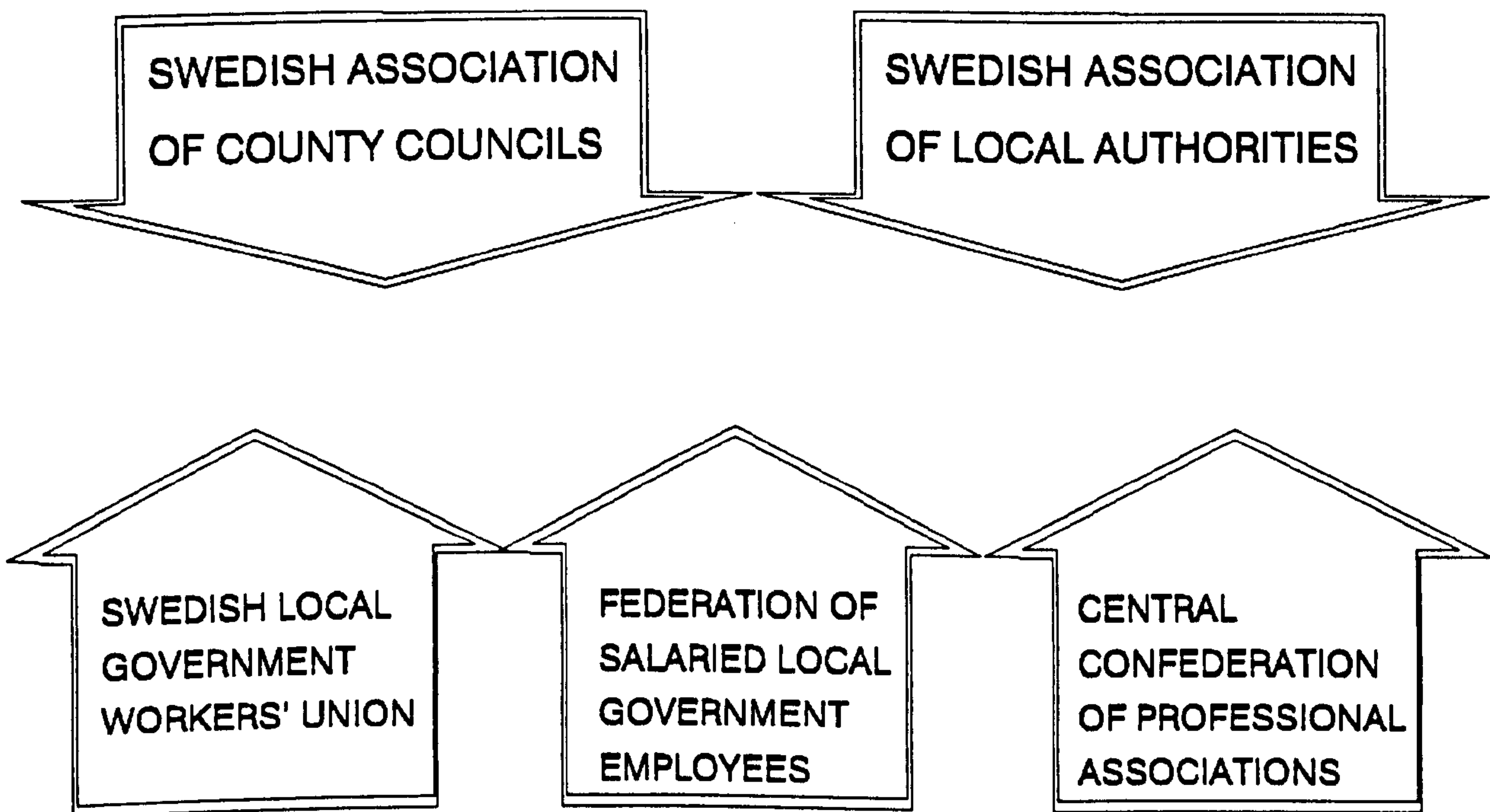
Before examining the current process of joint collective bargaining in Swedish local government in more detail, it is necessary briefly to examine the evolution of the present structure. There is one critical reason for this: there has been much discussion of the 'Swedish model' of industrial relations over several decades, with the implication in Britain that that model is much better than anything we have had. Despite this perception, the rights of collective bargaining for salaried officials in the public sector in Sweden were, until 1966, circumscribed by legislative restrictions. This, according to Edlund, is despite the fact that by the turn of the century, both employers and employees (in the Swedish economy in general) had begun to establish a system of organisations which in turn facilitated an increasingly collective regulation of working conditions<sup>(17)</sup>, with the collective agreement becoming a widely accepted arrangement for manual workers. However, it was not until 1928 that collective agreements became an integral part of the legal system, with powers of interpretation granted to the Labour Court. Later, in 1936, rights of association and collective bargaining received statutory confirmation, mainly in order to facilitate the efforts of salaried employees in the private sector to organise themselves and negotiate collective agreements. Even then, civil servants and other salaried public officials were denied these rights until legislation in 1965.

On the other hand, as Gustafsson explains, the manual worker groups (ie those generally represented by SKAF) had long been able to conclude



# FIGURE 11

## THE SWEDISH NEGOTIATING MACHINERY SCHEMATIC MODEL



collective agreements with their employers in the same way as their counterparts in the private sector, because the law did not regard them as local government officials<sup>(18)</sup>. The rights of salaried officials to determine their conditions of employment by joint agreement were granted by the Local Government Officials Act (*Kommunaltjänstemannalag*) of 3 June 1965<sup>(19)</sup>. The Act also granted a right to local authority officials to take industrial action.

This Act was supplemented by the Swedish equivalent of an Order in Council (His Majesty's Order relating to Certain Local Government Officials (*Kungl. Majts Stadga om Vissa Tjänsteman hos Kommuner M. Fl.*)<sup>(20)</sup> which prescribes, *inter alia*, certain matters relating to the discipline and dismissal of local government employees which, in Scotland, are covered by the National Schemes of Conditions of Service. At the same time, the local authority associations and the main trade unions adopted a *Basic Agreement* (equivalent to a procedural agreement) on negotiating procedure (the *Kommunalt Huvudavtal*)<sup>(21)</sup>, setting out the arrangements for national and local negotiations and for intervention in the event of disputes relating to national agreements.

In his commentary on the 1965 legislation, Jägerskiöld attempts (since the legislation fails to provide any form of definition) to explain the difference between the manual workers referred to by Gustafsson and the public officials covered by the Act, by describing the former as *another category of public employee*<sup>(22)</sup>, having the same system of collective bargaining and legal rights of unionism as private sector employees.

As a result of the 1965 legislation, the conditions of employment of all local authority employees have for the past quarter of a century been fixed by joint collective bargaining and agreement.

Finally in this brief overview of the legislative and historical development of the negotiating machinery, it is necessary to focus on the complexities and implications of the Co-determination at Work Act 1976 (*lag om medbestämmande i arbetlivet*)<sup>(23)</sup>, which became effective on 1 January 1977. As Edlund explains, the Act applies to both private and public employees, though with certain restrictions in the fields of national and local government, mainly out of consideration for political democracy<sup>(24)</sup>. Additional complementary rules for the public service are contained in the 1977 Act on Public Employment (*lag om offentlig anställning*)<sup>(25)</sup>.

The principal (ie 1976) Act was a reform of negotiating procedure which, under section 32, permits organisations of employees that have rights of negotiation in respect of pay and conditions to seek further negotiating rights in respect of other employment matters, such as the management and distribution of work and training. Nevertheless, the Act has the underlying principle that the employer remains the person who ultimately determines the activities of the company or public authority, both in



general matters and as regards the direction and allocation of work.

The practical effect of the legislation has been interpreted differently by various commentators. For example, Edlund believes that the employer's real decision making powers have been reduced, because employees are now entitled to negotiate on practically all issues which concern them <sup>(26)</sup>. On the other hand, Seth expresses the view that the aim of co-determination negotiations is to secure agreements <sup>(27)</sup>. In his view, these are not collective agreements in the technical sense, however, and formally speaking they do not imply any limitation of the employer's unilateral powers of decision making. The employer is simply under an obligation to negotiate with the unions before he makes certain decisions concerning his employees.

It is pertinent to note that under Section 26 of the Act, a collective agreement which has been concluded by an organisation of employers or an organisation of employees shall also bind, within its area of application, a member of such organisation. Thus, within the terms of Swedish law, local authorities are bound by the collective agreements reached by the local authority associations with the trade union cartels.

Edlund, Seth and Gustafsson all note that it has been alleged in the public sector that the sphere of political decision making has been unduly encroached upon by these provisions of the Act. However, this comment moves outside the strict confines of the present research and into the Council Chambers and Committee Rooms of individual local authorities, where the legislation gives employee representatives the right to attend and speak on issues being debated by local politicians, but does not give them the right to take part in the actual decision making process. Under the co-determination legislation, employee organisations do, however, have extensive rights to the provision of information relevant to collective bargaining.

Having examined the background to the present negotiating arrangements in Swedish local government, the following account of the process has been prepared, on the basis of a series of semi-structured interviews with some of the most senior negotiators on the employers' side from within the local authority associations <sup>(28)</sup>.

It has already been noted that the two associations work closely together. Normally, the national agreement on pay is open to review on an annual basis, and the negotiations for all local authority employees take place effectively as a single round of talks at the same time. The two associations work as a single Employers' Side, although on detailed discussions relating to specific groups of staff, employed mainly by the constituent authorities of one association, that association leads. For example, in relation to doctors and other health care specialists, where the county councils are the main employers, it is the Federation of County Councils which leads the negotiations. The municipalities would

then accept the agreement reached for any such specialists who are employed by them.

In Sweden, unlike Denmark, it is not the practice for the whole economy to seek to negotiate and conclude agreements for application from more or less a common date. However, the author was informed that the local authority associations had indicated to the Prime Minister of Sweden, in response to economy-wide talks convened by him early in 1990, that they would be prepared to adopt such a system, if the state of the economy so required.

In practice, however, the normal process is for the private sector to settle their annual pay claim before the public sector. This is seen as an advantage for the employees, as the general level of settlement is then fixed. On the other hand, the employers cite this as a potential disadvantage, as there is the danger of leap-frogging.

The opening gambit in the local authority annual pay round tends to be played by the trade unions towards the end of the calendar year, as the first move in negotiations that may take several months to complete. Within the terms of the framework agreement for local government (see page 138), it is expected that the trade unions will have their claim submitted at least three months before the current agreement is due to expire.

For example, during the period of the research, the 1990 pay round commenced with the submission of the general claim by SKAF, the largest trade union, on 18 August 1989 (a date described to the author as very early <sup>(29)</sup>). This was followed by detailed claims by the other trade unions on behalf of individual employment groups within the negotiating machinery in November 1989, when the joint talks commenced, with the initial expectation that the negotiations would be completed by the middle of December.

Under the system, the main claims considered by the individual associations as part of the bargaining round, after the general claim submitted by SKAF, are for doctors and social workers, where the main employers are represented by the Federation of County Councils and the Association of Local Authorities respectively. It was reported that the individual unions which form the cartel SACO tend to submit a series of largely unco-ordinated claims.

Past practice has been that, after the claims have been submitted, each of the local authority associations convenes 4 or 5 regional pay conferences of elected members and personnel specialists at which the affordable levels of settlement are discussed and defined. The author was told that currently the associations are taking the offensive, by convening these conferences even before the claims are submitted.



Information was provided by the senior negotiators that the Minister of Finance attempts to influence the level of settlement as a measure to combat the underlying rate of inflation, although in the end, the local politicians representing the two associations are expected to decide on the level of settlement. The Employers' Side of the negotiating machinery is based on a proportional system, with seven members of the Federation of County Councils and 25 from the Association of Local Authorities. These members will propose the basis of settlement for the Executive Committees of the two associations to agree.

Although the system is based on the principles of free collective bargaining, at the time of the author's study visit at the end of January 1990, the normal process had broken down, and the process of conciliation involving more or less non-stop discussions between the conciliators and the two sides had been under way for several days. It is understood that, in fact, there is a need to invoke the assistance of conciliators on an average of at least one year in two. This is seen by the Employers' Side as a further sign of the failure of the *Swedish model* proclaimed for its effectiveness and moderation 20 years previously. In fact, the principles of the model as they applied in the private sector, and as witnessed by the *Saltsjöbaden Agreement* <sup>(30)</sup>, had begun to crumble in the early 1980s and the industrial relations problems of 1990 were seen as a further manifestation of this process.

When conciliation is necessary, the conciliators are chosen by the two sides for their acceptability and neutrality. For example, in 1990, they were the former Director General of the Government Labour Board and the Chief of Internal Administration of the Swedish Parliament. Their powers are limited to proposing a settlement. If the proposals are not acceptable to the trade unions, then strike action can be taken. Normally, it should not be taken before such a failure to reach agreement, although in 1990, illegal strike action in some municipalities, before such a failure had been registered, was causing irritation in the negotiations. In the event, the proposals of the conciliators were acceptable and a settlement (see page 143) was reached.

To complete this examination of the Swedish structure for joint collective bargaining in local government, reference is made again to the fact that local authorities are obliged to implement agreements made nationally. If a local authority refuses to do so, then it is breaking the bye-laws of the local authority association. In such circumstances, the matter would be discussed mutually between the association and the local authority, although the only sanction available to the association is expulsion of the authority from membership of the association.

In conclusion, and by way of explanation, it should be noted that the process described above, and particularly the references to the situation in 1990, applied during a period of unprecedented industrial unrest in Sweden, with strikes and lock-outs *inter alia* in the banking industry and

localised industrial action in the local government sector. The trade unions were seeking pay increases of around 14% in much of the economy and the resultant pressure had given rise to the emergency talks convened by the Prime Minister, referred to above. The period of unrest and the outcomes achieved by way of settlement were being hailed as *the end of the Swedish model of industrial relations*, both in Sweden and elsewhere.

#### The Outputs of the Swedish Process

The results of the Swedish negotiations have, according to Ahlvarsson, traditionally had to take account of the fact that the Swedish economy has had a very low level of unemployment, even if this has been held artificially low by social security and related provisions. The outcome has been that settlements tend to be high in percentage terms to take account of competition in the labour market and wages drift in the private sector. The sheer growth of the public sector over the past 25 years, reflecting changing social and ideological attitudes, has also put pressure on the negotiators.

These pressures have required a change in the structure of settlements in the period since 1986. Until then, a set of common scales existed for application across the whole of Swedish local government, consisting of 69 spinal column points. Within this structure, around 55% of all employees were graded on points in the range 16 - 30, including many technical and junior professional staff.

Since then, the structure has evolved to allow some local discretion in the application of salary scales. This is achieved by the establishment of minimum local authority salaries at national level, to which may be added an element of local payment and an element for productivity. In practice, there tends to be a greater degree of flexibility for white collar staff than for manual worker groups, reflecting the views of the manual worker unions that they prefer to see a common wage for the same occupational groups, across the whole country. The local premia include, for example, payments for working in remoter areas of the country, especially the north, and in the major cities, which share a common problem of recruitment and retention, albeit for different reasons. It is understood that the element of negotiation at local level can extend, for example, to individual locations within an authority. One example provided to the author implied that, within the county council family, negotiations can extend from national level, through local authority level to individual hospitals or even clinics.

These local agreements are able to take account of such factors as ability and merit for individuals, although it was admitted that there is no formal system of performance appraisal to enable this assessment to be undertaken on an objective basis, despite criticisms of this situation from the trade unions.



Reference has been made to the level of settlements within the Swedish economy. By way of example, the claim submitted by the trade unions for the 1990 pay round was 15%. The employers initially offered around 8.5%, which was subsequently raised to 10.5%. After the intervention of the conciliators referred to above, a compromise figure of 11.8% was reached, after what was described as some of the toughest negotiations of recent years. The distribution of the final amount was weighted marginally in favour of the lower paid, thereby giving them a slightly higher percentage settlement than the white collar and professional staff.

To conclude this section on the Swedish arrangement, it is appropriate to quote the view of Ahlvarsson that, despite the trend since 1986 towards an element of the overall settlement for application at local level, the national basis of negotiation is likely to remain, at least for the foreseeable future.

#### The Processes in Finland and Norway

It was indicated earlier that the main sources of international comparison would be Denmark and Sweden, but that an appropriate but less detailed examination of the corresponding processes in Finland and Norway would also be undertaken. In both countries, the overall negotiating structure within which the local government negotiators operate is not dissimilar to those already defined for Denmark and Sweden.

Within the Finnish labour market, there are central organisations for employers and employees. In the public sector, there are two employers' organisations, the central government Labour Market Agency, which covers some 250,000 employees, and the Commission for Local Authority Employers (*Kunnallinen Työmarkkinalaitos*, or KT), embracing some 450,000 employees in the service of constituent authorities. The Commission in its original form was created by statute in 1970, to pursue a uniform national labour policy in the local government sector. Before that date, municipalities and joint authorities pursued widely varying labour relations policies.

The Commission was reorganised and constituted in its present form and under its present name in 1987. It acts as an employers' organisation, negotiating on behalf of all local authorities the terms and conditions of employment for municipal employees. It has as constituent members the 94 cities and 367 municipalities, together with 379 joint municipal authorities.

On the employees' side, the largest central organisation within the economy is the Finnish Trade Unions' Central Organisation, with more than 1 million members in 28 unions. Of these 28, the largest single group, some 180,000, belong to the local government workers' union. In addition, there are three organisations for salaried employees, having a total of almost 700,000 members spread across some 74 trade unions. The

Commission negotiates with the municipal arms of these four organisations.

An explanatory guide to the Commission <sup>(31)</sup> indicates that its decision making power rests with the Council of 21 members, all local elected officials. They are appointed by the Ministry of the Interior for a term of four years following each set of municipal elections, with due regard being paid to political balance within the Finnish multi-party system. Meetings of the Council may be attended by the Minister responsible for wages and salaries at the Ministry of Finance and by five representatives of the state, and by representatives of the local authority associations and the Finnish Hospital League.

Reporting to the Council there is an executive board of nine members who prepare matters for discussion and ensure that the Council's decisions are implemented. Finally, there is the Office of the Commission, of paid officials (effectively, the Employers' Secretariat), who are responsible for the detailed negotiation of agreements and assisting municipalities in implementing the agreements and recommendations emanating from the Commission.

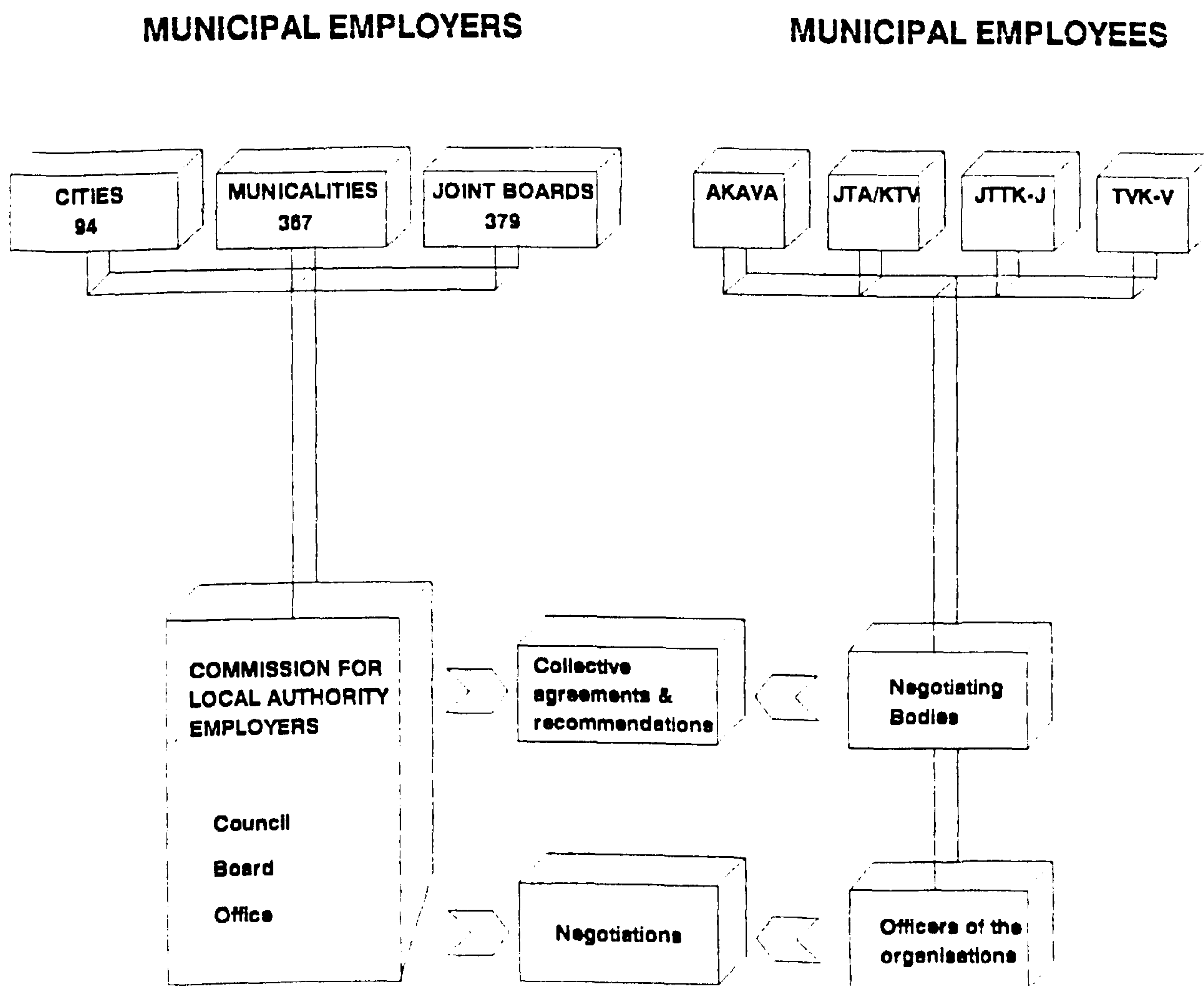
These arrangements are illustrated in Figure 12.

The general aims of the Commission are to maintain good industrial relations and industrial peace in the municipal sector and to ensure that wage and other agreements are in general accord with the interests of the national economy. From the local authorities' point of view, the Commission endeavours to reach agreements which are affordable by constituent authorities, yet are not responsible for increasing local taxation. At the same time, they must try to secure suitably qualified employees for municipalities and promote the effectiveness of local authority services through recommendations affecting the terms of employment not open to collective bargaining.

The Commission and the local authority trade unions operate within the statutory and economic constraints imposed upon all negotiators by the Finnish government. As Kauppinen explains, with the exception of a few years, all collective agreements signed since 1968 have been based in incomes policy agreements concluded between central organisations with the encouragement of the State <sup>(33)</sup>. Their purpose has been to promote employment and slow down inflation, so as to preserve the country's international competitiveness, as well as increase real earnings. Within these constraints, the general process, as Bratt <sup>(34)</sup> explains, is for the general outlines and limits for pay increases to be agreed centrally and, once acceptable to the unions, for a detailed collective agreement to be signed under which binding terms of employment are laid down and an industrial peace obligation comes into effect. Arrangements exist for national conciliation, and the periods of agreements normally vary between one and two years.



**FIGURE 12**  
**THE FINNISH NEGOTIATING MACHINERY**  
**MUNICIPAL LABOUR MARKET**



Finally, in this brief overview of the Finnish negotiating arrangements, it is appropriate to refer again to Kauppinen, who clarifies the items that may be agreed following joint collective bargaining, and those that are not. The first group consists of salaries and emoluments in kind, working hours, annual holidays and holiday pay, paid sick leave and maternity leave, and compensation for travel costs.

On the other hand, the following are not open to collective bargaining: the establishment, filling, reorganisation and termination of posts, qualification requirements, leave without pay for reasons other than training, education, sickness, pregnancy or childbirth, and grounds for termination of employment.

In Norway, where there is just one local authority association, representing both counties and municipalities, it is the Association that acts as the employers' organisation for the negotiation of collective agreements.

For the purpose of industrial relations, local government employees are divided into three groups, representing administrative and professional staff, including doctors, engineers and so on; white collar ancillary staff and auxiliary staff in hospitals; and manual workers. They are represented by over 35 trade unions, having from just 200 members at one end of the scale to about 150,000 (or almost half the total number of local government employees) at the other.

In principle, there is one set of negotiations for all three groups, although in practice it is understood from senior negotiators employed by the Association, that the three groups meet in three separate rooms simultaneously. It was explained that the three groups do not in fact talk to each other, although the outcome tends to be the same for all groups unless there are special interests to be catered for. Some years, the settlements are reached in monetary terms and other years in percentage terms.

The arrangement is effectively a derivation of the simple model of negotiation, as illustrated in Figure 13.

The observation was made during the primary research in Norway that the Association has, since 1 January 1988, been a *real employers' association* <sup>(35)</sup>, insofar as it is now able to reach legally binding agreements if two thirds of its members support a proposed agreement, and those authorities also employ between them at least one half of all local government employees. This latter provision is understood to safeguard against the possibility of a large number of small authorities seeking to enforce an agreement on the larger authorities. The comment was also made that it was difficult to convince the local authorities to make this change, since they were reluctant to relinquish any of their local autonomy. It



is now believed that it will probably be many years before it will be necessary to change the system again.

This position contrasts with that which existed when an International Labour Organisation (ILO) Mission <sup>(36)</sup> visited Norway in 1984, when it was noted that draft agreements needed to be ratified by each local authority concerned. At that time, a local authority could withhold its agreement, or choose to provide its employees with special advantage: for example, the City of Stavanger paid its employees slightly higher salaries because oil-related activities had raised the cost of living in the area. (By contrast, the local authorities in Aberdeen never agreed to take a comparable measure, despite the same pressures from the off-shore industries based in the City, and despite the occasional informal suggestion from the trade unions that such a move should be considered.)

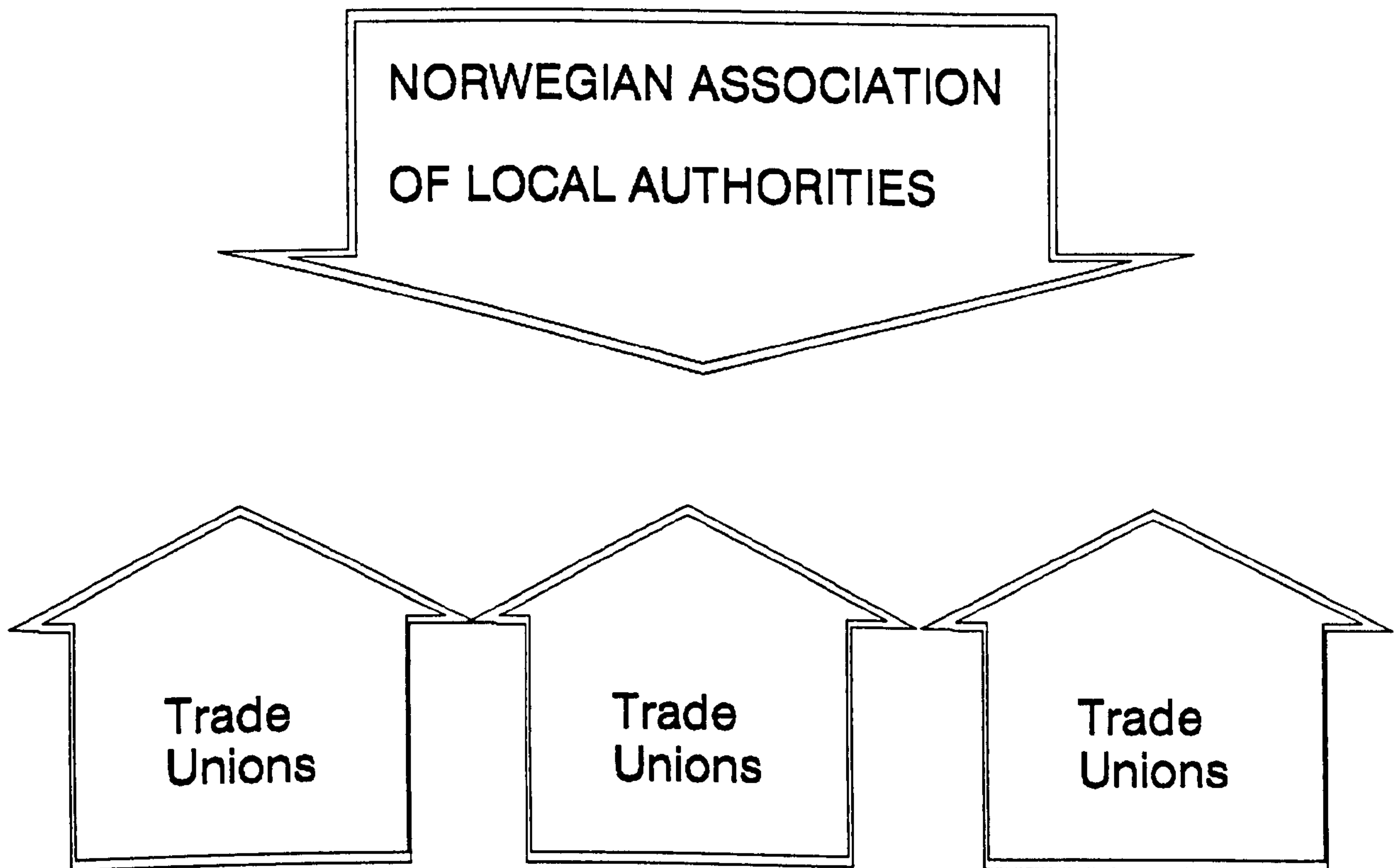
Certain other points need to be made briefly in relation to the arrangements in Norway. First, despite there being a long history of joint collective bargaining in the private sector, it was not until 1958 that collective bargaining arrangements for public servants were permitted by law. Now, the arrangements in the public sector largely take their cue, according to the ILO Mission, from industry, upon whose practices they are largely modelled.

Secondly, there is a single date for the implementation of all settlements in the private sector, of 1 April each year, and another for the public sector, of 1 May each year. In practice, perhaps because of this time lag, it is unusual for national negotiations in the public sector to take place before those in the private sector.

Thirdly, as in Denmark, the public pay system is based very substantially on a system of national job evaluation. For this reason, wage drift is, again according to the ILO Mission, virtually non-existent in the public sector. Also, as in Denmark and Sweden, the negotiation of salaries for teachers is covered by the central government arrangements, although teachers are local authority employees. This was expected to change as long ago as the mid-1980s, but had still not done so by the end of the decade.

Finally, although the negotiating arrangements for local government are *prima facie* independent, the Association is required substantially to co-ordinate its policies with those of the State, as part of the overall management of the economy. Indeed, there has since 1966 been regular contact between all parties to the labour market in Norway and the government, in the form of a social contract, under which the government has even consulted with its social partners before imposing a temporary prices and incomes freeze.

**FIGURE 13**  
**THE NORWEGIAN NEGOTIATING MACHINERY**  
**SCHEMATIC MODEL**





Apart from wages, an increasing number of items have become the subject of collective bargaining, even where minimum standards have been established by statute. These items include holidays, vocational training and sick pay, and have more recently been extended to include, for the public sector, many other aspects of decision making not restricted to the politicians.

As in Denmark and Sweden, arrangements exist for the equivalent of the 'sounding board procedure', including provision for county pay strategy conferences which feed the views of local authorities in to the central decision making process. Once the settlement has been reached, local authorities have limited scope to move employees between grades, to recognise increases in duties or to help overcome specific recruitment difficulties.

The Association has a staff of over 30 who deal with the negotiations. Since, however, the negotiations take place over a limited period each year, they also undertake other related work, including the provision of advice to constituent authorities on the national agreements and assistance with the introduction of local agreements on such items as training and productivity. The point was made that, since so many local authorities are small, they do not have personnel specialists, so they call upon the staff of the Association to provide the necessary support.

#### The Outputs of the Finnish and Norwegian Arrangements

These are similar in many respects to the outputs in the other comparator countries, with a range of spinal column points from which a number of grades are constructed and applied to all local authority employees. Whilst in Finland there appears to be some freedom within the structure for authorities to allocate grades to posts, in Norway the system is tightly controlled, as in Denmark. Thus, with the limited exceptions already referred to, whereby authorities are able to regrade posts following a pay settlement, the national negotiations fix not only the salary points, but also determine where within the structure different groups of employees are placed, and deal with changes in relativities.

#### The Standing Conference of Local and Regional Authorities of Europe

In order to complete this international comparison, reference is made to certain declarations and resolutions of the Standing Conference of Local and Regional Authorities of Europe, a division of the Council of Europe, in relation to the status of staff of local authorities in member countries. In the context of the present research, this means four out of the five countries - during the period of research, Finland was not a member of the Council of Europe, but had observer status. The aim of

this section is to use relevant decisions of the Standing Conference as a further yard stick against which to assess the arrangements in Scotland.

The first relevant document is a report on *The Status and Training of Local and Regional Government Staff* <sup>(37)</sup>, presented to the seventeenth session of the Standing Conference in 1982. This document contained a draft Resolution and Declaration of Principles on the subject, together with an Explanatory Memorandum. The most formal of these, the draft Resolution, whilst not exclusively related to the topic of the present research, noted the need for a flexible and adaptable staff of appropriately qualified public employees to enable the political leadership of local authorities to discharge their increasing range of tasks and functions. It also noted the crucial contribution that staff training has to make to the efficient management of local affairs.

The draft Declaration of Principles appended to the draft Resolution is important as an international recognition of the status of local government employees, their duties and their rights, and of the need for safeguards to their employment. Although the principles were primarily to apply to *persons appointed as managers, administrative officers, specialists and other personnel appointed to key positions* <sup>(38)</sup>, it was subsequently agreed by the Standing Committee that they should be used as guidance for all local authority employees.

The principles were delineated by seven sub-headings, the duties of employees, the rights of employees, leave and dispensations from service, disciplinary safeguards, termination of employment, staff representation and remuneration. In general terms, the principles would all be familiar within the Scottish context, either through provisions of national legislation or through the various schemes of conditions of service. They establish such practices as the need for appointment on merit to ensure to local authorities the service of employees of the highest ability, efficiency and integrity, and point out the benefit of establishing joint councils in the promotion of co-operation between employees and management.

The Explanatory Memorandum was presented to the seventeenth session of the Standing Conference, in support of the draft Resolution and Declaration of Principles. It was based on a study of the status of local and regional employees, including methods and terms of appointment and took into account the views of the European Union of Local Authority Employees' Associations (EULAEA) and the European Organisation of the International Federation of Employees in the Public Service (EOIFEPS).

In particular, the Memorandum refers extensively to the *Model Staff Regulations for Local Authority and Similar Employees in Europe* prepared by the EULAEA and proposed by them as the basis for a resolution. The



aim of the Model Regulations is to induce local authorities to accede to a set of regulations and guiding principles governing the relationship between local authorities and their employees, to be applied by the individual local authority or local government negotiating body. The Model Regulations contain 73 articles grouped in 17 chapters and, according to the Explanatory Memorandum, attempt to regulate staff policies in a very detailed way. It is intended by EULAEA that they should apply to all local government employees.

The items covered by the Model Regulations and the draft Declaration of Principles appear at first sight to be very similar. Nevertheless, the Explanatory Memorandum concluded that, in view of the great variations in the ways in which local government organisations function in different European countries, the idea of a common European Charter regulating the conditions of local government employees in detail did not seem to be very realistic or expedient. Any staff policy should be adapted to local and national management systems.

The Memorandum also expressed the opinion that the Model Regulations reflected the concept of a classical bureaucracy, with the addition of a few modern features <sup>(39)</sup>, whereas the tasks facing local authorities call for a more adaptable model of organisation less based on detailed sets of rules. As a result, the Memorandum suggested that the Conference should only lay down a number of fundamental principles which are intended to serve as a guide to local government bodies, when dealing with pay and appointments.

Having considered the draft Resolution and Declaration of Principles against the background of the Explanatory Memorandum, the seventeenth session formally adopted the proposed Resolution, which was embodied into Resolution 131 (1982) <sup>(40)</sup>. The draft Declaration of Principles was appended to the formal Resolution, but remained in the form of a draft, as it was felt during the seventeenth session that the text would benefit from further reflection and further consultation with bodies representing local government employees.

Thereafter, the further work was carried out and a revised draft Declaration of Principles was prepared, ultimately to be considered by the twentieth session of the Standing Conference, in October 1985. Prior to that meeting, however, the text of the revised draft was submitted as a consultative document to the European Conference on the Problems of Local and Regional Government Staff, organised by the Standing Conference and held in Bournemouth, England, in June 1985. The views of the delegates to the Bournemouth Conference were contained within the final communique, the *Bournemouth Declaration*, which dealt *inter alia* with the benefits of horizontal and vertical mobility of local government staff as a means of career development, as well as with the need for the status, pay and working conditions of local authority staff to be comparable with those of other parts of the public sector. The communique urged the

continuance and development of forms of joint negotiation for local government employees.

As a result of the further consultations mentioned above, and of the deliberations at the Bournemouth Conference, the twentieth session of the Standing Conference considered a *thoroughly revised text which, according to Sir Duncan Locke, the rapporteur from the Bournemouth Conference, it is hoped, balances regard for the legitimate aspirations of local government employees against due consideration of the other responsibilities of public authorities* <sup>(41)</sup>. It was felt that the adoption of the recommended Declaration would have considerable value as a statement of common European standards in this field.

The twentieth session then approved two Resolutions. The first, Resolution 167 (1985) <sup>(42)</sup> commended the Bournemouth Declaration to local authorities and their national associations, including the references to the desirability of joint collective bargaining. The Resolution also requested the Committee of Ministers of the Council of Europe, *inter alia*, to include in the work programme of the Steering Committee for Regional and Municipal Matters (of the Council of Europe) a comparison of the agreements and codes governing the conditions of service of local and regional authority staff in the various European countries and instructed further work in the field of local authority staffing in consultation with the European trade union organisations and other bodies representing local and regional government employees. It was also recommended that a second conference on matters concerning local and regional authority staff take place, in due course, on a similar basis to that at Bournemouth.

A number of points need to be made in connection with this Resolution. First, it is understood that the proposed comparison of agreements and codes has never been commissioned. Sixty years ago, one of the recommendations of the Hadow Report (see page 39), made reference to the desirability of such international comparisons. Despite that, this present investigation is probably one of the few attempts of its kind to be undertaken in the United Kingdom, into an international comparison of the work of employers' organisations in local government. It would appear, even against a European backcloth, to be ahead of any work proposed by the Standing Conference. Secondly, it is also understood that the second conference referred to in the Resolution has yet to take place, possibly because of the financial constraints being experienced by local authorities throughout Europe.

The second Resolution was 168 (1985) <sup>(43)</sup>, which contained the final version of the Declaration of Principles. Having adopted the Declaration, the Resolution urged local authorities and their associations responsible for managing personnel systems or negotiating or advising on conditions of service to act in conformity with the European Declaration of Principles. In view of its European status, the



Declaration is reproduced in full in Appendix 7, for information and reference.

It is understood from Paterson <sup>(44)</sup> that the Scottish Employers' Side, whilst aware of the contents of the Declaration and of the exhortation of the Resolution, have in fact never adopted the recommendation that they should act in conformity with the Declaration. On the other hand, it is reasonable to conclude that the arrangements in Scotland, as articulated in national agreements and relevant legislation, generally meet the spirit of the Declaration. The fact that it has never been formally adopted may, therefore, from one point of view appear to be barely relevant. From another point of view it might reflect some of the earlier conclusions about the Scottish arrangements, including the relative lack of importance it is accorded in resource terms, compared with the corresponding arrangements in the Scandinavian countries.

### Conclusions and Proposals for Consideration

A number of preliminary conclusions were drawn, at the end of Chapters 3 and 4 respectively, about the present Scottish negotiating arrangements. These included a criticism of the complexity of the arrangements, the continuing lack of cohesion at elected member level within COSLA of the different parts of the negotiating machinery, the potential for the creation of anomalies as a result of the outputs of the respective negotiating bodies and the plethora of settlement dates for the annual pay negotiations within the machinery.

One of the main purposes of the present Chapter was, therefore, to assess whether the arrangements in the comparator countries could in any way be used as a model for change, for the Scottish arrangements. By implication, the international dimension of the investigation would seek to identify ways in which the Scottish arrangements could potentially be simplified. The foregoing sections have clearly indicated that simpler models exist in the comparator countries, and that universally within them there is co-ordination of the pay settlement dates. There is almost certainly less opportunity for the creation of anomalies, especially in Denmark and Norway, where there is substantially greater control of gradings through systems of job evaluation.

Due regard has also been paid to the different legislative and cultural environments within which the arrangements operate in all five countries under scrutiny. Therefore, are there any lessons to be learnt from the international comparison that could be applied in Scotland?

The first has to be that it is possible to operate within a far simpler model than currently exists. All four comparators provide examples of a co-ordinated approach to negotiations. Furthermore, in Denmark and Norway, this co-ordination applies not just to local government negotiations, but also to the timing of negotiations in the labour market in general. It was never anticipated that this research would seek to influence the pattern of negotiations in the Scottish economy as a whole. Therefore, the consideration of any proposals for change must inevitably be restricted to the local government machinery. Hence, comments will be restricted to an examination of the advantages and disadvantages of a more co-ordinated structure for Scottish local government.

It is perhaps easier to start with the problems that would be associated with trying to change the present arrangements. There is a tradition of different arrangements, cemented in a history of almost 30 years since the last major change in structure. There are links with the UK machinery for white collar staff and manual workers. There is the direct influence of the UK wide machinery for uniformed police and fire services. There are the pay formulas for the uniformed services, which would not be given up without a fight.



There are not just the interests of the employers to consider. There is also the attitude of the employees, through their representative trade unions - about a score in all, some of which have membership of just one negotiating body and others of which have membership of several.

From the results of the questionnaire, there appears to be little support for any greater merger of negotiating bodies into the general UK machinery. Indeed, the converse attitude exists, that consideration should be given to a greater independence for the Scottish machinery. This last is, of course, a potential spur to the development of a more co-ordinated approach for Scotland.

On the Employers' Side, also, there is the key ingredient of a simpler model, insofar as there is only one association, representing the interests of all constituent members. Thus, given a *green field* situation, it is feasible that the employers would wish to introduce a simple model. On the other hand, given the history and present arrangements, it is most unlikely that any of the parties to the negotiating system would concur with a proposal to abandon all that exists in favour of a simple model, of just one negotiating body for all local authority employees in Scotland.

This does not mean that there is no scope for some simplification. A number of concepts could potentially work successfully, but they would require as prerequisites, first, a secession of the machinery for APT&C staffs and manual workers from the UK machinery and, secondly, willingness for change on the part of the unions.

Thereafter, a number of developments could be contemplated, to simplify the present arrangements. The first could be on the Employers' Side alone, whereby one Committee of the Convention would have overriding responsibility for negotiations for all employment groups, including teachers and the uniformed services. Ideally, this would be the Personnel Services Committee, which would inevitably diminish the power of the Education and Protective Services Committees, at least in relation to their staffing responsibilities.

Such a step would further the aims of the Convention articulated prior to the merger of the NJCs into the Convention in 1986, that the one body should have a greater co-ordinating role in matters related to staffing issues. Since the Convention is the only association for local authorities in Scotland, such a development rests solely with itself. There is no complicating factor, as there is in Denmark, Finland or Sweden, where there are two associations, or in Denmark and Finland, where there is a third party body, such as the Local Authority Pay Board, to which the association must genuflect. Any attempt to simplify the joint arrangements would almost inevitably require such a change on the part of the employers as a precursor.

Turning to the joint arrangements, a number of changes could be foreseen. The most obvious is no doubt that the various bodies dealing with the pay and conditions of service of manual workers and craftsmen could combine. This would ultimately involve five negotiating bodies: the main NJC for Manual Workers, the SJNC for Manual Workers in the Water Supply Industry and the three SJNCs for different craft groups. There would appear to be *prima facie* a good case for such a development.

Unfortunately, as history demonstrates, what appears to be obvious is not always easy. There have been attempts (albeit perhaps somewhat half-hearted) within the Scottish machinery to assimilate the small group of Water Supply Manuals into the main NJC, but these have never met with any element of support from the trade unions, despite the fact that they are the same unions (and union officers) as are on the NJC. Historically, the reason for this was the link jealously guarded by the Water Manuals with the corresponding Water Supply negotiating body in England and Wales, despite the fact that this body was totally divorced from local government in 1974! Settlements tended to be higher and there were other benefits. Even the demise of the English machinery following the privatisation of the Regional Water Authorities has not led to any keenness on the part of the unions to see any change. It is possible to speculate, at the time of completion of the thesis, that there will continue to be a lack of enthusiasm on the part of the unions to see any change in the foreseeable future, in view of the probability (from government statements) of a removal of the water industry from local government control at the time that local government is itself re-organised, probably in 1996.

It should be explained that the previous paragraph was not written to condemn proposals for change to the scrap heap, but to highlight the kind of practical difficulties that would be experienced if the employers attempted to negotiate any such change.

More radical still would be a greater link between the NJCs for Manual Workers, ideally incorporating the changes just suggested, and the NJC for APT&C Staffs. A model for some change in this direction already exists in respect of the UK wide machinery, where there is a common chairman of the two main negotiating bodies.

Such a development could perhaps best transpire if there were also a co-ordination of the settlement date for annual pay awards. Some of the traditional arguments against such a move (see page 97) would appear no longer to be valid. Such an arrangement clearly works in all of the comparator countries. Alongside changes in the timing of negotiations and settlement date, there could accrue advantages to local authorities in their annual budgeting process. For example, if negotiations were to be held during the autumn of each year, and ideally concluded about Christmas/January, for application from April following, local authorities would know their commitment for pay settlements by the time



that they fix their annual budgets and issue the local taxation demands.

This would introduce further radical developments, such as the need to negotiate forward, rather than on the basis of historical trends - a complete issue in itself, and one on which such professional bodies as the Institute of Personnel Management are understood to be commencing studies.

The structural changes just examined have still not included the negotiating arrangements for teachers, lecturers (who formally leave local authority employment from 1 April 1993) and the uniformed services. The trade unions and staff associations representing the uniformed services would no doubt be reluctant to extinguish their relationship with the UK wide machinery, with the certainty of pay increases under the pay formulas. In one sense, such a reluctance would appear to be less critical to the other proposals here, except that there is scope for the creation of anomalies between the outputs of the police negotiating groups and those of the APT&C group, as illustrated in Chapter 4 (see page 104).

There would almost certainly be reluctance on the part of the teachers' unions also, to abandon their negotiating machinery in favour of some local government wide arrangement. However, one model that could be considered would be that which exists in Norway and Sweden, whereby negotiations for the different groups take place simultaneously, and on a co-ordinated basis from the employers' point of view, but with separate employee groups in separate rooms.

The foregoing paragraphs also beg the question, as to what will happen to local government following the proposed reorganisation. Suffice it to suggest that, as soon as the future shape of local government is clearly known, the Convention should attempt energetically to reshape the negotiating arrangements to the best long term benefit of local government as a whole, including a simplification of the present model.

As explained towards the beginning of the thesis, it was never the intention of the research to produce a prescriptive remedy for the present unwieldy arrangements, but to examine its warts and its beauty spots, and to come up with general proposals of the kind just set out. This leaves one final matter to be addressed: the resources required to support any change.

The results of the questionnaire implied some dissatisfaction with the level of resources available within COSLA to enable it to discharge its negotiating functions. Any change which reduced or took away the support available from the UK officers employed by the LGMB would inevitably require a re-assessment of resources, in terms of numbers and skills, to supplement the present modest level of input. Again, it was not the aim

of the research to quantify any changes required, but it is essential to set a marker.

This completes the review of the present negotiating arrangements, against the hypotheses set out earlier. The work now continues with a similar, but less extensive, assessment of the training and development services provided by COSLA and, lastly, in Chapter 7, a synopsis of some of the other services provided by the Convention in its role as an employers' organisation.



- 1 Mr Lennart Konow, Permanent Secretary of the Local Authority Pay Board and formerly Head of Negotiations for the Association of Local Authorities in Denmark.
- 2 Local Government Act 1970, Copenhagen, 1970
- 3 Danish Ministry of the Interior, Ministerial Order dated 12 September 1978
- 4 Taken from The Danish Municipal Labour Market and the Public Pay System in Denmark, paper prepared by Mr Lennart Konow for the visit of the author to the Association of Local Authorities in Denmark, Copenhagen, 13 February 1989.
- 5 ibid
- 6 ibid
- 7 ibid
- 8 ibid
- 9 ibid
- 10 Source, Lønkort 1 April 1989 (Salaries Card 1 April 1989), Copenhagen, Funktionærernes og Tjenestemaendenes Faellesrad, 1989
- 11 The arrangements for the kommunepulje (municipal pool) are described here, based on information provided by Mr Preben Meier Pedersen, Personnel Consultant with the Association of Local Authorities in Denmark, February 1989.
- 12 As described by Konow in his English translation of the Employers' Circular No 1019 issued by the Association of Local Authorities in Denmark, 13 March 1989.
- 13 The term 'employee relations' has been used in this paragraph to reflect the view expressed by an acknowledged Swedish labour law researcher, Mr Axel Adlercreutz, in Swedish Labour Law Research of a Social Character, that there is no adequate Swedish term to correspond with the conventional English term 'industrial relations'. Adlercreutz was writing in Labour Law Research in Twelve Countries, ed Sten Edlund, Stockholm, The Swedish Work Environment Fund and The Swedish Center for Working Life (publication date not known), p 69
- 14 Kommunförbundet ('The Association of Local Authorities in Sweden'), Stockholm, Association of Local Authorities in Sweden, 1983, p 10
- 15 What are the Typical Characteristics of the Public Sector in Sweden?, unpublished paper, provided by correspondent from the Swedish Federation of County Councils.
- 16 ibid, referring to the Personnel Policy Bill of 1985
- 17 Sten Edlund, Movements in Swedish Labour Law and Labour Law Research, writing in Edlund, op cit, p 46
- 18 Agne Gustafsson, Local Government in Sweden, Stockholm, Swedish Institute, 1988, p 140
- 19 Local Government Officials Act 1965, (Kommunaltjänstemannalag af 3 Juni 1965, No 275), Stockholm, 1965
- 20 His Majesty's Order relating to Certain Local Government Officials, (Kunql. Maj:ts Stadga om Vissa Tjänsteman hos Kommuner M. Fl.) of 3 December 1965, Stockholm, 1965
- 21 Basic Agreement between the Local Government Associations and the Main Organisations of Local Government Employees on Negotiating Procedure, (Kommunalt Huvudavtal), concluded in Stockholm, 11 January 1964
- 22 Stig Jägerskiöld, Collective Rights of State Officials in Sweden, Institute of Labor and Industrial Relations, Ann Arbor, 1971
- 23 The Co-determination at Work Act 1976, (lag om medbestämmande i arbetslivet), Swedish Code of Statutes (SFS), 1976:580
- 24 Edlund, op cit, p 52
- 25 The Public Employment Act 1977, (lag om offentlig anställning), Stockholm, 1977
- 26 Edlund, op cit, p 52
- 27 Torsten Seth, Labour Relations in the Public Service in Sweden, writing in Public Service Labour Relations - Recent Trends and Future Prospects: A Comparative Study of Seven Industrialised Economy Countries, ed Tiziano Treu, Geneva, ILO, 1987, p 185
- 28 These interviews were held in Stockholm during January 1990 with senior negotiators of the Swedish Federation of County Councils and the Swedish Association of Local Authorities. The interviewees included Mr Lars Ahlvarsson, the Chief Negotiator for the Association of Local Authorities and his Assistant, Kristina Ossmer-Olofsson and Mr Gunnar Bergström, a Senior Negotiator for the Federation of County Councils.
- 29 Comment by Mr Lars Ahlvarsson
- 30 The agreement is named after the town of Saltsjöbaden, where it was reached.
- 31 Commission for Local Authority Employers, pamphlet, Helsinki, 1988
- 32 Source, ibid
- 33 Timo Kauppinen, Labour Relations in Finland, Helsinki, Committee for Labour Relations, 1983, p 21

- 34 Christian Bratt, Labour Relations in 18 Countries, Stockholm, Swedish Employers' Federation, publication date unknown, p 40
- 35 During an interview with Mr Reidar Falck, Head of Negotiating Department, Norwegian Association of Local Authorities, Oslo, February 1989.
- 36 International Labour Organisation, The Trade Union Situation and Industrial Relations in Norway, Report of ILO Mission, Geneva, ILO, 1984
- 37 Conference of Local and Regional Authorities of Europe, Report on the Status and Training of Local and Regional Government Staff, (Rapporteurs: Mr J Winther and Sir Duncan Locke), Strasbourg, Council of Europe, 1982
- 38 ibid, p iv
- 39 ibid, p 17
- 40 Conference of Local and Regional Authorities of Europe, Resolution 131 (1982) on the status and training of local and regional government staff, Strasbourg, Council of Europe, 1982
- 41 Standing Conference of Local and Regional Authorities of Europe, Report to the twentieth session, on the Problems of Local and Regional Government Staff - Explanatory Memorandum (Rapporteur Sir Duncan Locke), Strasbourg, Council of Europe, 1985, p 4
- 42 Standing Conference of Local and Regional Authorities of Europe, Resolution 167 (1985) on the European Conference on the Problems of Local and Regional Government Staff, Strasbourg, Council of Europe, 1985
- 43 Standing Conference of Local and Regional Authorities of Europe, Resolution 168 (1985) on a declaration of principles concerning the staff of local and regional authorities, Strasbourg, Council of Europe, 1985
- 44 Mr George Paterson, Former Employers' Secretary of the Scottish National Joint Councils



## CHAPTER 6

### THE TRAINING FUNCTIONS OF THE LOCAL AUTHORITY ASSOCIATIONS

#### Introduction

One of the fundamental hypotheses of the investigation has been that the Convention of Scottish Local Authorities fails, through a lack of financial and staffing resources, to provide a training service sufficient to meet the needs of member local authorities. By way of comparison, it has been suggested that the local authority associations in Scandinavia are far more proactive and responsive to member authorities' needs, so far as their training functions are concerned.

In order to examine the validity of this hypothesis, it is necessary, first, to consider critically the training services provided by the Convention. In this context, reference will be made to the recent debate, to which COSLA was party, on centrally provided training services for local government within the United Kingdom as a whole, under the aegis of the Local Government Management Board <sup>(1)</sup>. There will follow a comparison of the present training services available to Scottish local authorities from COSLA with the type and range of services proposed in the late 1960s for a central co-ordinating body by the Wheatley Report <sup>(2)</sup> and the Report on the Staffing of Local Government in Scotland <sup>(3)</sup>.

Thereafter, an assessment will be made of the extent to which COSLA's training function meets the needs and expectations of its constituent members, based on an analysis of the results of the questionnaire (see pages 173 to 178). Fourthly, a comparison will be drawn with the training services provided by the local authority associations in the four countries of Scandinavia, albeit with emphasis on the respective approaches in Denmark, Finland and Sweden. In evaluating these services against those currently provided by COSLA, and in reaching conclusions, due account will be paid to the cultural differences between the five countries, as these will have been at least in part responsible for the different pace and style of development of their respective training activities.

Finally a critical evaluation will be made of the results of the investigation and proposals will be made for a new approach to training, appropriate to the central needs of Scottish local authorities. These proposals will take account as far as practicable of government intentions for an early change in the structure of local government in Scotland.

The Convention's Training Services:  
The Present Arrangements

It was not until late in 1979 that any kind of centrally co-ordinated training service was provided for local authorities in Scotland, when the Employer's Secretariat of the Scottish National Joint Councils appointed its first Training Adviser - a decade after the recommendations of the Wheatley Committee and the Report on Staffing of Local Government in Scotland already referred to. This was in direct contrast to the situation in the remainder of Great Britain, where the Local Government Examinations Board had been established in 1946, to be absorbed in 1967 into the Local Government Training Boards, which is now itself part of the LGMB. The Provincial Councils were also very active in training within their respective areas well before 1979, through the provision of direct training and in the development of group training schemes for smaller authorities.

It is understood from Johnstone (4), that the over-riding reason for this delay in introducing these recommendations, until the limited development of 1979, was the cost of providing the kind of service envisaged. This concern about the cost of a central training provision recurs, as a *leitmotiv*, throughout this part of the investigation.

During the following five or six years, the central training service provided by the Employers' Secretariat evolved slowly, with an increase in staff establishment from one post to two. This small section was, as part of the Employers' Secretariat, amalgamated with the Convention in 1986, since which time the staffing level has increased by just one further post. It is the work of these three posts, together with the associated Committee arrangements, that are examined next, against the background of the criticism that has already been levied at the policy makers for being slow to embrace the concept of a central training function for Scottish local authorities.

Even since its inception in 1979, there have been three different committee structures to which the function has reported. Initially, it reported to a joint Advisory Committee on Education and Training, consisting of employers' representatives (elected members appointed by the NJCs) and representatives of the relevant trade unions. This structure was grafted on to the COSLA machinery for a limited period.

This joint Committee was replaced in 1987 by an employers-only Sub-Committee on Education and Training of Scottish Local Government Employees, consisting of eight Members of the Convention. This Sub-Committee had wide ranging terms of reference, which are set out on page 164 relating to well over 100,000 local authority employees.



Despite this, it was reported to the Convention's Personnel Services Committee in September 1990 that the Sub-Committee had met on only three occasions since it was established, that is, just three times in three years. It was stated that it was clear that in its present form the Sub-Committee was not dealing with training issues and providing the co-ordination which had been anticipated.

This would appear to be a rather diplomatic statement of the obvious. There could have been a number of reasons for this situation, including the pressures of other business on the members of the Sub-Committee, both within the Convention and in their own local authorities. On the other hand, it might reflect a continuing lack of commitment to the development of an effective training function under the Convention's auspices.

The report justifiably continued by indicating that there were many training and development issues in which the Convention is involved, which needed a focus and more effective co-ordination. The solution accepted by the Convention involved the redesignation of the Sub-Committee as the Personnel Training and Development Sub-Committee, an increase in membership from eight to twelve members and an extension of its terms of reference to include the teaching profession and uniformed services.

The change in the name of the Sub-Committee was accepted on the grounds that much of the Convention's current involvement related to human resource development generally rather than specifically to education and training. It included in particular the work of the various Industry Lead Bodies (ILBs) <sup>(5)</sup> which, the report anticipated, would have a significant impact on the Sub-Committee in the near future. It was also hoped by the Convention's staff that the increased membership of the Sub-Committee would emphasise the importance of training and development in direct service provision, and that the inclusion of teachers and uniformed services would underline the need for a co-ordinated approach to staff training and development.

The revised terms of reference (reproduced on page 165) had therefore been prepared on the basis that the Convention's activities in the area of training and development were basically three-fold: to co-ordinate training and development activity in authorities, to represent the views of the Convention and Scottish authorities to external training organisations, and to encourage and assist authorities to introduce ways of improving staff performance.

**CONVENTION OF SCOTTISH LOCAL AUTHORITIES**  
**SUB-COMMITTEE ON EDUCATION AND TRAINING OF SCOTTISH LOCAL**  
**GOVERNMENT EMPLOYEES**

Terms of Reference

- (a) All matters relating to the education and training of Scottish local government employees, except lecturers and teachers, regular firemen, police officers and police cadets;
- (b) Issues raised by member authorities and outside bodies in relation to the activities and responsibilities of local authorities in relation to the education and training of their employees;
- (c) Liaison with education and training bodies which are providing for the education and training requirements of local authorities;
- (d) Dissemination of information on the various modes of delivery and education and training methods which are available and suitable for different categories of local authority employees;
- (e) To recommend, for the Convention's approval, education and training structures developed to meet the needs of local authority employees;
- (f) To present education and training proposals to the Manpower Services Commission which will attract pump-priming funds for the development of education and training programmes for local authority employees.

Source : COSLA <sup>(6)</sup>

The aim was that the newly constituted Sub-Committee would meet regularly within the main cycle of COSLA Committee meetings. Within the timescale of the research, it has not been possible to monitor whether the Sub-Committee will achieve this aim in the longer term. An analysis of the Sub-Committee's minutes has, however, indicated the range of items considered. Some have related to specific qualifications and others to particular occupational groups, whilst yet others have been of an organisational nature.

It is the job of the three training staff to support the Sub-Committee and to provide the appropriate officer input on behalf of the Convention. In addition, the staff are, according to Soden <sup>(7)</sup>, also expected to be sufficiently flexible to assist with industrial relations and other matters as required.



During a semi-structured interview in April 1991, Soden explained that the perceived overall mission of the training staff is to help Scottish local authorities to achieve a fully trained workforce, through professional qualifications, Scottish Vocational Education Council (SCOTVEC) modules and other training arrangements, which need not be qualification based. The priorities of the training staff vary over time. During the currency of the investigation, one of the most time consuming tasks, accounting for some 30% of the Section's time, was representing the interests of Scottish local authorities to the plethora of ILBs discussing the training of occupational groups found in local government. The level of involvement with the ILBs ranged from the receipt of papers to active participation, depending on the ILB and the number of local authority employees within its scope. Participation was either by the Convention's own staff or by local authority employees on behalf of the Convention. With justice, Soden expressed the opinion that it was essential for COSLA to organise the representation of Scottish local authority interests on the relevant Bodies, in order to ensure that their interests were not forgotten.

**CONVENTION OF SCOTTISH LOCAL AUTHORITIES**  
**PERSONNEL TRAINING AND DEVELOPMENT SUB-COMMITTEE**

**Terms of Reference**

**Overall Objective**

To enable and assist local authorities to establish and maintain human resource development strategies, plans, resources and infrastructures which assist their capability to respond to their environments.

**Specific Objectives**

- (a) To identify and to encourage and assist local authorities to introduce structures and practices which contribute to the effective performance of staff.
- (b) To contribute on behalf of, and in conjunction with, local authorities to the creation of training and development strategies and policies at national level, both within local government and on a wider basis.
- (c) To encourage and assist local authorities to implement training and development programmes for their employees and wherever possible to co-ordinate such provisions to ensure its effectiveness and efficiency.

**Source** : COSLA (7)

The training staff are also responsible for the servicing of the Development and Training Sub-Committee and for attendance at and responding to requests from other Convention Committees as required. In addition, they have a remit to support, advise and assist individual local authorities as far as practicable, and particularly those smaller authorities which are unable to employ specialist training staff of their own. This assistance tends to be by way of helping those smaller authorities to identify their own training needs and the means of meeting them.

One service that is rarely provided by the Convention is direct training, through the medium of courses and seminars, either on an 'open basis' to Scottish local authorities in general, or on a tailor made basis to individual local authorities. This, it will be shown later, is in clear contrast to the training provision of the local authority associations in Finland and Sweden, or indeed in contrast to the Provincial Councils in England and Wales. The direct provision of training in Scotland is, as a result, organised either by local authorities themselves or by a limited number of central training providers, of which one, the Scottish Local Authorities' Management Centre (SLAMC), is partly funded by COSLA - see page 168.

One conclusion that is drawn later from the results of the questionnaire is that the training function is not sufficiently responsive to the needs of local authorities. This was reflected by the view of Soden, who believed that the level of staffing neither permit the promulgation and distribution of adequate advice to authorities nor allow the staff enough time to determine the specific requirements of local authorities. Indeed, Soden's own opinion was that the training staff should ideally be available for this last task for as much as 50% of their time. He did, however, believe that this requirement was met at least in part by the regular meetings of training professionals from local authorities with him and his own staff<sup>(9)</sup>, and by the Training Networks of local authority officers with training responsibilities that have been established in some Regional areas to complement these national meetings.

Towards the end of 1990, the training staff also commenced a process designed to elicit from local authorities the range and kind of services that they expect from COSLA. This process was to be based around a series of consultative meetings held in different parts of Scotland, at which officers of the Convention would discuss with elected members and officers with an interest in training the way in which the training services should ideally be developed. Although the consultations commenced as planned, they had not by mid 1992 been completed, and there did not appear to be a target date for completion. Thus, the service examined in this section still reflects the priorities and needs



identified by the members and officers of the Convention and does not necessarily mirror the specific requirements of local authorities.

It could be argued that the Convention should already be meeting the training needs of its member authorities, since the work of the training staff is determined by the members of the Training and Development Subcommittee, who should themselves be representative of the views of local authorities. On the other hand, reference has already been made to the relatively unstable nature of the Committee structure responsible for training, which has undergone a number of changes within a short space of time, and to the limited number of meetings that have been held of those committees, thereby implying a possible lack of support for the training function.

This attempt to determine the requirements of Scottish local authorities, albeit unfinished, appears to have been one initiative taken by the staff of the Convention following the appointment of the present Depute Secretary (Personnel Services) in 1990. Another change implemented shortly after his appointment was the introduction of Employers' Bulletins on training matters, designed to keep authorities informed of important developments in training. An example is reproduced in Appendix 8 to illustrate their style, and type of content. It has to be acknowledged that these initiatives are intended to provide greater support for constituent authorities and should therefore be welcomed: they do have the effect of tempering some of the criticism that would otherwise have been levied at the function.

It is possible to reach two conclusions from this part of the investigation. The first is that, until recently, there has not been extensive interest in, or commitment on the part of the elected members to, the provisions of anything approaching a comprehensive training advisory and support service to constituent authorities. The infrequency of meetings of the former Education and Training Committee and the continuing low level of resourcing of the function have led to this conclusion. The second relates to the low level of staffing, which prevents the provision of a service which, according to staff of the Convention and to representatives of constituent authorities (see analysis of results of questionnaire, page 177) is fully responsive to the requirements of authorities. This last comment is not intended in any way as a criticism of the staff engaged in the function who are, despite the constraints within which they are working, able to provide a wide-ranging service of the kind identified.

### Other Scottish Training Institutions For Local Government

There are two training institutions financed in whole or in part by elements of Scottish local government. The first is the Scottish Local Authorities' Management Centre (SLAMC), which is funded in part by COSLA, while the other is Melvin House, the Scottish Training Centre of Water Training International (WTI), formerly the Water Industry Training Association (WITA).

For the purposes of this thesis, it is SLAMC which is the more important of the two. The Centre is a small unit, based within the Strathclyde Business School of the University of Strathclyde, staffed at the time of writing by a Professor, three lecturers and secretarial support. The concept of the Centre arose in the mid-1980s from a working group of local authority chief executives, under the auspices of COSLA, charged with reporting on the management development and training needs of local authorities.

As a result of their recommendations, the Convention agreed partly to fund the costs of a Centre, to be established by an appropriate educational institution, preferably a university. After the consideration of proposals from a number of establishments, the Centre was founded at the University of Strathclyde. The Convention undertook to provide 50% of the funding of the Centre, initially for five years, with the remainder of the funding to be raised from the University and income from training and research activities. The staff of the Centre are employees of the University, upon which the Centre is able to draw for other academic services as required, to enable it to fulfil its activities. It is governed by an Executive Committee drawn jointly from COSLA and the university, with the chair held by a Professor from the Business School.

The activities of the Centre include the provision of open and tailor made training activities, research and publication. In order to help meet the management development needs of Scottish local government, the Centre offers a number of management development programmes each year. It also undertakes similar training for and within individual local authorities, as well as specialist training activities, such as the training of elected members in their roles and functions, and in specific skills, such as staff selection.

Research is of increasing importance to the Centre. This has included examinations of the introduction of compulsory competitive tendering and the proposed changes in the structure of local government in Scotland, giving rise also to publications. The Convention is now seeking more



research activity from the Centre in return for its grant, with the result that the Centre has, from autumn 1991, been required to increase its charges to local authorities for training activities, to put them on a self-financing basis.

The staff of the Centre are also increasingly requested to undertake projects within local authorities, such as the investigation commissioned by the Western Isles Islands Council into their investment policies, following the closure of the Bank of Commerce and Credit International in July 1991, with the potential loss of some £23 million of Western Isles money deposited with the Bank,

According to Soden, the Centre was by 1991 from COSLA's point of view finding it difficult to cope with all the demands on it. He did, however, report that the Convention had a very good relationship with the Centre.

By contrast, Melvin House has tended to provide a limited (but essential) range of training for manual workers and craftsmen engaged in the water supply and sewerage industry within Scottish local government, together with courses of a technical nature for water engineers and technicians. It has also organised an experimental series of management development programmes, tutored by staff from WTI's management centre in England and developed under the auspices of the Scottish Association of Directors of Water and Sewerage Services.

Until the privatisation of the water industry in England and Wales, Melvin House was part of a training support organisation operated by WITA throughout Great Britain, funded in large measure by levies on the water authorities, including the Scottish Regional Council water and sewerage departments. Since privatisation, the training organisation has operated on a commercial basis, with Melvin House, now financed through direct charges for places on courses, continuing to draw its custom from the water industry.

Despite this apparent 'arms length' relationship with Scottish local government, the existence of Melvin House has been reported here for three reasons. The first is, that with its specialist staff of trainers of manual workers, it would appear that other local authority departments, such as highways and direct labour organisations, could potentially benefit from its products. The second is that it could act as a role model for a training centre for other Scottish local authority services. The third is to report that, despite the fact that the Centre has been in existence throughout the whole of the period since local government reorganisation in 1975, according to Soden COSLA has established no real relationship with it. Apparently, the Convention

receives information about the training programmes of Melvin House, beyond which it has simply tried to encourage other departments to use its services.

Apart from these two institutions, there are many other academic and professional bodies who regularly provide training for Scottish local authorities. These do not, however, have a financial or managerial relationship with the Convention. It is perhaps worth noting that an increasing number of local authorities have, over the past 5 years or so, defined their own management development needs - of a kind that could be met by SLAMC, for example, if it had sufficient resources - and have set about meeting those needs either through their own internal staff or through the employment of consultants.

Whilst it is not being suggested that it is desirable for all local authority training and development needs to be met by, or with the assistance of, COSLA, the contrast between the Scottish arrangements and those in three of the comparator countries will shortly become very evident.

#### Contrast with Earlier Recommendations

Before looking outside the boundaries of Scotland, it is appropriate to examine how the present provision of training services by COSLA contrasts with the recommendations of earlier official reports.

The starting point within Scotland itself is the Wheatley Royal Commission, which identified a number of ways in which a central association of local authorities could help meet the training needs of constituent authorities. The main ones were overseeing the training requirements for local government, and considering how these requirements could best be met, both within local government and through educational agencies.

This inevitably broad brush approach did not prescribe how the association should meet these aims. By implication, however, it can be concluded that they are being met in certain ways. For example, the Convention does, in conjunction with the appropriate staff sides of the negotiating bodies, identify and promulgate details of relevant qualifications for entry into or advancement through the salary structures. The Convention is, as already explained, inextricably linked into the Industry Lead Bodies on behalf of local authorities. This development, of ILBs, is one which could not have been foreseen when Wheatley reported over 20 years ago, but no doubt the role being played by COSLA in the present system would have been one which the Royal Commission would have commended. The involvement of the Convention in



discussions on changes in qualifications, such as the future of the Diploma in Public Administration, would also appear to meet the task envisaged by Wheatley.

It is, on the other hand, unclear whether the training services currently provided by COSLA would entirely meet the specification proposed by Wheatley for a central association. Whilst, for example, the Commission made no specific recommendation regarding the provision of direct training, it is perhaps reasonable to assume that this might have been seen as part of the function proposed, since Wheatley was impressed by the work done by the local authority associations in Scandinavia, where the provision of direct training tends to be an integral part of their overall role. It is probably also reasonable to conclude that Wheatley foresaw a wider role than that currently undertaken, simply from the comprehensive nature of the Royal Commission's list of joint actions' that a local authority association could (indeed, should) undertake (see page 21).

In this connection, the Royal Commission also proposed that a central association should be responsible for arranging the interchange of staff, both within local government and between local government and external agencies. Insofar as such secondments are seen to have a developmental role for the individuals involved, as well as benefitting the sponsoring organisations, this recommendation could also be seen as relating to training. It is a concept which COSLA has considered but has to date rejected.

Also of direct application in Scotland was the Report on the Staffing of Local Government in Scotland, established to consider the future recruitment, training and employment of local government officers in Scotland. The Report recommended that local authorities should set up a central organisation to provide comprehensive training services 'fitted to the needs of local government in Scotland'. This central organisation should, it was recommended, perform the functions of the Local Government Training Board 'insofar as these may be required and considered necessary in Scotland', and also establish appropriate links with 'the English organisations' (such as the Provincial Councils) and any others operating in the field of staff development.

This recommendation was made in 1968. It was decided by Scottish local government to 'continue' (which, in this context, effectively meant 'defer indefinitely') consideration of the recommendations of the Report pending the legislation which subsequently led to the reorganisation of 1975. Whether as a direct consequence of this decision or not, the National Joint Councils did not, as already indicated, appoint a single training specialist until 1979.

The anticipation of reorganisation did not eliminate or reduce the need for local authorities' staff to be suitably trained. Therefore it might be reasonable to conclude with hindsight that this recommendation of the Report was not seen to be particularly important in the overall context of local government in Scotland. Indeed, Johnstone, who acted as Secretary to the Committee charged with making the Report (and who was concurrently and for a further 18 years the Employers' Secretary of the NJCs), has himself expressed the view that Scottish local government was reluctant to address the collective training needs of its staff. This reluctance appears continually to relate to the cost of taking action on training.

It could never be argued that Scottish local government took any real steps to implement the recommendation that there should be a central organisation which would perform the functions of the Local Government Training Board in Scotland. It is understood that even around the time of the recommendation, which would have coincided with the establishment of the LGTB, Scottish local authorities concluded jointly that full membership of the Board would have been too expensive <sup>(10)</sup> for the probable returns. Thus Scottish local government has never taken membership of the LGTB. A similar argument was advanced in 1990/91 about the cost of subscribing to the full training services of the LGMB. As a result, Scottish local government will apparently continue to receive such services as COSLA is able, or prepared, to offer its constituent members. To put this statement into context, it has been estimated that full participation in the training activities of LGMB would cost Scottish authorities about £1 million per annum. This compares with an estimated expenditure around £150,000 by COSLA on the employment of its training staff and its grant to SLAMC. Reduced to a cost per local government employee, full participation in the training services of LGMB would equate to about £4 a year, whereas the present arrangements equate to about 60p per annum. The rhetorical question must be asked: is £4 per annum per employee in Scottish local government really too much for local authorities to contribute for an effective training service?

All the evidence so far presented would lead to the conclusion that Scottish local government must have felt that, in general, the services of the kind provided by the LGTB were not required or considered necessary in Scotland, since it took over a decade from the publication of the recommendation of the Report on Staffing for even the most modest steps to be taken towards the establishment of what is now the COSLA training function.

Even the subsidiary recommendation, that appropriate links be established with the English organisations operating in the field of staff development, has been treated somewhat dismissively. COSLA admittedly



established and maintained links with the LGTB, and now the LGMB, through which, for example, the Convention has received copies of training recommendations and publications. However, details of these have not been promulgated widely throughout Scottish local government, and no formal machinery has been set up to publicise them. As the Convention is not a member of the LGMB, Scottish local authorities continue to have to pay a higher price for them than English and Welsh local authorities.

The Report explained that England and Wales were also catered for by the Provincial Councils. Whilst it is not specifically the purpose of the present research to compare the functions of the Convention and the Provincial Councils, the observation has already been made that the training activities of the Provincial Councils are generally more wide ranging than the corresponding activities of COSLA. Suffice it to say that this further increases the discrepancy in services provided by central organisations in England and Wales, compared with those provided by COSLA to its constituent members.

Clearly, the financial interests of those members cannot be overlooked. Nevertheless the evidence leads to the conclusion that Scottish local authorities are not being appropriately served, mainly as a result of the policy which restricts the amount of finance allocated to training. There has been no realistic attempt to implement the recommendations contained in the Wheatley Report and the Report on Staffing. There has been nothing to emulate the LGTB. There is no intention to subscribe to the full training services of the LGMB. There are only administrative links with the training providers in England and Wales. Finally, there are still only three posts dedicated to training, on the staff of COSLA, well over 20 years after the recommendations were made.

#### Responses to the Questionnaire

In an attempt to discover whether the preliminary conclusions set out above are shared by members and officers in Scottish local government, the questionnaire included a section on the training services provided by COSLA. The purpose was to seek the opinions of respondents on the training services that are, or should be, provided by COSLA, and on the present level of financial and staffing inputs to the service.

The results of that survey are now analysed and evaluated. In introducing this evaluation, it is pertinent to note that a number of respondents declined to answer the section on training. Several were officers of COSLA principally associated with the industrial relations functions of the Convention. No overt reason was given by them for the non-completion of the section on training, although it was understood informally that they did not wish to appear judgemental on the work of

their colleagues. The rest were elected members who, whilst closely connected with the industrial relations function, had had no association with the training function; they therefore declared themselves to be unable to complete that part of the questionnaire. This is an understandable reason, but is it also a further indication of the low key approach to training adopted by the Convention?

The first question about the training function listed a number of training services that the Convention could provide to constituent members (including a number that were already provided), and asked whether they should, in the opinion of respondents be provided. The question also permitted respondents to indicate the view that there was no need to provide a training service; none of them expressed that opinion. Indeed, all but two respondents stated that the Convention needed to improve its level of provision. This encouraging response might be seen as a suitable spur for development of the service in due course.

Two services were identified more frequently than any others as being appropriate; these were the provision of training advice on request (14 respondents) and acting as a 'national voice' on behalf of Scottish local authorities (13 respondents). Next came a cluster of four services: acting as disseminator of LGTB materials (10), the provision of training advice on specific topics, to be identified by a management committee (9), becoming a Scottish arm of the LGTB (8) and co-ordinating the training activities of local authorities (7). Finally came a group of services seen as important by a much smaller number of respondents: the direct provision of management training, the direct provision of supervisory training (4 each), and the direct provision of skills training (3).

Respondents were also asked to rank the importance of the services they had listed. Eight felt that the most important training service COSLA could offer was acting as a national voice on behalf of local authorities, and another three respondents placed this as the second most important function. It has already been reported that the training staff of the Convention currently spend around 50% of their time doing just this, by representing Scottish local government on ILBs and other national policy making bodies. There is thus some correlation between what currently happens and what, in the view of respondents, ought to happen. It has to be assumed that, with the range of ILBs and other bodies and the number of local authorities in membership of COSLA, the training staff are able to distill the views of authorities and represent them appropriately at the national level.

Beyond this clear indication of importance, no trend of preference could



be detected and only the following general conclusions can be drawn. First, all eight respondents who felt COSLA should become the Scottish arm of the LGTB ranked this towards the top of their lists. This is somewhat enigmatic when it is remembered that the policy makers have consistently and persistently set their faces against this course of action. In view of this apparent divergence of opinion between respondents and the traditional policy of COSLA, a further analysis was undertaken which indicated that all but one of the respondents expressing this opinion were chief personnel officers, including several with service in England or Wales; the other was an officer of COSLA.

Secondly, the provision of training advice also tended to appear close to the top of respondents' lists, as did the dissemination of LGTB materials. On the other hand, the direct provision of training was not towards the top of any list, apparently reflecting the low priority it was accorded as a service that COSLA should provide. Respondents were also given the opportunity to add in free form any other training services that they felt COSLA should provide. Six respondents took this opportunity. Two main themes emerged; that COSLA should act as a clearing house of information on training activities throughout Scottish local government; and that the Convention should arrange regular seminars and conferences on training subjects from a Scottish perspective and at low cost. Computer based training and quality programmes were mentioned as examples.

It is relevant to note at this point that, since the questionnaire was circulated in early 1990, the Convention's staff have organised two national conferences for local authority trainers, dealing with a range of themes appropriate to the audience, one in autumn of 1990 and the second in the autumn of 1991, said now to herald an annual event of this kind.

One respondent justified his first priority, that COSLA should become a Scottish arm of the LGTB, on the grounds that 'most of the currently missing mechanisms for Scottish local authorities training functions would come about'. In his opinion, these would include continuous trainer training, training advice and support on particular topics, co-ordination of trainer events and the provision of LGTB materials.

His was the most forceful comment on this part of the questionnaire. Another respondent made what might be described as an even more radical suggestion, that there should be a single training organisation funded by all Scottish employers. As such a model is beyond the general scope of the present research, it will not feature in the remaining discussion on possible models for local government training.

The next section of the questionnaire sought a qualitative assessment of the effectiveness with which COSLA discharged its training services. These were sub-categorised into the provision of training advice, support for authorities, co-ordination of training activities, acting as the 'voice' of Scottish local government on training matters and disseminator of materials.

The responses painted a fairly dismal picture.

None of the respondents felt that the Convention discharged these services very effectively. Indeed the majority (some three quarters of all respondents) believed that all five of these activities were discharged less than effectively. The only element that stood out from the gloom as being 'generally effective' was acting as the voice of Scottish local government on training matters. This is perhaps fortunate, since it is the element that was seen by the majority of respondents as the most important service that the Convention's training staff should be providing, and is the element on which they currently spend the majority of their time.

On the other hand, the question needs to be asked whether this is to the detriment of other services, such as providing support to authorities by way of training advice and the co-ordination of activities.

Respondents were then asked to assess how the effectiveness of the training services could be improved.

There was little support for increased control of the function through elected members, or for a greater input from the trade unions. On the other hand, three quarters of respondents felt that there should be an increased advisory input.

More importantly, there was unanimous support for a higher profile for the function, and almost unanimous support for more staff and for more non-staffing resources. The response on staffing levels correlates with the responses to a later question, which asked whether the training function had sufficient staff to do an effective job.

The final question in this section of the questionnaire sought to determine whether the Scottish Local Authorities Management Centre was able to meet the national training needs of local authority staff. The majority view was that it was not, with two respondents providing a suitable reminder that its remit was only to deal with management training and not manual worker, craft and other white collar training.

of the small number who believed it was sufficient to meet the needs of



Scottish local government, one qualified the answer with 'So far', one with 'Potentially' and another with 'Provided it can be increased/enlarged to meet demand'.

Some of the negative responses were also qualified, with such comments as 'It would be naive to imagine SLAMC will provide everything', 'Facilities so limited that little is known to the majority of serving officers', and 'Needs to be a support service and not just a provider of training events'. The last two of these comments should provide a challenge to SLAMC to promote its activities more widely and achieve a higher profile amongst local government officers, if indeed the comments genuinely reflect the knowledge of officers about the Centre.

The opportunity was provided for respondents to express their own ideas on the development of the training function. Some restated the view that COSLA should become the Scottish arm of the LGTB. A number of others expressed the opposing view, but were quite adamant that more resources should be made available to provide a much more effective training service which nevertheless retained a Scottish identity.

Finally, this part of the questionnaire dealt with resources, both staffing and financial. Over three quarters of respondents agreed that there were insufficient staff to provide an effective service, and a similar proportion felt that the training function did not have the right 'mix' of skills and abilities to do the job effectively. (This question was not intended to ask respondents for their views on the people in post within the training function, nor to question their own personal effectiveness, as indicated in the Chapter on 'Research Methodology'. It was intended to determine whether the mix of skills available was, at the time of the questionnaire, appropriate to the effective discharge of the function's remit. It is also recognised that this mix can change with changes in staff.)

The responses to the next two questions are more critical to the effectiveness of the training function; that is whether authorities should be prepared to contribute more towards the staffing of the function, or to make such additional resources available by secondments to COSLA.

In view of apparent longstanding attitudes to the staffing and financing of the training function by the policy makers, it was somewhat surprising to note that all but one of the respondents (one of the officer advisers) expressed the very positive view that Scottish authorities should be prepared to pay more to increase the resources available to the training function. The majority of the respondents also agreed that authorities should be prepared to make staff available to the Convention on

secondment to help improve the training function, although this was qualified by some respondents to the effect that secondments should only be for one-off projects. It would thus appear reasonable to conclude that COSLA could build upon this willingness to contribute more to the training function.

Finally, the questionnaire offered an opportunity for respondents to express any other views about the Convention's training function. Of the small number of respondents who replied to this question, one proposed that the training available from the Convention should be extended to include training for elected members, whilst another stressed the fact that, currently, very little attention is paid to the training needs of manual workers. (This answer might, if pursued, indicate scope for joint collaboration between COSLA and Water Training International plc, through the training centre at Kilwinning, previously referred to.)

Another respondent made the point that the LGTB received some £7 - £8 million by 'top slicing' <sup>(11)</sup> the Revenue Support Grant for England and Wales, and believed that the COSLA training function should benefit on a pro rata basis. Such a level of funding would clearly enable a much improved staffing level to be achieved.

In summary, some of the responses to the questionnaire presented a pessimistic view of the training services provided by the Convention. These would appear to support the hypothesis on which this part of the thesis is based, that the training service provided by the Convention in support of its members is minimal and fails to meet the requirements of local authorities. On the other hand, it has been possible to conclude that, within the tight staffing and financial constraints imposed by the Convention, the service tends to meet at least some of the priorities identified by respondents, including in particular acting as a national voice on behalf of local authorities.

There were also some encouraging responses, of which the main one was the generally held view that local authorities should put more funds into the service, in order to make it more effective.

#### The International Comparators

Having completed this examination and assessment of the present training services provided by the Convention, there will follow an examination of the training services provided mainly by or through the auspices of the local authority associations, in the comparator countries. The general conclusion that will be drawn is that these associations contribute far more resources to the training function in their respective countries, and have standards of provision which are probably beyond the wildest



dreams of even the most visionary councillors or officials currently connected with Scottish local government.

These differences are not a recent phenomenon; the cultural and attitudinal approach to training in local government in all four Scandinavian countries has historically been very supportive, with a willingness to devote very substantial amounts of finance, staff and physical resources to training and development.

This last statement does, however, mask the fact that there are within the four countries varying approaches and models of provision which require consideration. These models are examined on a country by country basis, identifying the similarities of approach and highlighting the variations. Three of the countries, Denmark, Finland and Sweden, have traditionally organised much of their local government training through residential training centres operated by, or associated with, the local authority associations. These follow the model first developed in Denmark during the late nineteenth century, of *folkhøjskolan*, or folk high schools, which were established to offer craft and vocational training <sup>(12)</sup>, although in none of the countries was the concept adopted for local government training until the 1950s or later. The arrangements in these three countries will be investigated first, leaving Norway, where the arrangements are more akin to those in Scotland, to the last.

#### The Arrangements in Finland

Although the preceding paragraph referred to the system of folk high schools first developed in Denmark, for the purposes of the present examination the structure of training in Finland will be the first to be considered in detail, since it provides the basis for a model from which the arrangements in Denmark and Sweden can subsequently be developed.

The basis of this examination was a study visit to Finland in February 1990, during which a series of semi-structured interviews took place with senior local authority association trainers, in particular Kaija Maijonen <sup>(13)</sup> and Matti Holopainen <sup>(14)</sup> at the Training Centres operated by the Association of Municipalities and the Association of Cities respectively supplemented by literature published by the Centres about their activities <sup>(15)</sup>.

The two Associations operate separate, but very similar, arrangements, which can only be described as exceptionally impressive by a local authority visitor from Scotland, whether one is contemplating the scale and range of physical facilities that make up the two Training Centres or, more especially, the activities that are provided by and through them. They both have an extensive history, with the Municipal Institute

being founded some 35 years ago although the current guidelines within which they work have their foundations in a set of joint recommendations on the principles to be pursued in training, issued in 1973 by the local authority associations and the trade unions representing local authority employees.

As Hakamäki et al <sup>(16)</sup> explain, these recommendations define different forms of training and how the costs are to be shared by employers and employees. The goal at present is that local authorities should devote between 0.9% and 1.2% of their total pay bills to training.

The two Training Centres form the hub of the training activities of the local authority associations. Each is based within a short distance of central Helsinki, with the City Institute located on the coast in the city of Espoo (which forms part of 'Greater Helsinki') and the Municipal Institute just to the north in the Municipality of Tuusula. Each is an impressive modern training centre, both technically and architecturally, and deserves a pen picture before the services provided by each are examined.

The City Institute is owned by the Association of Cities, but operates on a self-financing basis. It can accommodate up to 149 students on a residential basis, and has six conference and lecture rooms for groups from 30 to 150 delegates, as well as a well-equipped computer classroom. In addition to a high quality restaurant, there are leisure facilities for residents, including (for Finland) the inevitable sauna and a swimming pool. The Institute is located directly overlooking a bay on the Gulf of Finland. A copy of the Centre's illustrated brochure is reproduced in Appendix 9.

The Municipal Institute is closely linked with the Association of Municipalities, but operates administratively as an economically independent unit, maintained by the Municipal Foundation (a separate organisation from the Association, but governed by the Council and Board of the Association). The Municipal Institute has similar facilities to the City Institute, including a very high standard of leisure provision, for 110 residential students, on the shores of Lake Tuusulanjärvi (see Appendix 9 for illustrated details).

The stated guiding principle of the Municipal Institute is to '*provide municipalities, their elected officials and employees with possibilities of increasing their knowledge and skills as well as job satisfaction through training*' <sup>(17)</sup>.

To achieve its aims, the Institute undertakes a number of interlocking activities. The first is the supply of training, through longer-term



training programmes and individual courses. This includes the training of elected members, development of top executive office-holders to help improve their managerial competence, the development of professional competence and work processes and training activities which develop new skills or are in response to new legislation and working practices. The average duration of the training courses provided at the Institute is 3 - 5 days. Whilst much of the training takes place at the premises of the Institute, events are also arranged as required at other locations in Finland. These programmes tend to be of a topical or informative nature, covering new legislation or administrative practices, and are offered to larger groups and with an average duration of 1 - 2 days.

These activities have recently expanded to include training within individual municipalities and work places and private study. Training for individual municipalities is based on the client's educational requirements and tailor made for the targeted occupational group.

The second activity is the provision of training and educational materials, and the training of trainers and instructors, to support training activities within individual authorities, and help with the planning of training. The importance of this activity cannot be underestimated, given the dispersal of population across a vast geographical area (about 4.5 million people in an area the size of Great Britain), where the development of distance learning is essential for many training purposes. Much of this element of the Institute's work is carried out through its consultancy services.

The third is research to enable the Institute to develop its services to meet the requirements of the changing demands placed on municipal administration. This includes the development of thinking on educational and training processes and procedures. Lastly, the Institute earns revenue through renting out its premises to municipalities and other collective bodies for training and meeting purposes.

As Maijonen explained during the author's study visit, the Institute places great stress on evaluating training requirements of authorities, to ensure that it is able to meet the changing demands placed on local administration. It offers increasingly versatile training programmes, providing possibilities of long-term self-development for both individuals and organisations.

The Institute has three Training Sections: management training, training for administrative tasks, and training for local authority services, through which training is provided for elected members and paid officials. Subject areas are as diverse as information technology and catering and cleaning, personnel administration and enterprise policy.

The Institute employs over 50 staff, of which about half are engaged in the planning and implementation of training, with the remainder providing technical support, such as printing and audio-visual services, to the trainers and the hotel services of the Institute. The Institute's own trainers are complemented by visiting lecturers, including experts in municipal and state administration and in relevant specialist fields from academic and scientific bodies.

The impact of the Institute can be measured by the growth in its activities in under two decades. In 1974, the Institute offered 176 courses, with 12,155 participants. The level of activity grew steadily over the following 10 years, to 430 courses, with 21,702 participants in 1983, accounted for by 1,070 course days and 48,167 student days. By 1988, the last year for which statistics were available at the time of the study visit, the number of courses had further increased to 500, but with a reduced number of participants, of around 19,000.

Whilst much more could be written about the programmes offered by the Institute, based on the information obtained from Maijonen and Kärkkäinen<sup>(18)</sup> and the support documentation provided by them, it is pertinent here to conclude on the work of the Municipal Institute by referring to its Prospectus of Courses<sup>(19)</sup> which, for 1990 ran to 68 closely packed pages of A4, together with a further 12 page calendar of activities.

Reference has also been made to the substantial similarity between the Municipal Institute and the City Institute. For this reason, the following paragraphs will concentrate on such issues as the level of activity of the City Institute, as reported during the study visit by its Director, Matti Holopainen.

The City Institute currently offers some 690 courses a year, with around 23,000 delegates attending for about 48,000 student days. Approximately 60% of the training is undertaken at the Institute's premises at Espoo, the remainder being delivered in other locations within Finland. Most of the students are employees of the Cities, but some come from other sectors, including the example software houses which supply systems to local authorities.

The Institute has 60 employees, of whom 20 are trainers, the rest being technicians and hotel staff. The trainers are deployed in 5 results-based groups: management and leadership, central administrative services, social welfare and health care, school education and culture, and city planning and technical services. The management and leadership section provides training to local authority chief executives and heads of departments, including the training of 'change agents' in organisations. The central administrative section includes training in managing the



local economy, new technology and data processing management. The social welfare and health care section concentrates mainly on management development in these sectors, with the individual cities being responsible for professional and practitioner training.

In each group, there is a Head of Section, reporting to the Director, together with trainers and secretarial support. Each section meets as a quality circle to generate reports to the central management group. There is also an Executive Board, nominated by the Association of Cities, which meets three times a year in a mainly monitoring role. The Institute also hires in most of its lecturers -some 2,000 to 3,000 each year, including consultants and academics.

Some manual worker and technician training is also undertaken at or by the Institute. Also, remembering that Finland is a country with two official languages (Finnish, the mother tongue of about 93% of the population, and Swedish for the other 7%), some training is provided in the Swedish language, in conjunction with the Association of Swedish-speaking Local Authorities.

The Institute provides in-house training for City Councils. This is a growing part of the Institute's activities, with tailor-made courses being developed on a holistic basis from the top to bottom of individual authorities.

Although owned by the Association of Cities, the Institute receives no subsidies from either the Association or the state, and has to be self-supporting. In pursuit of this aim, the Institute makes its surplus capacity available to private organisations, but it has, according to Holopainen, no intention or plans to place its management out to tender, in the same way as the training centres operated by the Swedish local authority associations (see below, page 186).

*That training for appointed and elected local authority officials plays an important role in the work of the local authority associations in Finland, as Hakamäki comments <sup>(20)</sup>, is thus clear; over 1,200 courses provided by the two Institutes, for more than 40,000 delegates attending for almost 100,000 student days of training is an impressive record, even bearing in mind that there are some 330,000 local authority employees in the country. The commitment by authorities to spend between 0.9% and 1.2% of the salary bill is also worthy of note, in this summary of Finnish practice.*

But, lest it be thought that the only post-employment training undertaken by Finnish local authorities is that provided by the Institutes, it is appropriate in conclusion of this section to refer once more to Hakamäki,

who indicates the scale of training available to local authorities and their employees, through the country's 278 civic and workers' institutes, 42 vocational course centres, 88 residential national institutes, 21 summer universities, 20 supplementary training centres attached to university-level establishments and 530 vocational schools, as well as the two Institutes considered in detail here <sup>(21)</sup>.

Having used the structure in Finland, with its highly developed provision of training services through the Institutes operated by the local authority associations, as the basis of a model, the next two sections proceed by examining the arrangements in Sweden and Denmark, which offer variations on this general model.

### The Arrangements in Sweden

As in Finland, there are highly developed arrangements for training at the national level in Swedish local government. As the following examination will indicate, the arrangements have similar foundation to the Finnish model, although through metamorphosis they have within the past five years developed in a different way, providing a second model for consideration.

The majority of this section will be based on information obtained during a semi-structured interview with the Director of the Municipal Training Centre, Sigtuna, Mr Björn Jonzon <sup>(22)</sup> during January 1990. Reference will also be made to the IULA publication *Training for Local Government in Sweden* <sup>(23)</sup> and assistance provided by Mr Tore Kjellquist, the Head of Public Relations for the Swedish Association of County Councils during a visit to the County Councils' Training Centre at Lidingö, also in January 1990.

Before examining the national arrangements, it is necessary to put them into the context of local government in Sweden, and the historical and cultural acceptance of training within the Swedish economy as a whole. It has previously been noted that there are over 300 local authorities in Sweden, ranging in population from 4,000 in the smallest municipality to over 1 million in the largest county. Employee numbers range accordingly, from about 250 employees to around 47,000.

There is a history of training within local government, with a substantial and growing national input from the mid-1950s, as well as local arrangements through the training staff employed by the larger local authorities. Since the conclusion of the central co-determination agreement on training in local government at national level in 1980, local agreements have also been reached, through which municipalities decide upon norms to be applied to staff training.



As the IULA publication <sup>(24)</sup> explains, the attitude of the municipalities is changing. A steadily increasing number of them are beginning to see the importance of having a workforce who are trained and well motivated to do their jobs. Every reform within local government has been accompanied by considerable investment in training. Notably, during the period of stagnation experienced by the Swedish economy during the late 1980s into the early 1990s, local authorities have continued to stress the importance of training, even though the resources available have contracted.

As in the other Scandinavian countries, there is a cultural acceptance of the need to train local politicians, as well as employees. Although some of this training is undertaken by the political parties and adult education associations, the local authority associations arrange introductory training for newly elected politicians after the municipal elections every third year and other training of a non-political nature.

Against this background, the work of the associations can be examined. In the case of both the Association of Local Authorities and the Association of County Councils, there are a number of training activities. Each undertakes training at the national level and at a regional level; each also has access to a residential training centre; and each produces training and study material for use within local authorities. In the comparison between the work of COSLA and the Scandinavian associations, it is also pertinent to note that between them the two Swedish Associations employ nearly 200 training staff.

Taking the training work of the Association of Local Authorities as the basis of discussion, it is possible to detect a clear evolution in the approach to training at the national and regional levels from 1956, when the major reorganisation of local government reduced the number of municipalities from some 2500 to 284. At the time there were separate associations for Cities and for Rural Municipalities, who jointly established the basis of the present system.

Of particular note, in that year they jointly founded the Municipal Training Centre, on its present site at Stora Brännbo, in the ancient Swedish capital of Sigtuna, about 30 miles north of Stockholm (see Appendix 9 for illustrated details). From the amalgamation of the two associations into the present single association in 1968, the Association of Local Authorities has been responsible for the operation of the Centre. At that time, about 50% of the training at the Centre was for elected members, the other 50% being for paid officials. It was at about that time that the Committee chaired by Sir George Mallaby <sup>(25)</sup> visited the Centre and recommended its adoption as a model for a local government training centre in England and Wales. The Working Party on the Staffing

of Local Government in Scotland <sup>(26)</sup>, which based many of its recommendations on those contained in the Mallaby report, also envisaged the 'Sigtuna model' as one to be emulated in Scotland. It is perhaps unnecessary, in view of the earlier contents of this Chapter, to record that this recommendation, in common with so many referred to throughout this thesis, was never adopted and implemented.

During the period since 1968, the situation has, according to Jonzon, changed in two key ways; first, the amount of training arranged for elected members has reduced from some 50% of the work of the Centre to just 10%; secondly, the Centre now operates on the open market as a commercial conference centre and no longer remains solely a local government training centre. It is this second development which helps distinguish the Swedish arrangements from those in Finland and Denmark, where the Centres continue first and foremost to be operated in the interests of local authorities.

Jonzon explained that there are two principal reasons why the Association now requires to undertake less training for local politicians. First there are fewer of them, representing fewer municipalities, than there were in the 1950s and 1960s. Secondly, the more dispersed and decentralised nature of the training provided by the Association means that more training for elected members is arranged at regional level.

The reason for the change in the role of the training centre is more complex and reflects the change in the way that the Association organises its training activities generally. From 1968 to 1985, the Association had a Training Section, based at its headquarters in Stockholm, of some 18 to 20 trainers, responsible for all training. All the courses they organised were held at the training Centre.

In 1985, the Association decided to decentralise its training activities to individual sections of the Association, so that, for example, the trainers in social welfare activities were attached to the section dealing with social welfare. More training was also dispersed to the regional offices of the Association (there are 24, coterminous with country boundaries), which have trainers of their own who arrange courses. At the same time, it was agreed to decentralise some of the training traditionally held at Sigtuna to other locations within Sweden.

As a result of these changes, about 85% of the training under the auspices of the Association is now organised at regional level; of the remaining 15% arranged at national level (some 300 courses a year), about one third are held at the Centre and the rest elsewhere in Sweden.

Following these changes, Stora Brännbo has, in the words of Jonzon, to



earn its own keep, which is why it has now developed into a conference centre for 100 residents available on the open market to the private sector as well as to its traditional local authority customers. About 50% of its turnover was, in 1990, accounted for from the non-local government sector. Even within its traditional local government market, the Centre is having to compete to the extent that all courses offered there have to be self-financing. The result is that the quality of service within the Centre is now more important than keeping costs down.

Jonzon explained that the use of the Centre by the Association had recently begun to increase, after a period of decline when courses were taken to other locations. He did, however, believe that the Centre might be floated off, perhaps into a company wholly owned by the Association, if its use by the private sector increases much beyond its present level.

It is interesting to note that this evolution had taken place at the very training centre identified to British local government by the Mallaby Report and the Report on Staffing of Local Government in Scotland in the late 1960s as the epitome of an ideal model to be copied.

But the transition of Stora Brännbo from a training centre dedicated to local government training to a quasi-commercial operation does not imply that the association has lost any interest or influence in the training of staff of constituent members. Even with the change in the role of the Centre, the Association still produces a prospectus of courses, held at the Centre and at other locations - a 40 page, close packed document covering subjects as varied as personnel and salary administration, culture and leisure, and water and sewerage <sup>(27)</sup>. These are short programmes covering skills, new law and information. Although the prospectus covers only the national training activities of the Association, it allowed for between 10 and 20 courses every week. Jonzon indicated that some 30,000 copies of the prospectus are issued each year.

At the regional level within the Association, about 35% of the training is still aimed at elected members, for example on matters of new legislation. As this aspect of the Association's work has developed, so reliance on the national activities has declined. The regional trainers attempt to meet locally identified needs, although they use where appropriate training materials produced by the Association nationally.

This production of study and training material is increasing in importance. As the IULA publication <sup>(28)</sup> comments, the advantage of this type of training is that larger audiences can be reached at a lower unit cost. In addition, the impact of the training is greater when several employees from the same authority can take part, and the trainers can deal more directly with the problems affecting the students' own

workplace. Against this, the municipalities have to recruit and support local training staff.

The study material varies from comprehensive course packages and manuals and audio visual aids to simple notes for discussion leading, according to the nature of the subject and the composition and background of the target group. Over a hundred items of training material have been produced, using participative training methods wherever possible. It has become more attractive to local authorities as the costs of residential training have increased and training budgets have been reduced during the period of economic stagnation.

To complete this overview of the training activities of the Association, it is relevant to identify the staffing resources allocated to the function. At national level, there are some 80 training staff, with another 50 in the regional departments - some 130, for one of the two Associations, compared with 3 employed by COSLA for the whole of Scottish local government.

The picture in the Association of County Councils is very similar. There are staff within the headquarters who have a training role, and others at regional level. The Association has also traditionally maintained its own residential training centre, Högberga, on the island of Lidingö (a suburb to the east of Stockholm, in the archipelago) see Appendix 9 for illustrated details). Like Stora Brännbo, Högberga is no longer dedicated to the training needs of the Association and the management of the hotel facilities of the Centre have been transferred to a hotel management company on behalf of the Association.

In view of the similarity of the picture, it is not intended to expand, in a repetitive manner, on the specific training activities of the Association of County Councils.

#### The Arrangements in Denmark

These reflect a further variation on the models in Finland and Sweden, and once more illustrate the dedication of resources to extensive training activities at a national level within Danish local government. The explanation of the Danish arrangements is based on a semi-structured interview with Mr Jørgen Hahn, the Director of the Local Government Training Centre for Denmark <sup>(29)</sup>, supplemented as appropriate by references to relevant texts <sup>(30)</sup>.

Reference has already been made to the tradition in Denmark of training in all sectors of the economy, through vocational colleges (*folkehøjskolan*). In addition to these colleges, and normal educational



provision through the university and college system, there is also a tradition of vocational training by trade unions and staff associations to an extent which has no parallel in Great Britain.

These traditions are as relevant in local government as in other sectors of the economy, where there are a number of training providers, with some, such as the Danish Nurses' Organisation and the Teachers' Association, having premises exclusively for the training of their members. Of more particular relevance to the thesis, however, is the provision nationally of training through *Den Kommunale Højskole*, or Local Government Training Centre which, whilst not enjoying the history of some other vocational *højskolan* (or folk high schools) has been in existence since 1967. The Training Centre is not directly provided by the two local authority associations in Denmark, which is one reason why it provides a further variation on the models already identified, although its management is through a Board drawn from the Associations. Another is the fact that there is just the one training centre, provided through a co-operative venture by the two Associations, rather than each Association providing its own centre.

The proposal to establish the Centre came from the Major of Skive, a small city in the north of Denmark, at a meeting of local authority representatives in 1958. Initially, his concept was for a training centre reserved for local councillors. However, by the time the Centre opened in 1967 it had the objective of carrying out course activities for elected representatives and employees in municipalities and counties.

The Centre was established in the city of Grenaa, on the east coast of Jutland, initially to accommodate 40 students on a residential basis at any time; with subsequent extensions, it is now able to accommodate 160 (see Appendix 9 for further details of the Centre). Since its establishment, the Centre has been an independent institution and, although 9 of its 11 governors are appointed by the local authority associations, it is legally and financially separate from them. In this way, it is claimed, the Centre is free from censorship of its activities by the Associations. It has also been suggested that, by being independent, the Associations could not have been implicated in any early failure of the Centre. The governors appointed by the Associations are six from the National Association of Local Authorities and 3 from the Association of County Councils (the other two are appointed one each, by the Cities of Copenhagen and Frederiksberg).

The governors normally meet twice a year, with their autumn meeting being important for the determination of the budget for the following year. They also discuss their vision for and challenges facing the Centre and help to identify the priorities facing local authorities over the

succeeding period. Whilst, on the one hand, the governors are said by Hahn never to interfere in the practical aspects of the Centre <sup>(31)</sup>, there is political interest in its activities throughout the whole year, through the attendance of elected members at the seminars designed specifically for them. The Centre also benefits from contacts at all levels within local authorities.

The capital costs of the Centre have been financed mainly through the Municipal VAT-fund (a device granted by the Danish Parliament to enable local authority related organisations to benefit from VAT paid by local authorities).

The running of the Centre is autonomous and the annual operating costs are financed through the course fees. It is not subsidised through the Associations but manages, rather, to make a surplus (currently about 10% of income) which is used for maintenance of the fabric of the building and purchase of special items, such as works of art for display in the Centre.

The Centre not only plans and provides courses and conferences for local politicians and local government employees at the Centre, but it also arranges courses on a regional/local basis in co-operation with regional municipal associations and county councils and assists individual municipalities and county councils with on the job training.

The Centre conducts some 170 - 200 courses annually, with a duration of 3 to 5 days for each course. There tend to be 9,000 to 10,000 participants, with around 25% of these being local politicians (although the percentage of politicians attending the Centre tends to range from 35% in the year immediately following local elections to 12 - 15% in the year of elections). At the start of the four year term of office, the courses for newly elected councillors concentrate on the role of various local authority committees and departments, to elucidate and discuss their respective roles and restrictions. More specialised courses are also offered for politicians, and on some courses (including local government management) it is not unusual for there to be a mix of politicians and managers.

For paid officials, the Centre offers general management courses as well as courses for managers in particular specialisms. It also offers a range of skills and competence based courses, in what was described by Hahn as a *General Store* of training. The prospectus for the Centre is, in common with those produced by the training centres in Finland and Sweden, comprehensive and detailed; for 1989, for example, it ran to more than 100 pages.



Before turning to the staffing of the Centre, it is pertinent to note that the Centre's courses are used by politicians from all the Danish political parties, to the extent that a survey conducted at the end of each four year term of office would indicate that the attendance reflects the overall political representation within the country's local authorities. In fact, the use by, and popularity of, the Centre with local politicians has caused it to be dubbed as both a *municipal street corner* and a *party political refuge* by Hahn.

The staffing of the Centre presents a different model from those in Finland and Sweden, insofar as there is no permanent staff of trainers. The staff of about 70 full and part time employees includes about 20 in the administration and planning function. The latter include the Director and 5 other staff who are responsible for the planning of activities. These are felt to reflect a wide range of the specialisms who attend the Centre, and whilst they are not expected to have a personal knowledge of all municipal and county activities, they do know how to assess training needs and to design programmes and train adults across a wide spectrum. The remainder of the staff are the administrative and clerical support and the hotel and catering staff.

With the absence of directly employed training staff, the Centre relies on specialists brought in from municipalities, the local authority associations, government departments, universities, institutes of higher education and trade and industry.

Despite its size and facilities, the Centre is said by Hahn to be *not all sufficient to meet the educational needs* of local government staff in Denmark. As a result, the Centre has developed a further co-operative role with the county councils and with the county level associations of municipalities, whereby the Centre arranges or assists with courses off the premises, within individual local authorities and groups of authorities. This arrangement is co-ordinated by a Training Secretary employed by each of the county level associations, who takes care of the day to day administration of the activities within their respective areas. In this context the Centre has such functions as the training of trainers and the development of course materials, with the aim of strengthening the internal management systems of local authorities.

The Centre also acts as the secretariat for the nationally recognised course of study for clerical and administrative workers, who follow a common syllabus covering 400 hours of study over 2 years. The syllabus is offered at some 30 training centres throughout the country. An essential basis for this course is an agreement between the Union of Commercial and Clerical Employees and the local government employers, giving members of the Union the right to attend the course.

### The Arrangements in Norway

In the Scandinavian context, Norway is the odd man out in the manner in which it provides for local government training activities at a national level. In fact, there is in many (but not in all) respects a greater similarity in the approach between Norway and Scotland, than there is between Norway and the three other Scandinavian countries. The information upon which this section is based was gathered principally from a semi-structured interview with Ms Greta Aksdal, the Head of Training with the Norwegian Association of Local Authorities in February 1989, supplemented by information obtained from Mr Paul Thyness, Lecturer at the Norwegian Local Government and Social High School, during a visit by him to Aberdeen in August 1991.

The training provision of the Association is undertaken by its Training Department, headed by Aksdal. It was constituted in its present form at the beginning of 1988, and therefore has the shortest history of any of the training arrangements considered in this comparison. One of its original roles was the determination of an education and training policy for local authority politicians and employees, which would not duplicate the activities of other training organisations.

Among its main themes is the improvement of leadership skills of politicians and paid employees of local authorities, with the aim of making them as effective as possible in the provision of services. This is an extension of a traditional role of the Association, insofar as the training of politicians in the skills required for the running of municipalities has generally been organised by the local officer of the Association in each county. This, the training of elected members, is one aspect of the training activity of the Association which does differ markedly from the approach in Scotland. In fact, Aksdal emphasised the very strong tradition of training of elected members in Norway, and explained that this has been through courses run by trainers with the appropriate skills and, recently, by the use of inter-active video as well as annual and twice yearly conferences of mayors and chairmen of service committees.

A new aspect of the training role of the Association has been the development of programmes for the administrative leadership of local authorities, with several project groups working on proposals. The Association has concentrated on this role, since much of the general training for local authority employees has been provided by universities and specialist training organisations, such as the Local Government and Social High School. Developments that were current at the time of the primary research included leadership and the management of change, the use of information within organisations and for the benefit of the



community, understanding organisations, the productivity of staff and service provision, and the theory of team building.

The Training Department has developed these programmes to help local authorities implement change and improve the effectiveness of their decision making through better co-operation between the levels of government. Aksdal expected that in due course these programmes would influence the systems used by local authorities in the recruitment of senior staff. The programmes were being designed as the basis of a training recommendation for implementation within local authorities. She emphasised, however, that the exact structure of the courses and the training of course leaders were still under discussion, although it was expected that local colleges would be used to deliver the training.

The Training Department was, at the time of the visit, also working on other recommendations, including recruitment methods and the possibility of introducing rolling contracts and fixed term appointments. The Department also maintains contact with the central education authorities in an endeavour to influence the curricula for the formal education of potential employees, and the Department was now co-ordinating many of these activities.

From this brief summary of the work of the Training Department, the differences between the central work of the Norwegian association and the activities of the associations, and their related bodies, in Denmark, Finland and Sweden become clear, with the emphasis in Norway being on the development of recommendations on good practice, through a small team, rather than on the direct provision of training, through substantial numbers of trainers.

The other difference is the lack of a residential training centre, on the model found in the other three countries. Their role appears, in part, to be taken by the Norwegian Local Government and Social High School, based in Oslo, which offers a range of qualification and short courses, including specific leadership courses for senior managers. These last courses have a longer tradition than the corresponding courses offered by SLAMC in Scotland, and last for eight taught weeks over a one year period.

It was noted with interest, in undertaking the primary research, that Aksdal could not offer more than a passing observation on the role and functions on the High School, and that Thyness commented that, although he knew the name of Greta Aksdal, he did not know her personally. This situation would imply that Scotland has the edge over Norway insofar as there is an established funding and management relationship between COSLA and SLAMC, compared with the apparent lack of relationship between the

association and the high school.

### Evaluation and Conclusions

Having completed the examination of the arrangements in the four Scandinavian countries, it is now possible to undertake the evaluation of the training functions of COSLA against the criteria identified in the opening paragraphs of the Chapter. Already, a number of preliminary conclusions have been drawn, particularly in relation to the willingness of the policy makers at COSLA to invest sufficient resources to meet the requirements of local authorities for central training support. In addition, there have been indicators as to how COSLA could improve its services, by taking account even now of the recommendations of the official reports of the late 1960s, or of the responses to the questionnaire issued as an essential part of this investigation. The international comparison has further indicated ways in which countries of a similar population as Scotland's have developed the training services of their local authority associations. From the evaluation of these various pointers, proposals are made as to how the Convention could improve its training services to the general benefit of Scottish local government.

For the time being, it is appropriate to concentrate on the preliminary conclusion that the present structure and arrangements offered by the Convention are insufficient to meet the needs of constituent authorities. The reason for reaching this conclusion is the apparently continuing unwillingness of authorities to contribute adequately to the funding of the training function. This conclusion can be supported in a number of ways.

First, there is the contrast between the resources devoted to training of local authority employees within different parts of the United Kingdom. Reference was made to the arrangements in England and Wales, from 1946 to date, at national and provincial level. It was explained that Scottish authorities, through COSLA and its predecessors, had considered and declined from time to time, most recently during 1990, to subscribe as a full, or even associate member of the LGTB (now the LGMB) because of the costs involved for Scottish authorities. The reference to resources compared not just the financial input by English and Welsh local government to the LGTB/LGMB and Provincial Councils, but also the staffing of these bodies, compared with the restricted resources allocated by COSLA to its training function.

Turning to the international comparisons, there is an even more stark contrast in the levels of resources devoted to the central training functions of COSLA, compared with the corresponding functions in Denmark,



Finland and Sweden.

It is in no way being suggested that the level of resources allocated to the function is the only factor that should be taken into account in evaluating its effectiveness. However, it is not simply the author who believes that insufficient resources are available through COSLA for the effective performance of its training functions. This view was also expressed, on the one hand by the head of the training function within the Convention, and on the other by all but one of the respondents to the questionnaire.

The reluctance of Scottish authorities to appoint training staff until as recently as 1979 also appears symptomatic of the approach to training at the national level. Extensive reference has been made to the recommendations of the Wheatley Commission and of the Report on the Staffing of Local Government in Scotland. The comment has already been made that one cannot be certain that even the present training arrangements would meet the broad brush objective proposed for such a function by Wheatley. It is certainly believed by the author that the present arrangements fall far short of the recommendations of the Report on Staffing, as it would seem inconceivable that anyone could seriously claim that COSLA is *performing the functions of the Local Government Training Board insofar as these may be required and considered necessary in Scotland.* <sup>(32)</sup> To believe otherwise would appear not only to reflect a very narrow interpretation of what local authorities require of a central training function, but also to fly in the face of the general views of the respondents to the questionnaire, who, as elected members and senior paid officials of Scottish local authorities, are representative of COSLA's constituent members.

Although it is now part of the history of Scottish local government, the time taken to introduce a training function within COSLA and its predecessors remains baffling. It is reported that the recommendations of the Report on Staffing were *continued* pending the legislation leading to the reorganisation of 1975. Was there real justification to take that decision in the late 1960s, when another six or seven years were to pass before reorganisation? Was there reason for a further four year delay before making an appointment?

Or was this a further symptom of what appears throughout this study to be a parsimonious approach to the funding of training, or even a refusal to take it seriously?

In asking these rhetorical questions, it is not inappropriate to recall that local government in England and Wales did not put off improvements in the national training provision, through the LGTB, during the late

1960s/early 1970s, pending the reorganisation of 1974. Indeed, the process of reorganisation was assisted by the LGTB, which contributed various training recommendations that specifically related to reorganisation.

It is to be hoped that the Convention's training services will be able to assist local authorities with what now appears to be an inevitable reorganisation of their services in the mid-1990s (as indeed COSLA did with the introduction of compulsory tendering from 1989). The proposals that follow are formulated on the basis that they will be responsive in this way.

In the international context, it has been shown that, with the exception of Norway, there is a long tradition of training in local government, energetically assisted by the national associations and their related bodies. Is it other than ironic that the Report on staffing specifically proposed that the arrangements in Sweden should be emulated if at all possible in Scotland, with special reference to the training centre at Stora Brännbo? For whatever reasons, nothing similar has ever been actively considered and promoted in Scotland. As reported, the nearest equivalent institutions are SLAMC and the WTI centre at Melvin House, both of which have restricted remits, compared with the institutions in Denmark, Finland and Sweden.

Having been critical of the arrangements in Scotland, both in the last few paragraphs, and also elsewhere in this Chapter, it is reasonable partly to restore the balance, before proposing models for future consideration.

There can be no criticism of the work done by the limited number of staff engaged by COSLA on the training function. As in any political organisation, their workload and priorities are determined by their managing body - in this case, the Personnel Training and Development Sub-Committee. This Sub-Committee reviewed and revised its own terms of reference in 1990, in an attempt to reflect more accurately the training and development needs of local government and its employees.

There are signs that the Convention's training staff, and the Sub-Committee, wish to be more responsive to the needs of constituent authorities. Reference has been made to the series of consultative meetings commenced towards the end of 1990, from which it was planned to develop the training function in the way most suitable to authorities. There are also other signs of the Convention becoming more responsive, through such media as meetings with local authority training staff, the establishment of training networks within many of the Regions of Scotland, the organisation of an annual national conference on human



resource development, from 1990 onwards, and the publication of Employers' Bulletins on training issues.

There is also the increasing benefit to local government of the training provision of the Scottish Local Authorities Management Centre, partly funded by COSLA.

#### An Approach for Consideration

The question nevertheless remains, how could the services offered by COSLA be developed further to meet the real or assumed needs of constituent authorities? A number of models have been examined in this Chapter, from the limited provision of training services found in Scotland and Norway, to the much more extensive provision in Denmark, Finland and Sweden (as well as the national/provincial arrangements in England and Wales). The introduction to the thesis indicated that there was no intention to offer recommendations of the kind that could be found in a management consultant's report. However, the author believes he will have failed one of his objectives if he did not propose an approach for consideration.

Thus the final paragraphs of this Chapter make proposals for consideration, without being specific in costings or staffing numbers and structures, but taking account of the cultural response to training in Scotland, compared with the corresponding attitudes in Scandinavia.

The proposed approach takes account of views expressed by respondents to the questionnaire and is inevitably far more comprehensive than has previously existed. It would require a sea-change in attitudes to expenditure on training and would need to reflect a far greater commitment on the part of policy makers. It stops short of recommending a training institute of the kind found in Denmark, Finland and Sweden, for a number of reasons which are developed below. It does, on the other hand, foresee an enhanced role for SLAMC and also an extension of the services offered by WTI at Melvin House, on the basis of joint co-operation. In this way, the recommendations should facilitate the provision of the kind of service envisaged by Wheatley and the Report on Staffing.

The recommendations are also made on the assumption that the policy makers will maintain the long-held view that COSLA should not contribute fully to the training activities of the Local Government Management Board, but should choose to remain independent in relation to training. In the current period of uncertainty over the future of local government in Scotland, such independence would appear to be appropriate. Conversely, the period of uncertainty should not be an excuse for

delaying the development of the training services of COSLA, as it was in the late 1960s; rather it should be seen as a period of opportunity to prime the function to be more effective through any period of reorganisation over the next few years.

The approach is based principally around an enhanced staffing within COSLA, to enable the Convention to respond more fully to the needs of local authorities. In order to support formal development of the service, the Convention would require itself to conduct *market research* of the kind that has commenced, but not been completed, to assess the requirements of all its constituent authorities. However, taking the results of the questionnaire as being indicative of the range of services required, one could forecast a continuing need to represent local authorities on national bodies. Next, the Convention should staff the function sufficiently to be in a position to offer training advice on demand from local authorities. This could be, for example, in the form of consultancy services to smaller local authorities, conducting training needs analyses or offering proposals which would meet the needs identified. It could be in the form of training recommendations, either prepared directly by COSLA staff or through commissioned research, on matters of critical importance to all, or most, local authorities, such as the effects of new legislation or the impact of new working practices. In this way COSLA would reflect some of the training work of the LGMB elsewhere in the UK, and could begin to meet the suggestion of some respondents to the questionnaire that COSLA should become an arm of the LGMB.

Soden, during the semi-structured interview, expressed the clear view that he would have welcomed the opportunity to assist individual local authorities on a more frequent basis than is currently possible. He would also have wished to be able to assess the requirements of local authorities more frequently, by visits to individual authorities or attendance at regional meetings of training officers. In addition, he would have welcomed sufficient funds to enable him to commission research on appropriate issues, for subsequent publication. Thus in relation to the proposals above, there is therefore a convergence of views between a senior trainer employed by the Convention, respondents to the questionnaire and the author.

Another task for the Convention would appear to be acting as a clearing house on training items, including the promulgation of information on training activities within constituent authorities, the provision of advice on good training practice, and the evaluation of training used by individual authorities; some of this has been taken on board and developed through the mechanism of the annual human resource development conferences, but could be developed further. Furthermore, there would



appear to be no reason why COSLA could not arrange with LGMB some form of associate membership through which Scottish authorities could get formal access to its specialist publications.

These and any other developments of the service should be adequately staffed and managed, both politically and at officer level, to ensure that the services are discharged more effectively than is possible at present.

The direct provision of training should not be overlooked, in view of some of the responses to the questionnaire, or, indeed, if one were to compare the success of the Danish, Finnish and Swedish arrangements in this sphere of activity. This is where an enhanced role for SLAMC and the training activities of Melvin House should be considered, with the former concentrating on management development and the latter being requested to assume a formal role in key areas of supervisory and manual worker/craft training for employees of departments other than water and sewerage. This suggestion is made, as it would enable existing organisations to build upon their current strengths, rather than expect an extended team of trainers at COSLA to develop complementary training activities.

In order to give effect to such a recommendation, COSLA would need to address the level of resources it is prepared to devote to SLAMC, and would also need to agree a joint working arrangement with Water Training International. It might also be necessary to consider the establishment of *satellite* activities of both SLAMC and Melvin House away from the central belt of Scotland, in order to meet the needs of more distant authorities.

It has already been indicated that the proposals would not include a training institute of the kind found in three of the Scandinavian countries. This is not because the author was not impressed by those he visited; indeed, his enthusiasm for the centres and their activities shows through in the earlier sections of this Chapter. He can understand why the Mallaby Commission and the Committee who prepared the Report on Staffing recommended them as a model for adoption in the UK some 20 years ago.

However, that was 20 years ago, before the present financial climate, which would inevitably prevent the necessary capital expenditure and thereby conspire against the establishment of a comparable centre in Scotland - unless there is, somewhere in the local authority community in Scotland, the equivalent of the Mayor of Skive in Denmark, who has the vision and determination to set up such an institution (and the influence to attract sufficient funding!).

One could utter, *would that there were*. The signs, sadly, are that there is not. Soden indicated a personal view that, several years ago, the establishment of such a Centre would have been on his agenda. Now, however, there are other ways of spending the money that would be required to operate such an institution. In the continuing absence of such a visionary and facilitator, it would appear that the approach set out in the foregoing paragraphs would appear to offer the greatest chance of improvement in the training services offered by COSLA. Despite any concomitant enhancements to the service, it would still leave Scottish local authorities at a disadvantage, particularly in comparison with their Danish, Finnish and Swedish counterparts. Thus, one final thought is offered, that it might be feasible to establish a Local Government Training Centre, either in rented premises, or even effectively without its own dedicated premises, which would emulate the Scandinavian centres, on a self-financing basis. Such a Centre could then offer some of the services for elected members and paid employees that are commonplace in Scandinavia and, in due course, even consider the development of distance learning and other training packages. If the staffing of the Danish Training Centre were taken as a model, the direct recurring staffing costs could be kept to a fairly low level.

Against the background of these proposals, it is with regret that the author concludes that there continues to be an unwillingness on the part of local government in Scotland to provide an effective and more comprehensive training function under the auspices of COSLA. As a result, the criticisms so extensively set out in this Chapter are unlikely to be overcome unless local government generally is prepared to allocate more resources to the function, and to permit the development of the service, either along the lines set out in these concluding paragraphs, or on the basis of some other acceptable structure.



- 1 For a more detailed examination of the role of the Local Government Management Board and the debate leading up to its establishment, see Chapter 3
- 2 Report of the Royal Commission on Local Government in Scotland, (the 'Wheatley Report'), London, HMSO, 1969
- 3 Report on the Staffing of Local Government in Scotland, Edinburgh, Scottish Development Department et al, 1966
- 4 Mr John Johnstone, former Employers' Secretary of the Scottish National Joint Councils
- 5 The term 'Industry Lead Body' has been adopted by an increasing number of organisations set up since the late 1980s, whose task is to identify the competences required by employees in their particular industry sector, and then to establish as far as practicable the means of achievement of those competences. The constitutions and arrangements for meeting their objectives vary from ILB to ILB.
- 6 Convention of Scottish Local Authorities Sub-Committee on Education and Training of Scottish Local Government Employees: Terms of Reference, Edinburgh, COSLA, 1987
- 7 Mr Joe Soden, former Assistant Secretary (Training and Development), Convention of Scottish Local Authorities
- 8 Convention of Scottish Local Authorities Personnel Training and Development Sub-Committee: Terms of Reference, Edinburgh, COSLA, 1990
- 9 These meetings had ceased to take place during the currency of this research.
- 10 Comment by Johnstone, interview, October 1988
- 11 'Top slicing' is a term used to indicate that the Government has taken from its Revenue Support Grant settlement for a financial year a sum to be allocated to a central organisation, such as the LGMB, before it makes its allocations of the remainder of the settlement to individual local authorities. It is effectively a means of ensuring that all local authorities contribute to the funding of the central organisation.
- 12 An interesting discourse on the development and role of folk high schools was written by Sir Richard Livingstone in The Future in Education, Cambridge, Cambridge University Press, 1945, pp 33 - 65.
- 13 Ms Kaija Maijonen, Head of Training at The Municipal Training Institute (Kunnallisopisto), Tuusula, Finland, in an interview, February 1990
- 14 Mr Matti Holopainen, Director of The City Institute (Kaupunkiopisto), Espoo, Finland, in an interview, February 1990
- 15 This literature includes
- Kunnallisopisto: Koulutusohjelma 1990, (The Municipal Institute: Programme of Courses, 1990), Tuusula, The Municipal Institute, 1990
- The Municipal Training Institute (A Guide in English), Tuusula, The Municipal Institute, 1989
- Guiding Principles of the Municipal Institute and The Municipal Training Institute: The Training Centre of the Finnish Municipal Association, Tuusula, pamphlets, undated
- Tervetuloa Kaupunkiopistoon: virikkeiseen opiskeluymparistoon, (Welcome to the City Institute, a stimulating study environment), Espoo, The City Institute, pamphlet, undated
- 16 Simo Hakamäki, Risto Harisalo and Paavo Hoikka, An Introduction to Local Government Activities, Administration and Finance in Finland, Tampere, Tampere Yliopisto, 1988, p 81
- 17 The Municipal Training Institute, op cit, p 2
- 18 Mr Kaarlo Karkkainen, Training Designer, The Municipal Training Institute, in an interview, February 1990
- 19 Kunnallisopisto: Koulutusohjelma, op cit
- 20 An Introduction to Local Government Activities, etc in Finland, op cit, p 81
- 21 ibid, p 81
- 22 Mr Björn Jonzon, Director of the Municipal Training Centre (Kommunskolan), Stora Brännbo, Sigtuna, Sweden, in an interview, January 1990.
- 23 Training for Local Government in Sweden, The Training Work of the Swedish Association of Local Authorities, Sigtuna, Swedish Association of Local Authorities/International Union of Local Authorities, 1986
- 24 ibid
- 25 Report of the Committee on the Staffing of Local Government (the 'Mallaby Committee'), London, HMSO, 1966
- 26 Report on the Staffing of Local Government in Scotland, op cit
- 27 Kurser och Konferenser Studiematerial och Modellprogram 1990 (Courses and Conferences Programme 1990), Stockholm, Swedish Association of Local Authorities, 1990
- 28 Training for Local Government in Sweden, op cit

- 29 Mr Jørgen Hahn, Director of the Local Government Training Centre in Denmark (Den Kommunale Højskole i Danmark), Grenaa, Denmark, in an interview, February 1989
- 30 These texts include
- The Local Government Training Centre in Denmark (A Guide in English), pamphlet, undated
- Den Kommunale Højskole i Forår/Efterår 1989 (The Local Government Training Centre, Prospectus, Spring/Autumn 1989), Grenaa, Local Government Training Centre, 1988
- 31 Hahn, interview, 1989
- 32 Report on Staffing of Local Government in Scotland, op cit, p 36



## CHAPTER 7

### SCOPE FOR DEVELOPMENT

#### Other Personnel Services

This final chapter is somewhat briefer than those that precede it, but nonetheless important. In the first place, it examines those personnel related services offered by the Convention and not already covered. It then identifies, by reference to practice elsewhere in Great Britain and in the comparator countries, the potential range of services that could be offered. Finally, it summarises the scope for development of the functions of COSLA, in its role as an employers' organisation, thereby drawing together the proposals and concepts from throughout the thesis.

The relative brevity of the Chapter reflects the limited time and resources allocated by the Convention to these other personnel-related services, compared with its negotiating and training functions. The latter are clearly the core business of the Employers' Secretariat, compared with the former which are almost fringe activities. Yet should that be so? Within the present resources, it is perhaps inevitable, but there is evidence from the Provincial Councils and from other local authority bodies in England and Wales and from the comparator countries that with the allocation of an appropriate level of resources a further range of personnel services could be offered.

Of the services offered currently, some are of a joint nature, with the trade unions, while others are provided by the Convention for its constituent members. Since these services are effectively supplementary to the two main functions of the Convention, they tend to be more piecemeal in nature and thus more difficult to study, always bearing in mind that the present work has not set out to equate to a management consultancy report. Therefore, without in any sense wishing to play down these other services, they are examined by means of examples, rather than as a comprehensive catalogue of activities.

By way of illustration, therefore, two joint services are examined briefly. The first relates to manual workers, the second principally by not exclusively to APT & C Staff. The first is the determination, on a joint secretarial basis, of the appropriate rate of pay for manual workers under the aegis of the Manual Workers' Job Evaluation Scheme <sup>(1)</sup>. The Scheme, which evolved out of the Manual Workers' Review of 1986/87, provides for seven different basic rates of pay for manual workers, one for each group of jobs that have been evaluated as being of a more or less equivalent ranking. For those jobs which are common to local authorities in general, there is a standard job description, set at national level, which is used as the determinant for the grading of the post. Examples would include cleaners, care assistants in residential

homes for the elderly, skilled road workers and refuse disposal operatives.

For other jobs, there may well be nuances arising out of special requirements within a local authority, for example, a car park attendant required to undertake other duties, such as the issue of fixed penalty notices for parking infringements. For such jobs, the local authority is required to submit a job description for evaluation by the Employers' Secretary and the Trade Union Side counterpart, following which the job is allocated to the appropriate group.

The job having been slotted in to one of the seven groups, it will remain there unless its duties and responsibilities change sufficiently for it to be re-evaluated.

The other task is the hearing of appeals out of the application of the relevant scheme of conditions of service by the employing authority. The most common form of appeal is the grading appeal. Under this provision, an employee has a right of appeal, initially to the employing authority, against the grading attaching to his or her post, providing certain conditions are met. Where the appeal is not upheld by the local authority, the employee has a subsequent right of appeal to the appropriate National Joint Council. This appeal is heard by a joint panel, drawn from the Employers' and Trade Union Sides of the NJC, advised by the Employers' and Trade Union Side Secretaries. Except where the employee has a statutory right of appeal to an Industrial Tribunal, for example, under the Sex Discrimination Act 1975 <sup>(2)</sup>, the decision of the National Appeals Committee is final.

Both these joint activities arise out of the application of specific provisions in National Schemes of Conditions of Service. The same is not true of all of the other activities, undertaken by the Employers' Side in its own right, although inevitably some of these activities do relate to the application of the Schemes.

Thus, for example, the Convention has since 1991 offered a job evaluation consultancy service, in conjunction with an international firm of management consultants, to assist local authorities in the determination of salaries for their chief officials. This service arises out of the application of a joint agreement by the Joint Negotiating Committee for Chief Officials, and is available to employing authorities if they choose to use it. It provides an independent mechanism for the determination of the salaries of the most highly paid officials of local authorities. This is effectively the first time the Convention has offered this service to employing authorities, other than through the joint mechanism just mentioned for manual workers.



The officers of the Convention have also in the recent past offered a further consultancy service to local authorities, where they seek detailed support and advice in relation to the application of disciplinary procedures for senior staff. It is understood, however, that this service is provided only occasionally and in circumstances where an external source of advice is appropriate, perhaps because there is no source of senior personnel advice within the local authority, or the senior personnel advisor is subordinate to the officer subject to disciplinary action.

A more frequent service provided, for the benefit of all local authorities, is the provision of written advice on employment matters. This can be, for example, a commentary on recent legislation or advice following an important legal case, either in the domestic courts or employment tribunals or, as happens more and more frequently, the outcome of a judgement in the European Court of Justice as it is likely to affect employment practices in local government. The advice is set out in the form of Human Relations Bulletins - see Appendix 9 for an example - and normally offers supplementary advice from the officers of the Convention by telephone.

Finally, in this summary of services, reference must also be made to the occasional seminars and workshops organised by the Convention for member authorities, on matters of current importance. Thus, during the period of preparation for the implementation of compulsory competitive tendering in 1988, COSLA organised a series of seminars to explain the outcome of joint negotiations designed to help local authorities implement competitive tendering as effectively as possible. At the point of completion of the thesis, a further series of workshops had just been held, to assist local authorities in the implementation of a framework agreement with the manual worker trade unions, on the reduction of the basic working week from 39 to 37 hours, from a date not later than 6 January 1994.

#### Possible Areas for Development

Within the comparator countries, as within Scotland, the core functions of the local authority associations as employers' organisations, are joint collective bargaining and training and development. The same applies, within different parameters, in the Provincial Councils in England and Wales. This does not, however, prevent them from offering a wider range of other personnel-related services than is currently provided by COSLA.

Thus, for example, the Danish associations employ personnel consultants who are available to assist member authorities over a range of personnel

activities, including the implementation of national agreements: the introduction of the 'municipal pool' (see Chapter 5, page 133) is a case in point. The consultants are also available to help in other matters, from organisational reviews to health and safety issues.

In Norway and Sweden, where the associations have local (county based) officers as well as officers at their headquarters, the associations are able to offer general personnel support, especially to the smaller authorities that are unable to justify the employment of specialist personnel staff of their own.

In all of the countries, there are established training support services, including the preparation of distance learning and other training materials, as examined already. In Finland, this extends to the preparation of materials, in conjunction with the broadcasting services, for the induction of newly elected councillors.

In England and Wales, the Provincial Councils also offer a more extensive range of support services, although the exact nature of these varies from one Provincial Council to another, as each is a body in its own right. Examples are, however, available and could be persuasive, were the Convention ever to consider the development of its own support services.

One is the more regular support of local authorities in the handling of disciplinary and dismissal cases, including the provision of advocacy support at internal appeals hearings and at Industrial Tribunals. Another is the provision of mediation in disputes between a local authority and trade unions representing its employees. This last service may, as appropriate, be provided on a joint basis with officials from the trade union side of the Provincial Council, in an endeavour to ensure the smooth and speedy resolution of such disputes.

A less common, but nevertheless different, service is the organisation of key note seminars, attracting world class speakers on management subjects for the purpose of addressing the widest possible audience of local authority members and officials.

The final examples of personnel-related services come from the systems current within England and Wales. The first is provided by a non-profit making mutual support agency, established by the Association of Metropolitan Authorities under the name Metropolitan Authorities' Recruitment Agency (METRA). This organisation, founded in 1990, is effectively a co-operative of local authorities, supported by a small permanent staff, with the aim of promoting employment opportunities in local government for school leavers, graduates and under-represented groups. It prepares and promotes recruitment materials for use by member



authorities in the recruitment of staff from these groups. METRA attends careers exhibitions and recruitment fairs and is currently in the process of developing a data base of jobs and applicants for the benefit of member authorities. While it was set up by the AMA, primarily for metropolitan authorities, it also has members from county and district councils in England and Wales and, towards the end of 1991 also took into membership one Scottish local authority which decided to join METRA in furtherance of its own recruitment and retention strategy, in the absence of a similar service purely for Scottish local authorities.

The second also relates to the preparation of careers materials, including brochures and video cassettes, aimed at attracting school leavers into careers in local government. This service is provided by the Local Government Management Board. No comparable co-ordinated approach is currently available to Scottish authorities, through COSLA, or indeed through any other organisation.

#### Contrast with Earlier Recommendations

Having briefly examined the range of ancillary personnel services currently provided by the Convention, and having identified some additional services provided by the local authority associations in Scandinavia and elsewhere in the United Kingdom, it is pertinent for the sake of completeness to revert to the recommendations of such Reports as Hadow<sup>(3)</sup>, Wheatley<sup>(4)</sup> and the Staffing of Local Government in Scotland<sup>(5)</sup>. This will permit an assessment as to whether the recommendations of 25 years ago, even 60 years ago, have been fully adopted.

Let the Hadow Report be the starting point, in view of its place in the history of local government and the visionary nature of its recommendations. The main recommendation was that local government should set up a permanent body which could advise on questions affecting the recruitment, qualifications, training and promotion of local government officers. Its conclusions on this issue have already been recorded verbatim (see page 39). A key conclusion is worth recalling, that *it is absurdly wasteful*<sup>(6)</sup> that there should be no one central body empowered to supply information regarding entry to the local government service.

The Wheatley Report listed a range of functions suitable for a local authority association (see page 21). Relevant to this Chapter are the following: organising publicity for recruitment of staff at all levels into local government; assessing the overall staffing needs in local government against potential supply; arranging the interchange of staff within local government and also on a two-way basis between local government and outside organisations; and guiding and co-ordinating the

development of management services in local government. As previously noted (page 38), it was at this point in the Report that the Wheatley Commission commented that they had been impressed with the work done by the local authority associations in Scandinavia, in comparison with which very little had been done in Scotland. The rhetorical question needs to be asked, whether any more is being done now, by comparison with what was being done almost 30 years ago?

The Report on Staffing recommended that local authorities should set up a central organisation to provide comprehensive services fitted to the needs of local government in Scotland <sup>(7)</sup>. These services would include undertaking the duties of a central staffing organisation and providing such central or regional management services as may be considered appropriate. The organisation would be responsible, among other things, for publicity of careers in local government, helping to organise planned movement of officers between authorities as part of their career planning, assisting local authorities with the selection of staff on a consultancy basis and helping with human resource planning and the analysis of training needs in individual local authorities.

#### Possible Ways Forward

There is one single local authority association, the Convention of Scottish Local Authorities. It does have among its responsibilities the work of a central staffing organisation. From earlier Chapters as well as from the earlier paragraphs of this, it is abundantly clear that the convention has never embraced all the services that were identified by the various official reports just referred to. It is probably pointless to ask why, almost 20 years after the Convention was established, in view of the various changes in personality at both elected member and officer level.

There are clues, however. One was the response of Scottish local government to the Report on Staffing, that consideration of its recommendations *should be continued* <sup>(8)</sup> until after the new structure of local government was known: an effective method of shelving the recommendations of the Report. Another, perhaps, is in the recommendations of the Report itself, that the central organisation should perform the functions of the LGTB *insofar as these may be required and considered necessary in Scotland* <sup>(9)</sup>, having already concluded that association with the LGTB would be *quite inadequate* <sup>(10)</sup>. A third clue may be in the comment in the Report that all local authorities would be required to make a proportionate contribution to the costs of the central organisation. At this stage, some 30 years on, it would be nigh impossible to test the assumption that the cost of the organisation would



have led to a stillbirth. However, the recurring theme, that Scottish local authorities contribute sparingly to the personnel activities of the Convention, would appear to justify the conclusion.

Thus there are indicators of the kinds of service that the Convention could provide: the development of attractive recruitment literature to help promote local government as a worthwhile career, whether for school leavers, graduates or others wishing to make a job change; assistance on a consultancy basis with recruitment, job evaluation, disciplinary procedures and dismissals; helping local authorities conduct training needs analyses; facilitating secondments and exchanges for local government employees with other sectors of the economy; helping local authorities take a wider view of human resource planning needs; maybe even offering management services support. The list is not necessarily exhaustive, and is based on the functions provided elsewhere by local authority associations or recommended as appropriate for COSLA, by Wheatley and the Report on Staffing.

The development of such services could not happen overnight. They would need the support of the elected members connected with the Convention, and of all Scottish local authorities. They would also need additional resources, including an appropriate injection of staff to discharge the functions adequately and effectively. In management terms, there would need to be a business plan developed to identify the manner in which the services would be provided and how they would be funded. In this regard, some, such as the preparation of recruitment literature, would probably need to be financed on the proportionate basis referred to in the Report on Staffing. Others, such as the provision of consultancy services, would be more appropriate to charging on an economic basis as used, potentially on the submission of tenders against outside competition.

With the prospect of a further reorganisation of local government in the mid-1990s, there are only two possible timescales within which the Convention could develop its services. One is now, so that the infrastructure is established and the staffing in place well ahead of any reorganisation. In this way, the Convention could also make the services available to the embryo local authorities under the new system, whatever it is. The second would be following the reorganisation of local government, as part of an enhanced range of services available to constituent authorities, although it is appreciated by the author that this alternative could be seen as an effective shelving of a change in provision, of a kind just criticised in relation to the recommendations of the Report on Staffing.

### A Counsel of Missed Opportunities

The four main hypotheses posed at the beginning of this work have been tested and assessed, within the context of Scottish local government, and subsequently against systems and arrangements in place elsewhere in Great Britain and in the four comparator countries of Denmark, Finland, Norway and Sweden.

In relation to that element of the Convention's work that relates to joint collective bargaining, it was concluded that the present arrangements are complex and permit the conclusion of agreements which, whilst acceptable to the group to which they apply, from time to time create anomalies between negotiating groups. The examination of the development of the present arrangements identified reasons for the complexity, including the relationship of several of the principal bodies with the corresponding machinery for England and Wales. It is felt that there is scope for the present arrangements to be simplified, for the benefit of Scottish local government as a whole. This could include, for example, a reduction in the number of separate negotiating bodies and an attempt to co-ordinate the settlement date for all local authority groups. Evidence is provided that, within the comparator countries, there are various models, each of which offers a less complex structure than currently applies in Scotland.

In relation to training, the examination of the work of the Convention is critical of the very limited resources provided and the historical lack of direction of the training function by the policy makers. In contrast, the international part of the investigation illustrates a range of approaches to training, each of which demonstrates what can be achieved, given a willingness to devote adequate resources to the function. Envious glances are passed at the training centres in Denmark and Finland in particular, while note is taken of the latest stage in the metamorphosis of the training centres in Sweden, which were held up by Mallaby and the Report on Staffing as models to be emulated by British and Scottish local government as long ago as the mid-1960s.

The conclusion is reached, however, that given the present funding of local government and current attitudes to training of local authority employees in Scotland, it is pointless to suggest that the Convention now plans such a training centre in Scotland. On the other hand, proposals are made for a substantial improvement in the level of service provided by the Convention to constituent authorities under the general heading of training and development.

Responses to the questionnaire would generally support the conclusions reached in relation to joint collective bargaining and training and



development.

Lastly, the investigation has addressed the scope for the provision of other personnel-related services. It has concluded that, despite the recommendations of Hadow, Wheatley and the Report on Staffing, the Convention has failed to develop a range of services that would be of benefit to constituent authorities. Evidence from elsewhere in Great Britain and from the comparator countries has indicated that such services can be provided and can be of great assistance and support to authorities.

It is felt that, as with Hadow, Wheatley et al, this thesis has made proposals for the development of the Convention's role as an employers' organisation, providing an opportunity for COSLA to strengthen its present role prior to any further reorganisation of local government. Of course, the present work does not have the same pedigree as the official reports just referred to. Unfortunately, it is therefore unlikely to be any more persuasive.

Indeed, it is noted with sadness that Scottish local government has missed the opportunities presented to it by earlier official reports. It is assumed from the evidence presented from the current investigation that there is little chance that the policy makers within Scottish local government will seek to develop the present services or even to do more than is essential to maintain the integrity of the present arrangements. With so much historical evidence of missed opportunities, can we not even now hope that a dramatic change will come over the Convention at this point in its history, for what is believed to be the long-term benefit of its constituent members?

- 1 National Joint Council for Local Authorities' Services (Manual Workers) (Scottish Councils), Manual Worker Job Evaluation Review, Edinburgh, COSLA, 1987
- 2 Sex Discrimination Act 1975, London, HMSO, 1975
- 3 Ministry of Health, Report to the Minister of Health by the Departmental Committee on Qualifications, Recruitment, Training and Promotion of Local Government Employees, (The 'Hadow Report'), London, HMSO, 1934
- 4 Royal Commission on Local Government in Scotland, 1966 - 1969, London, HMSO, 1969
- 5 Report on the Staffing of Local Government in Scotland, Edinburgh, Scottish Development Department et al, 1966
- 6 Hadow, op cit, p 49
- 7 Report on Staffing, op cit, p 36
- 8 As reported by Mr John Johnstone, former Employers' Secretary to the Scottish National Joint Councils, in interview, 1988
- 9 Report on Staffing, op cit, p 36
- 10 ibid, p 35



**APPENDIX 1**

**COPY OF QUESTIONNAIRE**

**(see page 11)**

THE ROLE OF COSLA  
AS AN  
EMPLOYERS' ORGANISATION

QUESTIONNAIRE

NOTES ON COMPLETION

- 1 The Questionnaire has three main Sections, dealing with the negotiating, personnel advisory and training roles of the Convention, together with supplementary questions on the staffing of these functions. Please answer each Section as fully as you can. If you feel unable to answer any particular question or Section, please make a note to that effect and move to the next question.
- 2 All responses will be treated as CONFIDENTIAL and no comments will be attributable to any respondent without their express permission.
- 3 The Questionnaire should take no more than 10 - 15 minutes to complete. Most of the questions may be answered by the straightforward ticking of a box or circling of a number. Space exists, where appropriate, for free-form answers.
- 4 Please complete this questionnaire and return it to

Peter Smart  
85 Garthdee Road  
ABERDEEN AB1 7AY

in the reply paid envelope by 9 February 1990.



1 DETAILS OF RESPONDENT

Name -----

Organisation -----  
-----2 COSIA'S NEGOTIATING ROLE

The purpose of this section is to seek your opinions on the form that the Scottish negotiating machinery should take.

## 2a Would you prefer the following negotiating bodies

	to become entirely separate from the present UK machinery?	to become fully absorbed into the UK and Provincial Council framework?	to stay as they are?	
APT & C	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	tick one box only
Manual Workers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	tick one box only

## 2b Would you prefer the following negotiating bodies

	to link with the appropriate UK body?	to stay as they are?	
JNC Chief Officials	<input type="checkbox"/>	<input type="checkbox"/>	tick one box only
SJNCs for Craft groups	<input type="checkbox"/>	<input type="checkbox"/>	tick one box only
SJNCs for Teachers/ Lecturers	<input type="checkbox"/>	<input type="checkbox"/>	tick one box only

## 2c Would you prefer the following negotiating body

	to link with the NJC Manual Workers?	to stay as it is?	
SJNC for Water Manuals	<input type="checkbox"/>	<input type="checkbox"/>	tick one box only

2d If you indicated a preference for change in questions 2a, 2b or 2c, please give reasons below:

2e Please rate the effectiveness<sup>1</sup> of the Scottish negotiating machinery by circling the appropriate number on the following scale

	Less than Effective			Generally Effective				Very Effective		
	1	2	3	4	5	6	7	8	9	10
JNC Chief Officials	1	2	3	4	5	6	7	8	9	10
APT & C	1	2	3	4	5	6	7	8	9	10
Manual Workers	1	2	3	4	5	6	7	8	9	10
Water Manuals	1	2	3	4	5	6	7	8	9	10
SJNCs for Craft groups	1	2	3	4	5	6	7	8	9	10
Teachers	1	2	3	4	5	6	7	8	9	10
Lecturers	1	2	3	4	5	6	7	8	9	10
Scottish machinery overall	1	2	3	4	5	6	7	8	9	10

<sup>1</sup> In this context, 'effectiveness' has been taken to mean the ability of the negotiating body to reach settlements which are generally acceptable to all parties with the minimum of conflict.



2f Using the following scale, please rank the effectiveness of the support and advice given to the negotiating machinery

	Less than Effective			Generally Effective				Very Effective		
	1	2	3	4	5	6	7	8	9	10
by COSLA's professional officers										
by Advisers to the joint negotiating bodies										

2g Are the decisions of the following Scottish negotiating bodies generally

	too restrictive on local authorities?	sufficiently flexible?	more flexible than local authorities require?	
APT & C	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	tick one box only
Manual Workers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	tick one box only
JNC Chief Officials	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	tick one box only
SJNCs for Craft groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	tick one box only
SJNCs for Teachers/Lecturers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	tick one box only
SJNC for Water Manuals	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	tick one box only

Please add any general comments on this question if you wish:

- 2h Is the 'sounding board procedure' as adopted by COSLA
- sufficiently informative to enable authorities to respond effectively? Yes / No
  - lacking sufficient information to enable authorities to respond effectively? Yes / No
  - issued at the most appropriate time? Yes / No
  - issued too soon? Yes / No
  - issued too late? Yes / No
  - too restrictive in the responses sought? Yes / No
  - sufficiently wide-ranging in the responses sought? Yes / No
  - a useful aid for the negotiators? Yes / No
  - of doubtful use to the negotiators? Yes / No
- 2i Should the sounding board procedure
- be followed up more regularly, especially where negotiations are protracted? Yes / no
  - become less reactive to claims by the unions by attempting to determine the shape of settlements? Yes / No
- 2j Do you think the negotiators
- are tied by sounding board responses? Yes / No
  - should be tied by sounding board responses? Yes / No
- 2k Please add any further comments here about the sounding board procedure.



- 21 If you wish to add any further comments on COSLA's negotiating role, please use the space below.  
(For example, do you support the view that local bargaining will assume more importance over the next few years.)

3 COSLA'S PERSONNEL AND INDUSTRIAL RELATIONS ADVISORY SERVICES

The purpose of this section is to assess the effectiveness of the personnel and industrial relations advisory services provided by COSLA.

- 3a How well do you believe COSLA advises authorities of the following matters?

	Poorly			Generally well				Very well		
	1	2	3	4	5	6	7	8	9	10
outcome of negotiations	1	2	3	4	5	6	7	8	9	10
reasons for settlements	1	2	3	4	5	6	7	8	9	10
changes in legislation	1	2	3	4	5	6	7	8	9	10
relevant tribunal/court decisions	1	2	3	4	5	6	7	8	9	10
training matters	1	2	3	4	5	6	7	8	9	10
general personnel developments	1	2	3	4	5	6	7	8	9	10

- 3b Are there any other matters on which COSLA should provide advice, which are not covered at the moment?

- 3c If you wish to add any further comments about COSLA's personnel and industrial relations advisory services, please use the space below.

4 STAFFING OF THE EMPLOYERS' SECRETARIAT

- 4a In your opinion, does the Employers' Secretariat have sufficient staff to do an effective job? Yes / No
- 4b Unless you have indicated that the Secretariat has sufficient staff, please indicate below the changes you would ideally like to see.
- 4c In your opinion, does the Employers' Secretariat have the right 'mix' of skills and abilities to do their job effectively? Yes / No
- 4d If you believe that skills or abilities are lacking, please indicate below the changes you would like to see introduced.



4e If you have indicated that there is either a lack of staff numbers or a lack of skills,

do you believe that Scottish authorities should be prepared to pay more to increase the resources available?

Yes / No

do you believe that authorities should make additional resources available by secondments to COSLA?

Yes / No

4f If you wish to add any further comments about the staffing levels/skills of the Secretariat, please use the space below.

5 COSLA's TRAINING FUNCTION

The purpose of this section is to seek your opinions on the training services that are, or should be, provided by COSLA.

5a Which of the following training services should, in your opinion, be provided by COSLA:

	Tick below if service should be provided	Rank importance of the services you have ticked (1 = most important)
Training advice on request?	<input type="checkbox"/>	<input type="checkbox"/>
Training advice on specific topics, to be identified by a management committee?	<input type="checkbox"/>	<input type="checkbox"/>
A 'national voice' on training, on behalf of Scottish authorities?	<input type="checkbox"/>	<input type="checkbox"/>
Direct provision of management training?	<input type="checkbox"/>	<input type="checkbox"/>
Direct provision of supervisory training?	<input type="checkbox"/>	<input type="checkbox"/>
Direct provision of skills training?	<input type="checkbox"/>	<input type="checkbox"/>
Co-ordination of authorities' training activities?	<input type="checkbox"/>	<input type="checkbox"/>
Disseminator of LGTB materials?	<input type="checkbox"/>	<input type="checkbox"/>
A Scottish 'arm' of the LGTB?	<input type="checkbox"/>	<input type="checkbox"/>
No need to change level of provision?	<input type="checkbox"/>	<input type="checkbox"/>
No need to provide a training service?	<input type="checkbox"/>	<input type="checkbox"/>



5b Please add in the space below any training service you believe COSLA should provide which has been omitted from the list in question 5a.

5c Please indicate how effectively you feel COSLA discharges its training services by circling the appropriate numbers on the scale below.

	Less than Effectively			Generally Effectively				Very Effectively		
	1	2	3	4	5	6	7	8	9	10
Training Advice	1	2	3	4	5	6	7	8	9	10
Support to authorities	1	2	3	4	5	6	7	8	9	10
Co-ordination of activities	1	2	3	4	5	6	7	8	9	10
'Voice' of Scottish local government on training matters	1	2	3	4	5	6	7	8	9	10
Disseminator of materials	1	2	3	4	5	6	7	8	9	10

5c If you have indicated that COSLA's training provision ranks less than 'very effective', could the effectiveness be increased by

Greater elected member control?	Yes / No
Greater advisory input?	Yes / No
Greater union input?	Yes / No
A higher profile for the function?	Yes / No
More staff for the function?	Yes / No
More non-staffing resources?	Yes / No
Other (please specify)	

5d Do you believe the Scottish Local Authorities Management Centre is sufficient to meet the national training needs of staff? Yes / No

If you answered 'No', what provision would you like to see?

5d If you wish to add further comments on COSLA's training services, please use the space below.  
(For example, do you think COSLA should become a member of the Local Government Training Board?)



6 THE STAFFING OF COSLA'S TRAINING FUNCTION

6a In your opinion, does the training function of COSLA have sufficient staff to do an effective job? Yes / No

6b Unless you have indicated that the training function has sufficient staff, please indicate below what levels of staffing you would ideally like to see.

6c In your opinion, does the COSLA training function have the right 'mix' of skills and abilities to do their job effectively? Yes / No

6d If you believe that skills or abilities are lacking, please indicate below the changes you would like to see introduced.

6e If you have indicated that there is either a lack of staff numbers or a lack of skills,

do you believe that Scottish local authorities should be prepared to pay more to increase the resources available? Yes / No

do you believe that authorities should make additional resources available by secondments to COSLA? Yes / No

6f If you wish to add any further comments about the staffing levels/skills of the COSLA training function please use the space below.

7 ANY ADDITIONAL COMMENTS NOT GIVEN ELSEWHERE?  
(For example, will the new Local Government Personnel and Management Board impact very much on COSLA?)

THANK YOU FOR TAKING TIME TO COMPLETE THE QUESTIONNAIRE

If I wish to follow up any of your answers, either by telephone or post, would you be prepared to contribute further comment?

YES / NO

If the answer is 'YES', please give a contact telephone number

-----  
NOW PLEASE RETURN THE QUESTIONNAIRE IN THE ENVELOPE PROVIDED



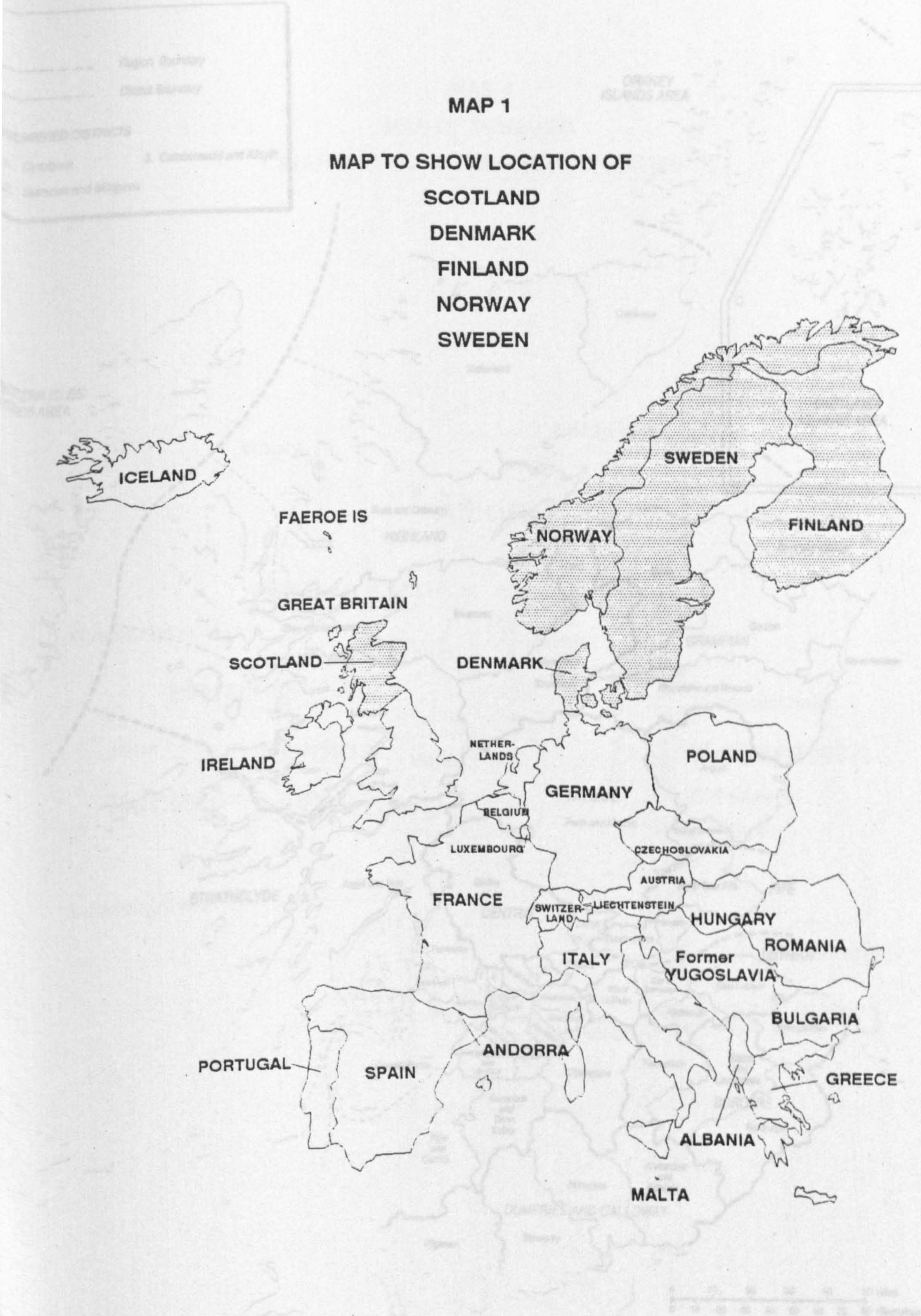
**APPENDIX 2****MAPS**

- Map 1      Western Europe showing location of Scotland, Denmark,  
Finland, Norway and Sweden
- Map 2      Scottish Local Government: Current Structure
- Map 3      Denmark, showing counties and main cities
- Map 4      Norway, showing counties and main cities
- Map 5      Sweden, showing counties and main cities
- Map 6      Finland, showing provinces and main cities



MAP 1

MAP TO SHOW LOCATION OF  
SCOTLAND  
DENMARK  
FINLAND  
NORWAY  
SWEDEN



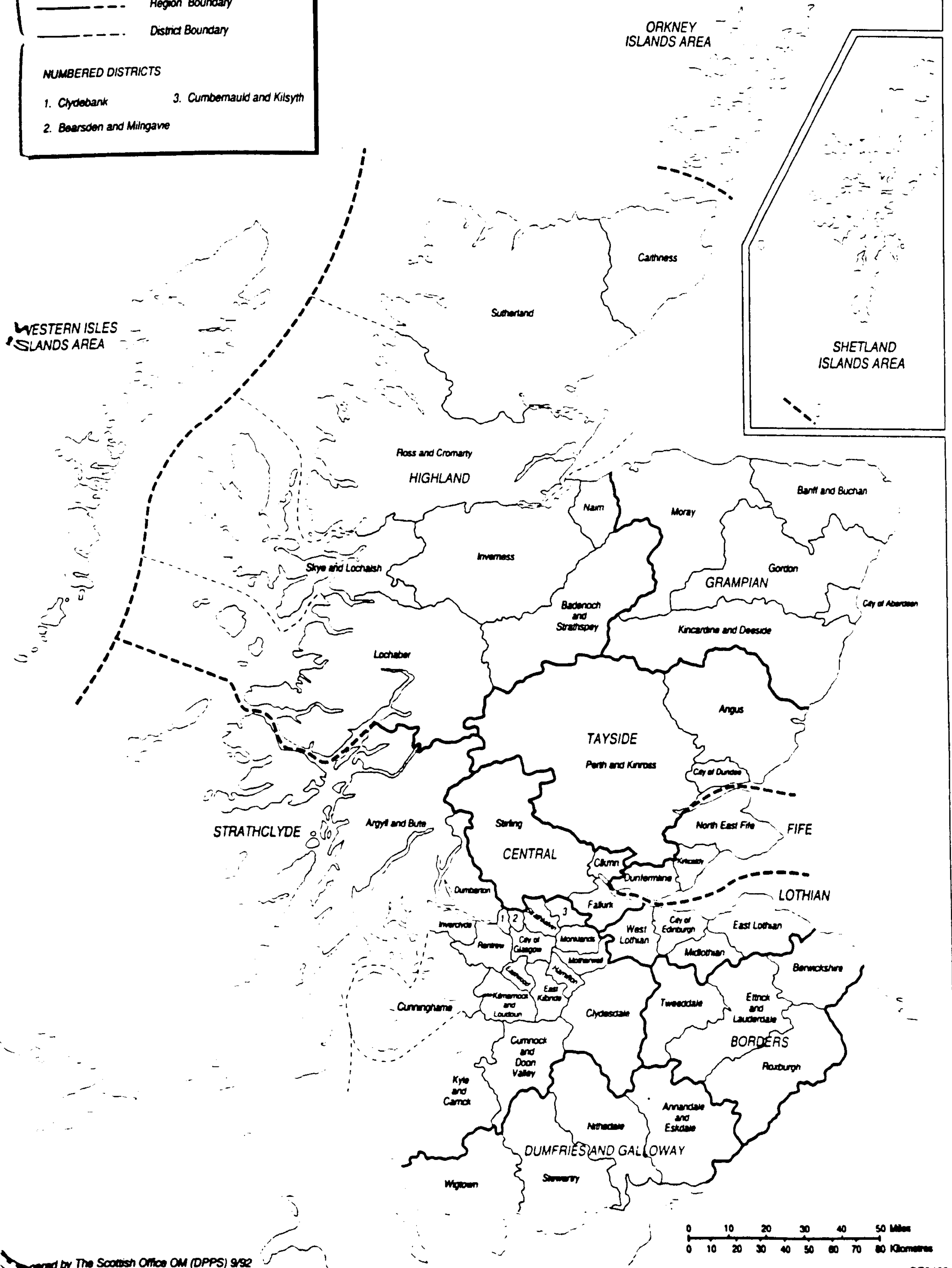


# Current Structure

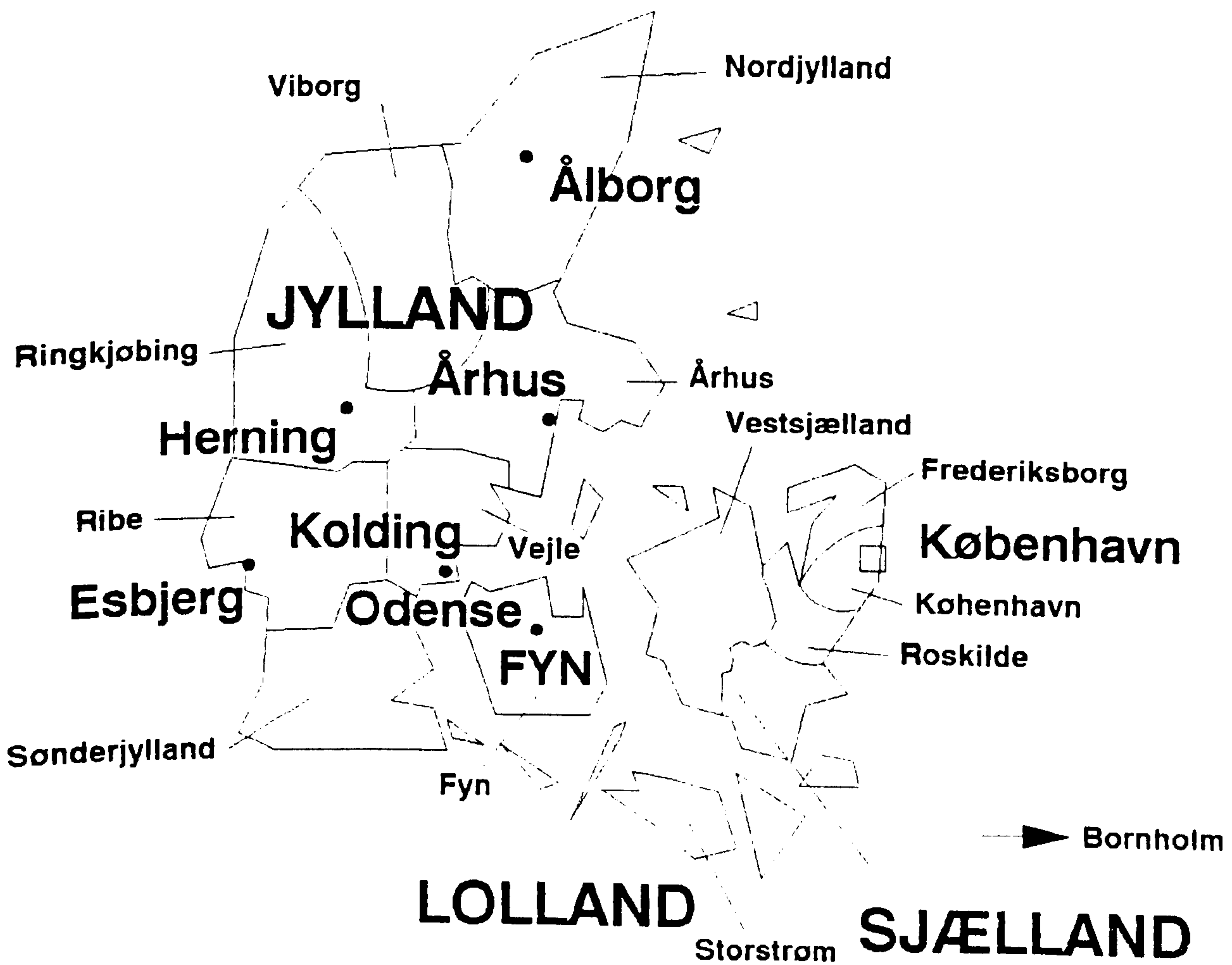
- - - - - Region Boundary  
 - - - - - District Boundary

**NUMBERED DISTRICTS**

1. Clydebank	3. Cumbernauld and Kilsyth
2. Bearsden and Milngavie	



**MAP 3**  
**MAP OF DENMARK**  
**SHOWING COUNTIES AND MAIN CITIES**

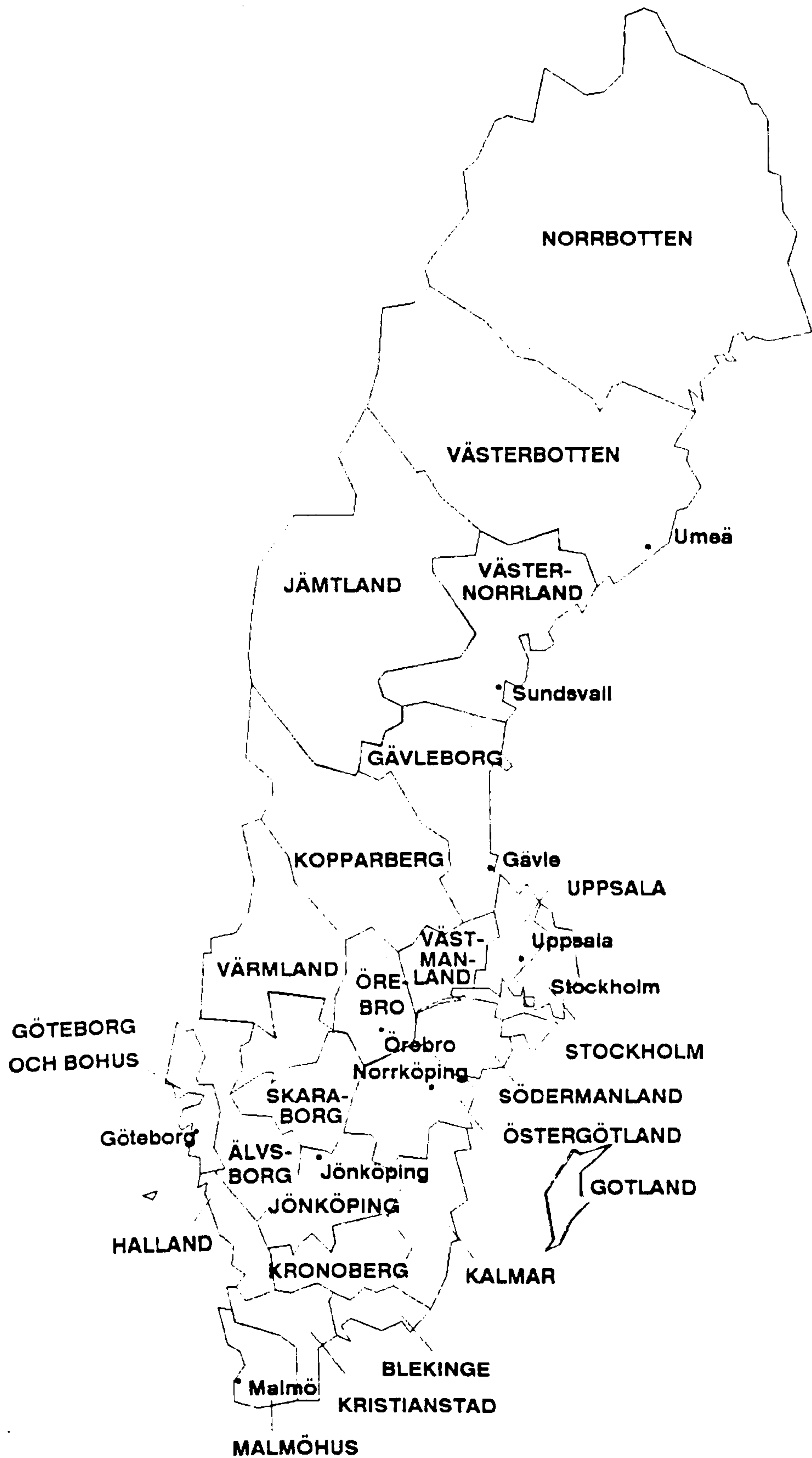




**MAP 4**  
**MAP OF NORWAY**  
**SHOWING COUNTIES AND MAIN CITIES**

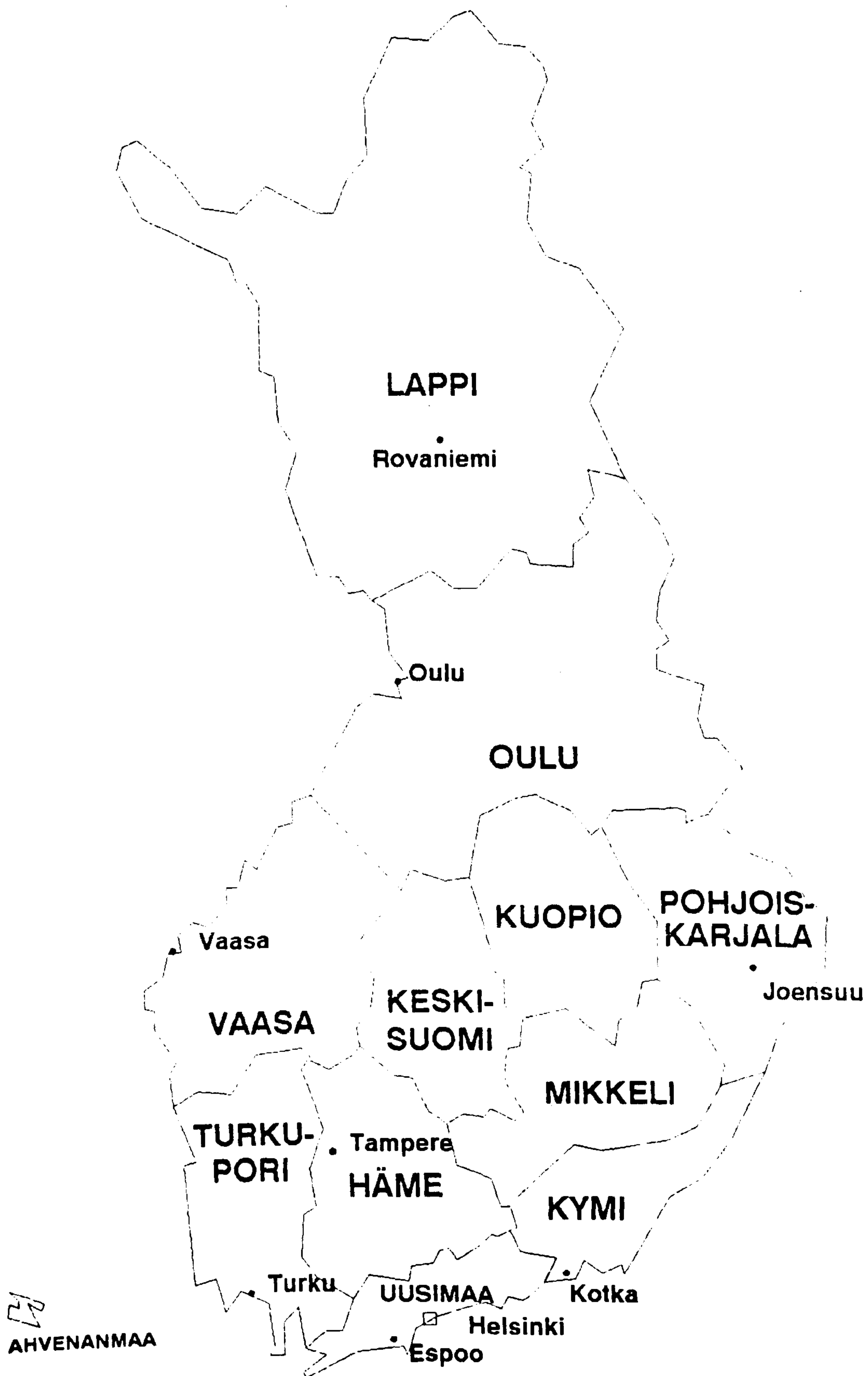


**MAP 5**  
**MAP OF SWEDEN**  
**SHOWING COUNTIES AND MAIN CITIES**





**MAP 6**  
**MAP OF FINLAND**  
**SHOWING PROVINCES AND MAIN CITIES**



**APPENDIX 3****CONSTITUTION OF  
NATIONAL JOINT COUNCIL FOR LOCAL AUTHORITIES'  
ADMINISTRATIVE, PROFESSIONAL, TECHNICAL AND  
CLERICAL SERVICES**



**CONSTITUTION OF  
NATIONAL JOINT COUNCIL FOR LOCAL AUTHORITIES'  
ADMINISTRATIVE, PROFESSIONAL, TECHNICAL AND  
CLERICAL SERVICES**

**I. CONSTITUTION**

**1. Title**

The Council shall be known as "The National Joint Council for Local Authorities Administrative, Professional, Technical and Clerical Services" (Hereinafter referred to as "the Council").

**2. Area**

The sphere of operation of the Council shall be England, Wales and Scotland.

**3. Scope**

The functions of the Council shall relate to all the administrative, professional, technical and clerical staffs of local authorities and Police authorities and joint authorities established under the 1985 Local Government Act and other authorities of equivalent status, except:

(a) England and Wales — Chief Executives within the Joint Negotiating Committee for Chief Executives and Chief Officers and Deputy Chief Officers within scope of the Joint Negotiating Committee for Chief Officers of Local Authorities.

(b) Scotland — Chief Officials and their Deputies within the scope of the Joint Negotiating Committee for Chief Officials of Local Authorities (Scotland);

(c) all other officers and servants for whom a joint industrial council or other similar body exists for the time being;

(d) all part-time officers and servants other than those employed regularly for less than 37 hours (36 in London) each week by a single local authority.

In this Constitution the expression "officers" shall mean the members of the staffs to whom the functions of the Council relate.

**4. Provincial Councils and Scottish Council**

There shall be 13 Provincial Councils under the titles and operating in the areas set forth in the Schedule hereto, and a Council for Scotland.

**THE SCHEDULE**

<i>District</i>	<i>Counties forming District</i>
<b>Eastern East Midlands</b>	Bedfordshire, Cambridgeshire, Norfolk, Suffolk, Derbyshire, Leicestershire, Lincolnshire, Northamptonshire, Nottinghamshire.
<b>Essex and Hertfordshire</b>	Essex, Hertfordshire.
<b>Greater London</b>	Greater London Council Area.
<b>North Eastern</b>	Cleveland, Durham, Northumberland, Tyne and Wear Metropolitan.
<b>North Wales</b>	Clwyd, Gwynedd.
<b>North Western</b>	Cheshire, Cumbria, Greater Manchester Metropolitan, Lancashire, Merseyside Metropolitan.
<b>South Eastern</b>	East Sussex, Kent, Surrey, West Sussex.
<b>Southern</b>	Berkshire, Buckinghamshire, Hampshire, Isle of Wight, Oxfordshire.
<b>South Wales</b>	Dyfed, Gwent, Mid-Glamorgan, Powys, South Glamorgan, West Glamorgan.
<b>South Western</b>	Avon, Cornwall, Devon, Dorset, Gloucestershire, Somerset, Wiltshire.
<b>West Midlands</b>	Hereford and Worcester, Salop, Staffordshire, Warwickshire, West Midlands Metropolitan.
<b>Yorkshire and Humberside</b>	Humberside, North Yorkshire, South Yorkshire Metropolitan, West Yorkshire Metropolitan.
<b>Scottish Council</b>	Scotland.

**5. Membership**

(a) The Council shall consist of 71 members, of whom 36 shall be appointed to represent the employers and 35 to represent the officers.

(b) The 36 representatives of the employers shall be appointed as follows: One by and from the Employers' Side of each of the 13 Provincial Councils, except that the Employers' Side of the Greater London District Whitley Council shall appoint four representatives, four by and from the Employers' Side of the Scottish Council, and 16 by the Associations of local authorities in the following proportions:

Association of Metropolitan Authorities	.. .. .	6 representatives
Association of County Councils	.. .. .	6 ..
Association of District Councils	.. .. .	4 ..

(c) The 35 representatives of the officers shall be appointed as follows:

One by and from the Staff Side of each of the 13 Provincial Councils, except that the Staff Side of the Greater London District Whitley Council shall appoint four representatives, four by and from the Staff Side of the Scottish Council, and 15 by the national organisations of employees, namely,

National and Local Government Officers' Association	.. .. .	8 representatives
Association of Professional, Executive and Clerical Staffs	.. .. .	3 ..
National Union of Public Employees	.. .. .	2 ..
Association of Clerical, Technical and Supervisory Staffs	.. .. .	1 representative
Confederation of Health Service Employees	.. .. .	1 ..



(d) If any of the bodies referred to in paragraphs (b) and (c) fail to appoint the number of representatives provided for by the constitution, such failure to appoint shall not vitiate the decisions of the Council;

(e) In the event of any member of the Council or of any committee thereof being unable to attend any meeting of the Council, whether ordinary or special, or of the committee, as the case may be, the body represented by such member shall be entitled to appoint another representative to attend in his place, provided that a substitute for a member of a committee shall be appointed only from amongst the remaining members of the Council.

#### 6. Retirement of Members

The members of the Council shall retire on the 30th day of June in each year and shall be eligible for re-appointment.

Any member of the Council who is a representative of a Provincial Council or the Scottish Council shall, if he ceases to be a member of the Provincial Council or the Scottish Council as the case may be, thereupon cease to be a member of the Council.

#### 7. Casual Vacancies

On the occurrence of a casual vacancy, a new member shall be appointed by the body in whose representation the vacancy occurs, as the case may be, and shall sit until the end of the period for which his predecessor was appointed.

### II. FUNCTIONS

8. To secure the largest possible measure of joint action for the consideration of salaries, wages and service conditions of officers within the scope of the Council and to consider such proposals in reference to these matters as are submitted to them from time to time by the Provincial Councils and the Scottish Council.

It shall be permissible for the Council to take any action that falls within the scope of the foregoing general definition. Amongst the more specific objects are the consideration of the following matters:

- (i) Provision of machinery for the regular consideration of salaries, wages and service conditions;
- (ii) Measures for securing recognition by all local authorities and officers of agreements relating to salaries, wages and service conditions;
- (iii) Settlement of such differences either between the Employers' and Staff Sides of a Provincial Council or between local authorities and their officers as may be referred to the Council, and the establishment of machinery, where it does not exist, with the object of preventing disputes and securing the speedy settlement of differences. When a difference is referred to the Council, they shall endeavour to settle it, and, failing a settlement at the meeting at which the difference is first considered, shall appoint at that meeting an equal number of the representatives of the employers and of the staff to sit as an appeals committee, whose decision shall not require confirmation by the Council. The proceedings of the committee shall begin within twenty-one days after their appointment;
- (iv) Collection of statistics and information as and when agreed, on matters appertaining to the services of officers;
- (v) Encouragement of the study of methods of administration with a view to improving the services rendered by officers of local authorities;
- (vi) Health safety and welfare at work including the provision of such special training as may be necessary;

- (vii) The entry into and training for the administrative, technical and clerical services, and co-operation with the education authorities in arranging educational facilities therefor;
- (viii) Measures for endeavouring to persuade local authorities and officers to become or remain members of the appropriate Provincial Council or the Scottish Council or officers' association established to deal with the salaries, wages and service conditions of officers and for endeavouring to secure the loyal observance by them of collective agreements;
- (ix) Co-operation with other joint councils on questions of common interest.

### III. CONDUCT OF BUSINESS

#### 9. Committees

(a) The Council may appoint from their own members an Executive Committee and such other standing or sectional committees as may be considered necessary. The Council shall also have power to appoint other committees for special purposes. The Council may delegate special powers to any such committee, and, subject thereto, the reports of all committees shall be submitted to the Council for approval. Such approval may be given with or without modification.

(b) The Council shall appoint a Grading Committee for the purpose of giving consideration to and submitting recommendations to the National Council upon matters specially affecting the salaries and conditions of service of officers within specific occupational groups of service functions, provided that such special matters shall not include matters which also apply to other officers and are accordingly of a general nature.

(c) The Grading Committee shall be constituted as follows:

On the Employers' Side —

13 representatives appointed from and by the Employers' Side of the Council and, at the discretion of the Employers' Side, observers and/or advisers as appropriate who shall not have the power to vote.

On the Staff Side —

13 representatives appointed from and by the Staff Side of the Council and, at the discretion of the Staff Side, 2 representatives (who may or may not be members of the Council) of the group of officers concerned who shall be appointed by the Staff Side and shall have the power to vote.

#### 10. Co-opted Members

The Council may appoint on any committee or allow any committee to co-opt such persons of special knowledge, not being members of the Council, as may serve



the special purposes of the Council, provided that members thus appointed or co-opted shall serve only in a consultative capacity.

The Council may also allow a committee to invite the attendance of any person whose special knowledge would be of assistance but such person shall not have the power to vote.

In the case of the Appeals Committee referred to in paragraph 8 (iii) above, where the difference relates to an officer or officers on a salary level above A.P. Grade 5 of the National Scales of Salaries the representatives of the officers serving on the Committee shall include senior officers whose salaries are within or above the range of those to whom the difference relates. These senior officers, who may or may not be members of the Council, shall be drawn from a panel appointed at the annual meeting of the Council each year and they shall have the power to vote.

### **11. Chairman**

The Council shall be presided over by a Chairman to be appointed from amongst the members and to hold office for a term of one year. The Chair shall be held in alternate years by a member of the Employers' Side and a member of the Staff Side. The Chairman shall have a vote, but not a casting vote. In the absence of the Chairman, a chairman for the day shall be appointed from the Side holding the Chair.

The Chairman may, at the discretion of the Side holding the Chair, be a member ex-officio of Committees of the Council.

### **12. Officers**

The Council may appoint a secretary, a treasurer, an auditor and such clerical staff, if any, as they may think fit, and all or any of such officers and staff may be either honorary or paid as the Council shall determine.

All honorary officers shall retire in the same manner as is provided for members in paragraph 6 above and shall be eligible for re-appointment.

### **13. Ordinary Meetings**

Ordinary meetings of the Council shall be held as often as may be necessary.

### **14. Special Meetings**

The chairman shall call a special meeting of the Council if so requested by the Executive Committee or by a requisition signed by one-third of either side of the Council. The requisition and also the notice summoning the meeting shall state the nature of the business proposed to be transacted, and no other matters shall be discussed. The meeting shall take place within fourteen days after the receipt of the requisition or request by the chairman.

### **15. Voting**

The voting on the Council and on all committees shall be by show of hands or otherwise as the Council or committee, as the case may be, shall determine. No resolution shall be regarded as carried unless it has been approved by a majority of the members present on each side of the Council or committee, as the case may be.

### **16. Quorum**

The quorum shall be 16 members of the Council, divided equally between the employers and staff. In the absence of a quorum, the chairman shall vacate the chair, and the business then under consideration shall be the first business to be discussed either at the next ordinary meeting or at a further special meeting to be held within 14 days after the date fixed for the first special meeting, as the case may be.

The quorum of a committee shall, subject to any directions given by the Council, be determined by the committee.

**17. Notices of Meetings**

All notices of meetings of the Council and of any committee thereof shall be sent to the respective members at least 7 days before the date of the meeting.

**18. Finance**

The administrative expenses of the Council, which shall be deemed to include expenses reasonably incurred by representatives appointed by the Council to undertake any special duty or function on their behalf, shall be borne in equal proportion by the Employers' and Staff Sides of the Council. The Employers' proportion, together with such expenses as are incurred by the representatives on the Employers' Side in attending meetings of the Council and any committee thereof, shall be allocated amongst the Provincial Councils and the Scottish Council in such manner as the Employers' Side of the Council shall consider equitable and the amount allocated to each such Council be contributed by the authorities represented thereon on such basis as the representatives of those authorities may think fit. The Staff's proportion, together with the expenses incurred by the staff representatives in attending meetings of the Council and any committee thereof, shall be allocated amongst the bodies represented on the Staff Side as their representatives may think fit.

**19. Reports and Minutes**

The Council shall send to each of the organisations referred to in paragraph 5 above an annual report of their proceedings and also a copy of the minutes of the proceedings of all their meetings. The latter shall be forwarded to the secretaries of such organisations within 14 days after each meeting.

**20. Amendment**

The constitution may be amended with the assent of the Associations referred to in paragraph 5 (b), The Convention of Scottish Local Authorities and the organisations named in paragraph 5 (c) hereof.

**21. Interpretation**

Where the context so admits, the Interpretation Act, 1889, shall apply to the foregoing provisions.

**22. Arbitration**

In the event of a dispute over terms and conditions of employment arising between the two sides of the National Council on any matter of general application to staff or of application to particular classes of staff, the dispute shall, at the request of either side, be reported to the Secretary of State, Department of Employment, by the Joint Secretaries with a request that the matter be referred for settlement by arbitration. The form of arbitration requested shall be the Industrial Court unless the two sides of the Council agree upon some other form of arbitration provided under the Industrial Courts Act, 1919, or the Conciliation Act, 1896. The arbitration award shall be accepted by the two sides and shall be treated as though it were an agreement between the two sides.



**APPENDIX 4****CONSTITUTION OF  
NATIONAL JOINT COUNCIL FOR LOCAL AUTHORITIES'  
ADMINISTRATIVE, PROFESSIONAL, TECHNICAL AND  
CLERICAL SERVICES  
(SCOTTISH COUNCIL)**

## 48

**CONSTITUTION OF  
NATIONAL JOINT COUNCIL for LOCAL AUTHORITIES'  
ADMINISTRATIVE, PROFESSIONAL, TECHNICAL and  
CLERICAL SERVICES  
(SCOTTISH COUNCIL)**

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**CONSTITUTION**

**1. Title**

The Council shall be known as the Scottish Council for Local Authorities' A.P.T. & C. Services and shall be a constituent part of the National Joint Council for Local Authorities' A.P.T. & C. Services.

**2. Functions**

The functions of the Scottish Council shall be—

- (a)* to exercise in Scotland the functions of the National Council in relation to employees of Scottish authorities save in regard to general pay movements and general conditions of service, as specified from time to time by resolution of the National Council, subject to consultation between both Councils before changes are made in existing conditions and other matters reserved to the Scottish Council;
- (b)* to make representations to the National Council on any matter within the scope of the National Council's functions;
- (c)* to settle differences between local authorities in Scotland (and such other bodies as may be agreed) and their employees; and to settle such differences in accordance with Paragraph 4(b) below;
- (d)* to supervise the entry into, and training for, local government employment in Scotland;
- (e)* to issue to the press authorised statements;
- (f)* to represent the needs and opinions of the service in Scotland to Parliament, Government departments and authorities;

Revised December 1978 (S0/32)



- (g) to deal with any other matters affecting the services generally that may be referred to it by Parliament, any Government department, the National Council or other authority;
- (h) to take measures to secure the inclusion of all employers and employed in their respective associations;
- (i) to arrange lectures and hold conferences on subjects of general interest to local government in Scotland.

### 3. Membership

- (a) The Council shall consist of 28 members, of whom 20 shall be appointed by the Convention of Scottish Local Authorities and 8 by organisations representing employees.
- (b) The Employees' representatives will be appointed as follows:-

National and Local Government Officers' Association	5
National Union of Public Employees	1
APEX Partnership	1
Transport and General Workers' Union	1
	-----
	8
	-----

- (c) Each side shall have power to re-allocate its representation.
- (d) The representatives shall retire annually and shall be eligible for re-appointment. Representatives shall retire from the Council on ceasing to be members of the body by which they are appointed.
- (e) Casual vacancies shall be filled by the body concerned until the end of the then current year.
- (f) Substitutes: The bodies represented on the Council may appoint substitutes for their representatives.

## Conduct of business

### 4. Committees

- (a) The Council may appoint such committees as it thinks fit and may delegate special powers, which it may otherwise exercise itself, to any such committee.
- (b) Notwithstanding the generality of clause 4(a) above, the Council shall appoint an Appeals and Disputes Committee, consisting of an equal number of representatives from the Employers' and Employees' Sides, to exercise the function of the council contained in clause 2(c) above, in accordance with such procedures as may from time to time be agreed.

### 5. Co-opted members

- (a) The Council may appoint on any committee or allow any committee to co-opt such persons of special knowledge, not being members of the Council, as may serve the special purposes of the Council.

Appointed or co-opted members shall serve only in a consultative capacity.

- (b) The Council may also allow a committee to invite the attendance of any person whose special knowledge would be of assistance, but such persons shall not have the power to vote.

### 6. Convener and Vice-Convener

The Council shall appoint from amongst its members a Convener and a Vice-Convener who shall retire in the same manner as is provided for members in clause 3(d). When the Convener is elected from one Side of the Council, the Vice-Convener shall be elected from the other.

### 7. Officers

The Council may appoint and maintain a secretary, or secretaries, a treasurer, an auditor and such clerical staff as it may think fit. All honorary officers shall retire in the manner provided for members in clause 3(d) above and shall be eligible for re-appointment.



## 8. Meetings

Meetings of the Council shall be held as often as may be necessary. The officers of the National Council shall be entitled to attend meetings of the Council and the committees either by invitation or as may be indicated by them jointly or individually having regard to matters to be considered.

## 9. Voting

The voting, both in Council and in committees, shall be by show of hands or otherwise as the Council may determine. No resolution shall be regarded as carried unless it has been approved by a majority of the members present on each side of the Council. The convener shall not have a casting vote.

## 10. Arbitration

In the event of any difference between the two sides of the Scottish Council on any matter within the delegated powers of the Council, the difference may, at the request of either Side, be referred either to the National Council or to the Department of Employment for settlement.

## 11. Finance

The joint administrative expenses of the Council shall be borne equally by the two Sides of the Council. Each body represented on the Council shall be responsible for the expenses of its members attending the meetings of the Council and committees.

## 12. Amendment

The constitution may be amended with the assent of the bodies named in Clause 3 of the National Council.

## 13. Interpretation

Where the context so admits, the Interpretation Act 1889 shall apply to the foregoing provisions.

**APPENDIX 5**

**EXAMPLE OF AN EMPLOYERS' CIRCULAR**



# Convention of Scottish Local Authorities

Rosebery House 247  
9 Haymarket Terrace  
Edinburgh EH12 5XZ  
Telephone 031-346 1222  
Fax 031-346 0055  
Roy MacIver  
Secretary General

## PERSONNEL SERVICES CIRCULAR

### INDUSTRIAL RELATIONS 24/92 MANUAL WORKERS - PAY CLAIM 1992

29 July 1992

1. Industrial Relations Circular 23/92 gave brief details of the offer made by the Employers Side of the National Joint Council (Manual Workers) on 16 July 1992.
2. Contained within the national offer are proposals on amendments to the sickness allowance provisions applicable in England and Wales, which have been costed at 0.2% of the national paybill. The proposed amendments are already contained within the Scottish Scheme and this issue and its attendant cost did not feature in the Scottish Council discussions.
3. At a meeting of the Scottish Council (Manual Workers) on 22 July 1992 therefore the Scottish Employers made an offer including a paybill increase of 4.1% on existing rates of pay together with statements on a number of other issues including the future of national agreements, the working time agreement, equalities and training, and also a response to the Trade Union Side claim on family leave. Full details of the offer are contained within the attached letter to the Trade Union Side Secretary.
4. The Trade Union Side have agreed to recommend the offer to its constituent members as the best that can be achieved through negotiations. It is anticipated that the trade unions will have concluded their consultations by 10 September 1992.
5. Authorities will be advised as soon as the outcome of the unions discussions are known.

Regional, Islands and District Councils

# Scottish Council for Local Authorities Services

Rosebery House 248  
9 Haymarket Terrace  
Edinburgh EH12 5XZ  
Telephone 031-346 1222  
Fax 031-346 0055  
Roy MacIver  
Secretary General

Mrs Charlotte Stenhouse  
Trade Union Side Secretary  
13 Callendar Riggs  
FALKIRK  
FK1 1UZ

Your Ref:

Our Ref: CS/122-AC/LD

Date: 27 July 1992

Dear Mrs Stenhouse

## MANUAL WORKERS - PAY CLAIM 1992

I refer to your recent letter concerning the above and to the meeting of the Scottish Council (Manual Workers) held on 22 July 1992 and write to confirm the offer made by the Employers as follows:-

### 1. Rates of Pay

An increase in basic rates of pay of between 4.4% - 4.1% with effect from the pay week including 1 September 1992. Full details of the revised rates of pay are contained within Appendix 1.

### 2. Protection

Under the terms of this year's agreement, where in terms of Circular MW/85, a preserved basic rate applies to an employee as a result of an absorbed payment (deriving from a Scottish Council plus rate or a previous duties related local plusage) the cash amount over and above the rate applying to the grade to which the job has been assimilated will continue to be protected. The employee will receive the increase applying to the grade for the job (any protected amount will continue to be included in the basic rate for the calculation of bonus and overtime).

### 3. Allowances

Allowances will be increased in accordance with the previously agreed formulae.

### 4. ....

IF TELEPHONING OR CALLING PLEASE ASK FOR:  
LB994LD.DOC 3  
AC

Alan Cuthbertson



#### 4. Sick Pay Provisions

The agreement reached within the National Joint Council in relation to alterations to the national sick pay provisions already apply to the Scheme of Pay and Conditions of Service for Manual Workers applicable within Scotland. Part-time employees who otherwise satisfy the qualifying conditions in respect of sick pay, are entitled to sickness allowances. This will be included within the joint circular issued following agreement on this year's pay and conditions settlement.

#### 5. Agenda for the Future

The agenda for future years' pay negotiations sketched out in the following paragraphs has the potential to bring about major changes for employers and employees in local government. It is recognised that careful and comprehensive consultation on all issues is vital before substantive commitments are entered into in the Scottish Council so that national agreements have the support of those on whose behalf they are negotiated.

##### (a) Future of the National Agreement

The Scottish Council will review its future operations, the status of its agreements and the possibility of moves to single status employment in local government in the light of changing circumstances. In this context the Scottish Council recognises the need to provide authorities with a modern framework which encourages the maintenance of high quality efficient services through employees who are well-trained, flexible, efficient and well motivated. To this end, appropriate machinery will be established, at an early stage, to allow these issues to be progressed.

##### (b) Harmonisation

Following the agreement in 1991 for manual workers, national monitoring procedures will be introduced to note and review progress in the local implementation of the working time agreement.

##### (c) Equalities

As part of the 1992/93 national agreement, it has been agreed that a Joint Working Party will be established to carry out a review of the manual workers' conditions of service in respect of equalities issues. The Scottish Council reiterated its commitment to the terms of Clause 47 of the Scheme of Pay and Conditions of Service and agreed that where any contravention of that provision was drawn to its attention, the appropriate action would be taken.

##### (d) ...../

(d) Training

The Scottish Council recognises that for local authorities to deliver high quality, efficient services employees must be well trained, flexible, efficient and positively motivated. The Scottish Council firmly believes that in these circumstances the provision of training should be taken seriously at all levels.

In line with Part II (Training and Education) of the Scheme of Pay and Conditions of Service, the Scottish Council recommends that the training needs of the authority and its employees should be analysed with particular regard to the introduction of standards based training.

A Joint Training Liaison Group has been established to "discuss issues relating to the development and training of employees of Scottish local authorities", "to advise and encourage local authorities and their employees in respect of matters relating to development and training which are of joint concern", and, to "co-ordinate the approach of the Scottish Councils .... to issues relating to development and training, and where appropriate, to make recommendations to them". As a first step, the Joint Training Liaison Group will issue advice on the relationship between SVQ's and standards based training for manual workers. The Joint Secretaries will keep under review the work of the Joint Training Liaison Group as it applies to manual worker training, and, where necessary, refer matters to the Scottish Council (Manual Workers).

6. Family Leave

The Scottish Employers propose the extension of, and augmentation to, the existing advice from the Scottish Council on paternity leave as follows:-

"It is the view of the Scottish Council that where leave is requested by a male employee as a result of, and directly related to, the birth of the employee's child, or where an employee is required to care for a close relative in the event of illness, authorities in making use of the provisions of Clause 33 (Special Leave) of the Scheme, should deal with these sympathetically, taking into account the individual circumstances of each case."

In making the above offer, the Employers did so, on the understanding that the Trade Union Side would be recommending acceptance of the package to its constituents as the best that could be achieved through negotiations.

I .... /



I understand that you will now be consulting your constituent members on the offer and  
I look forward to receiving your response at an early date.

Yours sincerely

Depute Employers Secretary

**APPENDX 6**

**EXAMPLE OF A JOINT CIRCULAR**



# Scottish Council for Local Authorities Services

Rosebery House  
9 Haymarket Terrace  
Edinburgh EH12 5XZ  
Telephone 031-346 1222  
Fax 031-346 0055  
Roy MacIver  
Secretary General

## MANUAL WORKERS

8 October 1992

Dear Chief Executive

### MW/137 MANUAL WORKERS PAY SETTLEMENT 1992

1. Agreement has been reached in the 1992/93 pay negotiations and details are set out below.

#### Rates of Pay

2. With effect from the pay week including 1 September 1992 the following rates of pay will apply:-

<u>Grade</u>	<u>Existing Rate</u>	<u>Increase</u>	<u>Revised Rate</u>
	£pw	£pw	<u>wef 1.9.92.</u> £pw
1	129.21	5.69	134.90
2	134.77	5.80	140.57
3	140.29	5.89	146.18
4	145.94	6.13	152.07
5	151.42	6.21	157.63
6	157.02	6.44	163.46
7	162.84	6.68	169.52
8	168.63	6.91	175.54

(pro rata for part-timers)

<u>Grade</u>		<u>Existing Rate</u>	<u>Increase</u>	<u>Revised Rate</u> <u>wef 1.9.92.</u>
		£pw	£pw	£pw
<u>Chargehand</u>	Lower	8.33	0.34	8.67
	Higher	13.63	0.56	14.19
<u>Foreman</u>	Lower	175.65	7.20	182.85
	Higher	183.22	7.51	190.73

### Shift Payments

3. With effect from the pay week including 1 September 1992 shift pay will be as follows:-

Alternating Shifts	-	£14.61 per week
Rotating Shifts	-	£23.37 per week

### Standby Duty Payment

4. With effect from the pay week including 1 September 1992 standby duty payments are to be revised as follows:-

	<u>Existing</u>	<u>Revised</u>
	£pw	£pw
(a) For each complete week of standby duty actually performed	48.11	50.18
plus		
For each public or extra statutory holiday in that week	9.02	9.41
	£ per day	£ per day
(b) For broken periods of standby duty		
Monday to Friday	4.79	5.00
Saturday	10.20	10.64
Sunday, public and extra statutory holidays	13.88	14.48

### Protection

5. Under the terms of this year's agreement, where in terms of Circular MW/85, a preserved basic rate applies to an employee as a result of an absorbed payment (deriving from a Scottish Council plus rate or a previous duties related local plusage) the cash amount over and above the



rate applying to the grade to which the job has been assimilated will continue to be protected. The employee will receive the increase applying to the grade for the job (any protected amount will continue to be included in the basic rate for the calculation of bonus and overtime).

#### Sick Pay Provisions

6. The agreement reached within the National Joint Council in relation to alterations to the national sick pay provisions already apply to the Scheme of Pay and Conditions of Service for Manual Workers applicable within Scotland. Part-time employees who otherwise satisfy the qualifying conditions in respect of sick pay, are entitled to sickness allowances.

#### Agenda for the Future

7. The agenda for future years' pay negotiations sketched out in the following paragraphs has the potential to bring about major changes for employers and employees in local government. It is recognised that careful and comprehensive consultation on all issues is vital before substantive commitments are entered into in the Scottish Council so that national agreements have the support of those on whose behalf they are negotiated.

(a) Future of the National Agreement

The Scottish Council will review its future operations, the status of its agreements and the possibility of moves to single status employment in local government in the light of changing circumstances. In this context the Scottish Council recognises the need to provide authorities with a modern framework which encourages the maintenance of high quality efficient services through employees who are well-trained, flexible, efficient and well motivated. To this end, appropriate machinery will be established, at an early stage, to allow these issues to be progressed.

(b) Harmonisation

Following the agreement in 1991 for manual workers, national monitoring procedures will be introduced to note and review progress in the local implementation of the working time agreement.

(c) Equalities

As part of the 1992/93 national agreement, it has been agreed that a Joint Working Party will be established to carry out a review of the manual workers' conditions of service in respect of equalities issues. The Scottish Council reiterated its commitment to the terms of Clause 47 of the Scheme of Pay and Conditions of Service and agreed that where any contravention of that provision was drawn to its attention, the appropriate action would be taken.

(d) Training

The Scottish Council recognises that for local authorities to deliver high quality, efficient services employees must be well trained, flexible, efficient and positively motivated. The Scottish Council firmly believes that in these circumstances the provision of training should be taken seriously at all levels.

In line with Part II (Training and Education) of the Scheme of Pay and Conditions of Service, the Scottish Council recommends that the training needs of the authority and its employees should be analysed with particular regard to the introduction of standards based training.

A Joint Training Liaison Group has been established to "discuss issues relating to the development and training of employees of Scottish local authorities", "to advise and encourage local authorities and their employees in respect of matters relating to development and training which are of joint concern", and, to "co-ordinate the approach of the Scottish Councils .... to issues relating to development and training, and where appropriate, to make recommendations to them". As a first step, the Joint Training Liaison Group will issue advice on the relationship between SVQ's and standards based training for manual workers. The Joint Secretaries will keep under review the work of the Joint Training Liaison Group as it applies to manual worker training, and, where necessary, refer matters to the Scottish Council (Manual Workers).

### Family Leave

8. It is the view of the Scottish Council that where leave is requested by a male employee as a result of, and directly related to, the birth of the employee's child, or where an employee is required to care for a close relative in the event of illness, authorities in making use of the provisions of Clause 33 (Special Leave) of the Scheme, should deal with these sympathetically, taking into account the individual circumstances of each case.

Yours sincerely

ROY MacIVER (Employers Side)  
CHARLOTTE STENHOUSE (Trade Union Side)

Joint Secretaries

To:

Chief Executives  
Regional, District and Islands Councils



**APPENDIX 7**

**STANDING CONFERENCE OF LOCAL  
AND REGIONAL AUTHORITIES OF EUROPE**

**DECLARATION OF PRINCIPLES CONCERNING  
THE STAFF OF LOCAL AND REGIONAL AUTHORITIES**

**STANDING CONFERENCE OF LOCAL  
AND REGIONAL AUTHORITIES OF EUROPE**

**DECLARATION OF PRINCIPLES CONCERNING  
THE STAFF OF LOCAL AND REGIONAL AUTHORITIES**

General

1. These principles apply primarily to managers, administrative officers, specialists and other personnel appointed to key positions in the staff of the local and regional authorities, but should be used as guidance for all local government employees.
2. National, regional and local regulations concerning the staff of local and regional authorities should be drawn up in close consultation with representative staff organisations.

Duties of Employees

3. In the performance of their duties, employees must have full regard to the interests of the local or regional authority concerned.
4. Employees must refrain from acts and behaviour which are incompatible with the proper discharge of their duties.
5. Employees must not disclose confidential information acquired by reason of their employment except in the course of their duty or with the express approval of the competent authority.
6. Employees are accountable for the discharge of the duties entrusted to them unless an order which is manifestly illegal has been given. The delegation of responsibilities to their subordinates does not remove that accountability.
7. Employees may not engage in any activities which conflict with the duties of their post. The employing authority should not prevent the employee from undertaking additional employment, provided that it does not conflict with the interests of the authority.
8. Employees, to whom it falls in the course of their duties to deal with a matter which impinges on their personal interests, must so inform the competent authority.
9. Employees must accept changes in the character of their positions which are necessary to improve the efficiency of local or regional government. Such changes must be made in accordance with the principles defined by national, regional or local regulations and, where appropriate, agreements with the representative staff organisations.

Responsibilities of local and regional authorities as employers

10. The system of recruitment of staff to local and regional authorities must be such as to ensure the engagement of persons of the highest ability, efficiency and integrity. Once engaged, staff must be enabled to pursue a career according to their merit, competence and experience.
11. Publicity must normally be given to proposed recruitment in a manner determined by national, regional or local regulations or agreement with the representative staff organisations.
12. Recruitment and promotion must be based on the principle of equal opportunity and must not be subject to any condition of race, creed, political opinion, sex or civil status, nor depend on any personal relationship.
13. Movement from one authority to another or between branches of public administration should be strongly encouraged as a means of providing work experience, emphasising the general character of local or regional government and enhancing the effectiveness of



public administration as a whole.

14. Local and regional authorities must ensure safe and healthy working conditions for their staff.
15. The local and regional authorities must take steps to protect their employees against undue pressure from third parties and against any risk or injury incurred in the exercise of their functions and redress any such injury when it occurs.
16. Local and regional government employees must be accorded all the rights prescribed in the European Social Charter, particularly that of association, and must be free to join a trade union or other staff organisation of their choice.
17. Membership of a trade union or activity therein must not entail any disadvantages as regards recruitment, promotion and the general position of employees.
18. Procedures must be established to enable staff to appeal against decisions of the employing authority which affect them. Such procedures should conform to any requirements laid down in national, regional or local regulations.
19. An employee must have the right to have a trade union representative or a person of his or her choice present at proceedings under any appeals procedure.

#### Remuneration

20. Employees must have the right to a salary commensurate with their duties and grade regardless of sex and an entitlement to a pension as determined by national, regional or local regulations and, where appropriate, by agreement with the representative staff organisations.
21. The level of salaries and pensions established by national, regional or local regulations or by agreement with the representative staff organisations must take into account the cost of living and movements of earnings generally as well as the financial resources available.

#### Leave and dispensations from service

22. An employee must have the right to leave and dispensations from service in accordance with the conditions laid down by national, regional or local regulations and, where appropriate, agreements with the representative staff organisations.

#### Disciplinary safeguards

23. Neglect of duty may lay an employee open to disciplinary action.
24. National, regional or local rules for dealing with disciplinary matters must secure an employee a fair appeals procedure. Any disciplinary action must be proportionate to the proven breach of duty.

#### Termination of employment

25. A staff member's employment may be terminated only by voluntary resignation, the reaching of retirement age, retirement owing to permanent incapacity duly established by medical report, or dismissal under conditions specified in the staff regulations or contract of employment. Employment may also terminate when a probationer is not appointed permanently at the end of his period of probation.
26. Where a post is abolished, the local or regional authority shall use its best endeavours to find suitable alternative employment within the authority.


#### Right to strike

27. Local and regional authority staff may exercise the right to strike within the framework of legislation and of agreements with representative staff organisations.

#### Staff representation

28. In order to promote co-operation between employees and their authority and provide a forum for the discussion of all matters concerning staff both individually and collectively, joint councils should be established at the local and regional level.
29. The terms of reference and composition of these councils, the method of representation of staff and management, their term of office, functioning and financing should be determined by national, regional or local regulations and, where appropriate, agreements with the representative staff organisations.

#### Training

30. The right of every local or regional government employee to vocational and further training or retraining should be laid down in national, regional or local regulations or in agreements with the representative staff organisations.
  31. Arrangements for the training of their staff are the responsibility of local and regional authorities. To assist them and to co-ordinate training, associations of local and regional authorities should set up permanent training organisations on which local and regional government staff should be represented.
  32. Such training organisations when set up should be financed through the local authority associations wherever possible.
  33. All levels of local and regional government staff should be eligible to benefit from training facilities.
  34. Attendance at approved training courses should be considered as time spent on duty and the officers concerned should receive full salary and a reimbursement from their authority of all costs necessarily incurred above those normally met on duty.
  35. As a general rule, no refund should be required by local or regional authorities if an employee who has benefited from a training course moves to another authority.
  36. Appropriate educational institutions, including universities, and professional bodies should be closely associated with staff training, when they are equipped to provide courses.
  37. Qualifications obtained through in-service training should be recognised by all local and regional authorities within the same country.
- 



**APPENDIX 8**

**EXAMPLE OF A COSLA  
DEVELOPMENT AND TRAINING BULLETIN**

**(original on coloured paper)**



# Convention of Scottish Local Authorities

262  
Rosebery House  
9 Haymarket Terrace  
Edinburgh EH12 5XZ  
Telephone 031-346 1222  
Fax 031-346 0055  
Roy MacIver  
Secretary General

## PERSONNEL SERVICES CIRCULAR

### DEVELOPMENT AND TRAINING 2/92

### STANDARDS OF COMPETENCE AND SCOTTISH VOCATIONAL QUALIFICATIONS (SVQs)

8 October 1992

1. This Circular provides authorities with the background to the joint advice on standards of competence and Scottish Vocational Qualifications which has been issued by the Development and Training Liaison Group.
2. Circular DT 1/92 sets out general information relating to occupational standards and Scottish Vocational Qualifications. At the request of the trade unions a number of issues relating to standards and SVQs have been discussed in the Development and Training Liaison Group and, again at their request, it was agreed that joint advice should be issued to authorities. The Local Authorities Side agreed to the issue of joint advice because it will enable appropriate discussions to take place at local level. The terms of the joint advice are consistent with the advice contained in Circular DT 1/92.
3. The issue of the joint advice by the Liaison Group commits the trade unions nationally and locally to the principles underlying the new system of standards of competence and Scottish Vocational Qualifications. However, the understanding of some of the implications of the new system by the trade unions is not consistent with the understanding of the Convention and authorities. This comment is made in the light of the references in paragraphs 15, 17, and 19 of the joint advice to discussions at local level. Whilst these paragraphs refer to local discussions, authorities should be clear that they are part of the normal consultative process and nothing more.

4./



4. At the meeting of the Liaison Group on 29 September 1992, the trade unions sought discussion on a number of issues. In relation to issues being dealt with in the Residential Inquiry, they sought discussion on:

- the relationship of SVQ levels to particular posts.
- the relationship between SVQs and other existing qualifications.
- access to SVQs.
- the relationship between general management and other professional training.

The Local Authorities Side representatives indicated that, in so far as they were able to make statements of their position, the first three issues were covered by the agreed joint advice. They were not in a position to make any comment on the fourth issue at this stage.

5. The trade unions also sought discussion on the resource implications of SVQs and on group awards. In respect of the former, the Authorities Side declined to comment and in respect of the latter, referred to the discussion which had taken place at the previous meeting of the Liaison Group (an extract from the relevant Minute is attached to this Circular).
6. It is likely that discussion on all of these issues will be resumed at the next meeting of the Liaison Group in December.
7. Authorities will be kept informed of further developments in the Liaison Group. The Convention will issue further advice over the coming months on issues related to standards of competence and SVQs.

Regional, Islands and District Councils



**Extract from Minute of Development and Training Liaison Group**  
**4 September 1992**

**2. Group Awards**

The Trade Union Side Secretary referred to the discussion which had taken place at the meeting on 10 October in respect of group awards. She indicated that this issue was also relevant to the meeting of the Residential Inquiry due to take place on 8 October. It was unclear why the Authorities Side saw a need for group awards and the Trade Union Side remained to be convinced of the need for them.

The Authorities Side Secretary indicated that if it would help resolve issues in advance of the Inquiry meeting, he was prepared to outline the Authorities Side's position on group awards, even although this was not an item specifically on the agenda. He emphasised that the Convention was committed to the development of standards and the use of vocational qualifications, but the basis of this commitment was that employees were being trained to do the jobs they were employed to do, not being trained to acquire qualifications. SVQs were designed to meet the general employment needs in a sector. In respect of jobs in a particular part of the sector, it may be that not all the modules or units will be required to ensure competency to carry out the duties allocated. Group awards can be developed and accredited in conjunction with SCOTVEC to meet the needs of the local government sector. This can be to reflect particular units which do not amount to a full SVQ at a particular level or to pick up modules from a range of SVQs.

Examples of this was the position of Reporters to Children's Panels and Registrars, who do not fit comfortably into any particular range of SVQs. Reporters carry out some duties which are of a social work nature and some which are of a legal nature and it will probably be necessary to take modules from each of these vocational areas. Similarly, in respect of business administration. SCOTVEC had established a number of SVQs which relate to the general aspects of business administration. These are not designed to meet the specific needs of local authorities and for that reason the Convention and SCOTVEC jointly have recognised a group award which takes account of the modules required for work in local government.

Local authorities are committed to the development of standards of competence and SVQs in ways which reflect their "employment led" nature but it was felt that some gaps in the structure could usefully be filled by Group Awards.



In response to a comment by the Chairman of the Trade Union Side, that the relationship between group awards and staff development was unclear and the Trade Union Side would not wish to see group awards become the rule rather than the exception, the Authorities Side Secretary indicated that there was no intention to do this. The Convention's approach was that authorities should identify the training which would enable an individual to carry out the duties of his/her post to the defined standards of competence. These critical skills could be provided through the accreditation of prior learning or experience; or through direct training; which may or may not lead to an SVQ. In many cases it was likely that a number of modules would be completed and the individual's achievement recognised, but this would not amount to a full SVQ. This did not mean that the individual would not have the opportunity to add the units to make up the complete SVQ. What was important initially was that the authority define the units required to ensure the necessary critical skills for carrying out the duties; thereafter there would be consideration of the ways in which individuals could be assisted to improve their range of skills. Both the Convention and authorities were committed to having not only employees trained to carry out the tasks required of them, but also who had the opportunity to extend their range of skills for the purposes of future promotion. These two issues were separate aspects of the commitment to "open access" to training, and had to be treated separately.

The Trade Union Side welcomed this statement of the Authorities Side's position and indicated that its contents resolved some of the concerns which they had expressed.



**APPENDIX 9****COPIES OF ILLUSTRATED BROCHURES OF  
LOCAL GOVERNMENT TRAINING CENTRES  
IN SCANDINAVIA**

(originals include colour photographs)

The City Institute, Finland

The Municipal Training Institute, Finland

The Local Government Training Centre, Sweden

The Association of County Councils' Training Centre, Sweden

The Local Government Training Centre, Denmark



**FINLAND**

**THE CITY INSTITUTE**

# WELCOME

## TO THE CITY INSTITUTE

### a stimulating study environment

268

The City Institute is an efficient training centre with facilities and equipment designed to meet the needs of demanding students and teachers.

The City Institute is owned by the Association of Finnish Cities. Some 20 000 city officers, officials and workers take part annually in its training programmes.

The City Institute also serves outside users. It includes accommodation facilities for 149 persons, 6 lecture rooms, 2 private function rooms, a computer classroom, 2 saunas, a full range of modern teaching equipment, adequate parking, a restaurant for about 170 patrons and the fully licensed Urbanist Club restaurant.

The City Institute's facilities can also be booked for internal training arranged by cities or joint authorities.

#### STUDY AND OTHER FACILITIES

1. Main entrance
  2. Reception
  3. Lecture rooms
  4. Accommodation facilities
  5. Accommodation facilities
  6. Offices
  7. Lecture room
  8. Urbanist Club
  9. Restaurant and function rooms
  10. Sauna with panoramic view
  11. Sauna with swimming pool
- Parking

Total floor space: 8,032 square metres  
Total building volume: 33,6724 cubic metres  
Current facilities and extension designed by: Arkki-tehdit Oy, Timo Penttilä, Heikki Saarela, Kari Lind

Information concerning booking and other details can be obtained from the City Institute's secretary tel. (90) 8029635.

The City Institute is situated on a beautiful seaside lot on Espoonlahti Bay. Recreation and exercise facilities are excellent. In addition to walking paths, the environs include an indoor swimming pool and a sports ground.

The City Institute has adequate parking facilities, and public transport connections are also good. Course participants can take advantage of a variety of services in Kivenlahti, including banks, post office and shops.

Kivenlahti is only 20 kilometers from Helsinki along the Hanko motorway.

Effective learning depends not only on instruction, but also on a pleasant working environment and up-to-date equipment. Located in a beautiful seaside setting in the Kivenlahti section of Espoo, the recently expanded and remodelled City Institute is designed to meet high training requirements.

#### AUDIO-VISUAL EQUIPMENT

Each of the City Institute's lecture rooms is equipped with slide projector, overhead projector, flap-board, magnetic board and microphone.

Also available are a 16 mm film projector and U-matic and VHS video recorders and cameras. If necessary the City Institute can arrange other equipment as well.

#### COMPUTER CLASSROOM

The high-standard computer classroom is equipped with nine IBM-PC microcomputers with two disk drives and one IBM-PC-XT (hard disk) for the teacher as well as a video cannon. The classroom seats 27 pupils.

#### CONFERENCE FACILITIES

Room C2.1	for 120-150 persons
Room C2.2	for 50-60 persons
Room C2.3	for 30 persons
Room C2.4	for 27 persons
Room C2.5	for 50-60 persons
Room B1.1	for 40 persons
Conference room A 5.2	for 40 persons
Function room Helsinki	for 30 persons
Group work rooms	

#### ACCOMMODATION FACILITIES

For 149 persons:  
79 single rooms  
35 double rooms

#### DINING

Restaurant for about 170 persons. Espoo function room for 30 persons. Delicious meals (breakfast, lunch, afternoon coffee, dinner) are served buffet style in the City Institute's restaurant.

Association of Finnish Cities  
City Institute  
Tyrskyvuori 4 02320 ESPOO  
tel. 90-80291



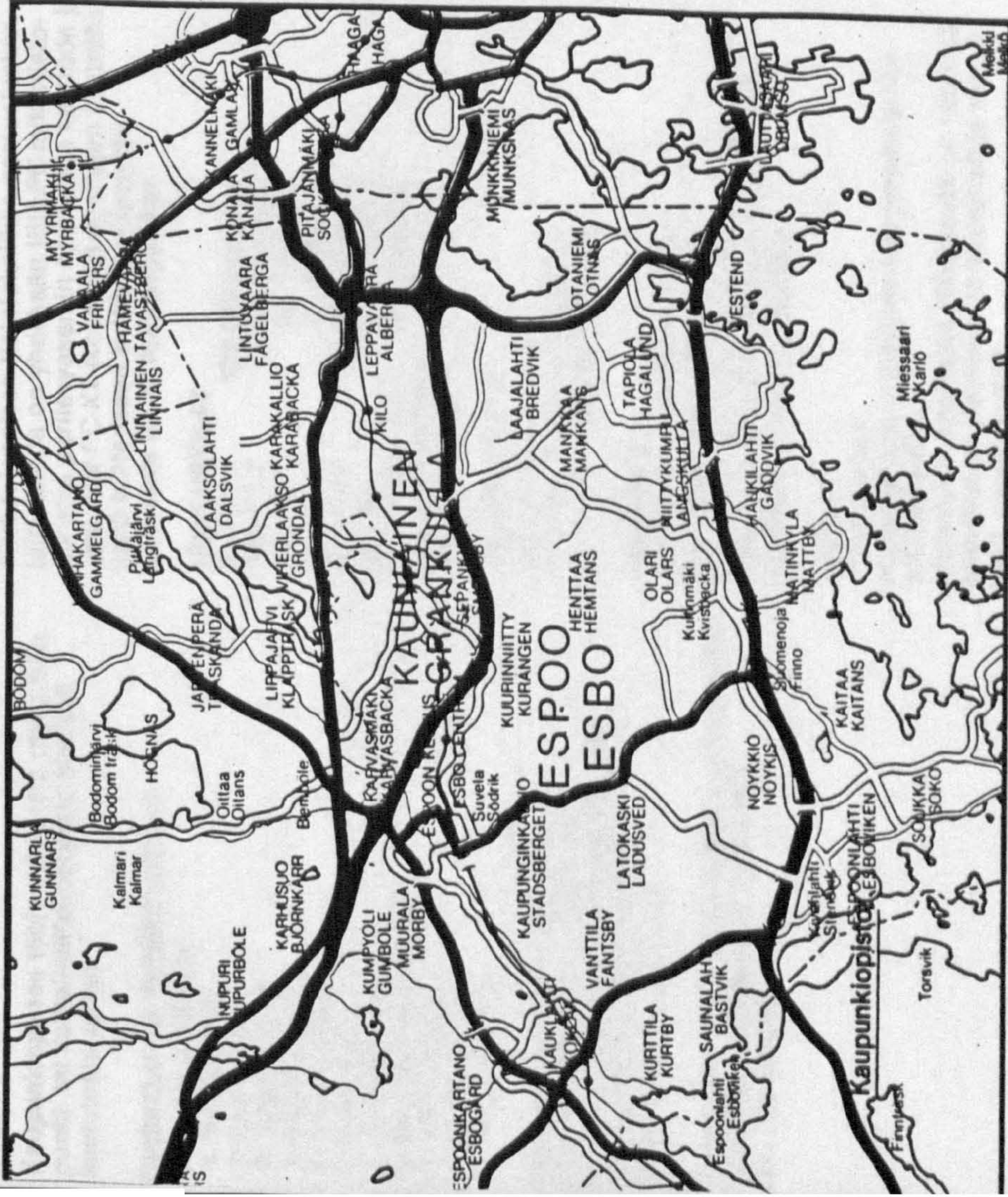
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ORIGINAL**



*Kaupunkipiisto sijaitsee kauniilla meren-*  
rantatontilla Espoonlahden rannalla. Ulkoilu-  
ja liikuntamahdollisuudet ovat erinomaiset.  
Kävelyteiden lisäksi lähellä on myös uima-  
halli ja urheilukenttä.

Paikoitustilaa autoille on riittävästi ja  
opistolle on hyvät liikenneyhteydet myös  
julkisilla kulkuvälineillä. Kurssilaisten  
mukavuutta parantavat myös Kivenlahden alu-  
een monipuoliset palvelut: pankit, posti ja  
kaupat.

Espoon Kivenlahteen Helsingin keskustasta on  
matkaa vain 20 km Hankoon vievää moottoritietä.  
Joukkoliikenneyhteydet ovat hyvät.

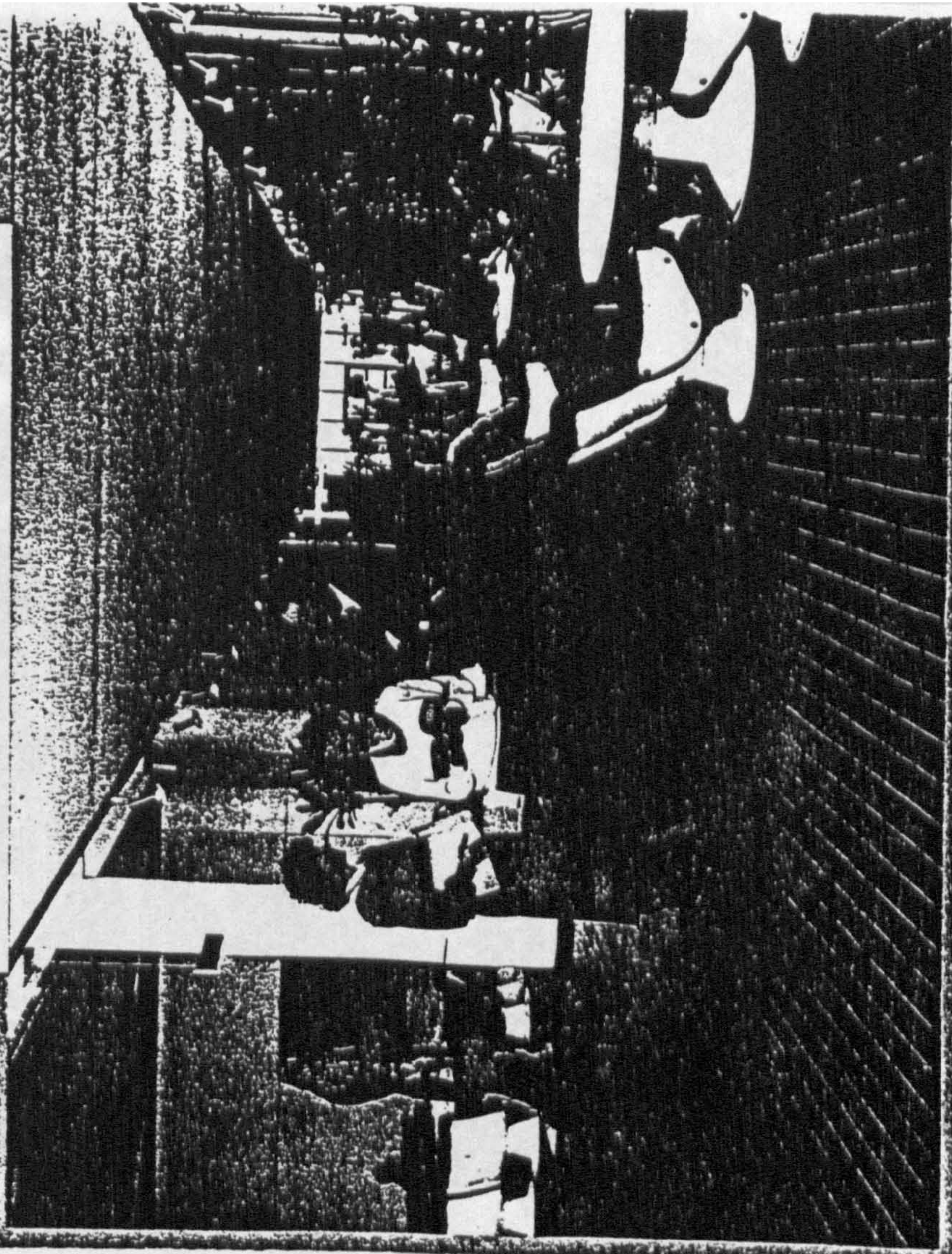


Suomen Kaupunkiliitto  
Kaupunkipiisto  
Tyrskyvuori 4  
02320 ESPOO  
puh. 90-80291



# TERVETULLOA KAUPUNKI- OPISTOON

virikkeeseen opiskeluympäristöön





*Uudenlaisia tiloja ja palveluita  
kaupunkiopesto on tehnyt  
kaupunkiopesto on tehnyt  
kaupunkiopesto on tehnyt*

**Jossa ilial ja välitiet on suunniteltu täy-  
tämään vaativien opiskelijoiden ja opettajien  
tarpeet.**

Kaupunkiopesto on Suomen Kaupunkiope-  
stomistama koulutuskeskus. Sen koulutukseen  
osallistuu vuosittain noin 20000 kaupunkien  
luottamushenkilöä, viranhaltijaa ja työn-  
tekijää.

**Kaupunkiopesto** palvelee myös ulkopuolisia  
käyttäjiä. Opistossa on majoitustilat 149 hen-  
gelle, 6 luentosalia, 2 kabinettiä, tietotek-  
niikan luokka, 2 saunaa, kaikki nykyaikaiset  
opetuslaitteet, riittävästi paikoitustilaa ja  
ravintola noin 170 hengelle sekä Urbanist  
Club - anniskeluravintola A- oikeuksin.

Kaupunkiopeston tiloja voi varata myös kau-  
punki- tai kuntainliittokohtaisia sisäistä  
koulutusta varten.

#### OPISKELU- JA OLESKELUTILAT

1. Pääsisäänkäynti
2. Vastaanotto
3. Luentosalit
4. Majoitustilat
5. Majoitustilat
6. Toimistotilat
7. Luentosalit
8. Urbanist Club
9. Ravintola ja kabinetti
10. Näköalasauna
11. Uimalasauna  
Autopaikoitus

Rakennuksen kerrosala: 8032 m<sup>2</sup>  
Rakennustilavuus: 33624 m<sup>3</sup>  
Nykyisen ja uuden osan suunnittelijat:  
Arkkitiedit Oy, Timo Penttilä,  
Helkki Saarela, Karl Lind

Varauksista ja yksityiskohdista saa tarkempia  
tietoja Kaupunkiopeston sihteeriltä  
puh. (90) 8029635.

*Opistomestari Timo Penttilä ja vaimonsa  
myös työympäristö välineistä ja viihtyi-  
syydestä. Espoon Kivimäessä, merellisessä  
ympäristössä sijaitseva, äskettäin laajennet-  
tu ja uudistettu Kaupunkiopesto on suunnitel-  
tu täyttämään koulutuspaikan korkeatkin  
vaatimukset.*

#### AV-LAITTEET

Luentosalissa on vakiovarusteina diaprojek-  
tori, piirtoheitin, selailutaulu, magneetti-  
taulu ja mikrofoni.

Käytettävissä ovat myös 16 mm:n filmiprojek-  
tori sekä U-matic ja VHS-kuvanauhurit kameroi-  
neen. Tarvittaessa Kaupunkiopesto hankkii  
käyttöön muitakin AV-laitteita.

#### TIETOTEKNIKAN LUOKKA

Korkeatasoisen tietotekniikan opetusluokan  
laitteistona on yhdeksän IBM-PC-mikrotieto-  
konetta parilevyasemin oppilaiden käyttöön ja  
yksi IBM-PC-XT (kovalevy) opettajan käyttöön  
sekä laitteeseen kytketty videotykki.  
Luokassa on 27 oppilaspaikkaa.

#### KOKOUSTILAT

Sali C2.1	120-150 hengelle
Sali C2.2	50-60 hengelle
Sali C2.3	30 hengelle
Sali C2.4	27 hengelle
Sali C2.5	50-60 hengelle
Sali B1.1	40 hengelle
Kokoustila A5.2	40 hengelle
Kabinetti Helsingin	30 hengelle
Ryhmätyötilat	

#### MAJOITUSTILAT

149 hengelle:  
79 yhden hengen huonetta  
35 kahden hengen huonetta

#### RUOKAILU

Ravintola noin 170 hengelle  
Kabinetti Espoo 30 hengelle  
Maukkaat ateriat (aamiainen, lounas, päivä-  
kahvi, päivällinen) tarjotaan opiston ravin-  
tolassa seisovasta pöydästä.

#### SAUNAT

Uimalasauna  
Näköalasauna - erillinen hirsirakennus kat-  
totasanteella.  
Molempien saunojen yhteydessä on viihtyisä  
takkahuone oleskelua ja neuvotteluja varten  
sekä pienoiskoittio.

#### URBANIST CLUB

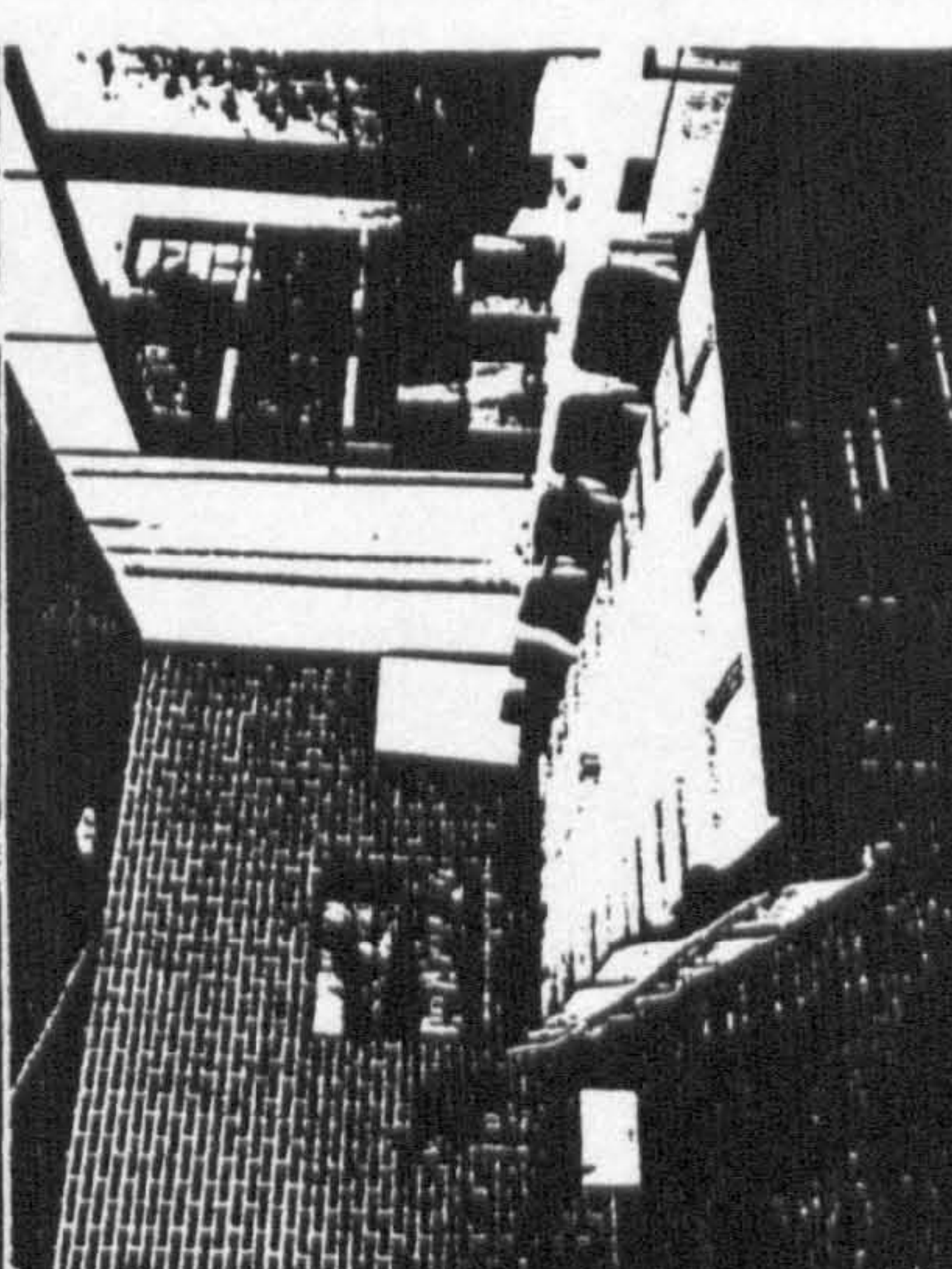
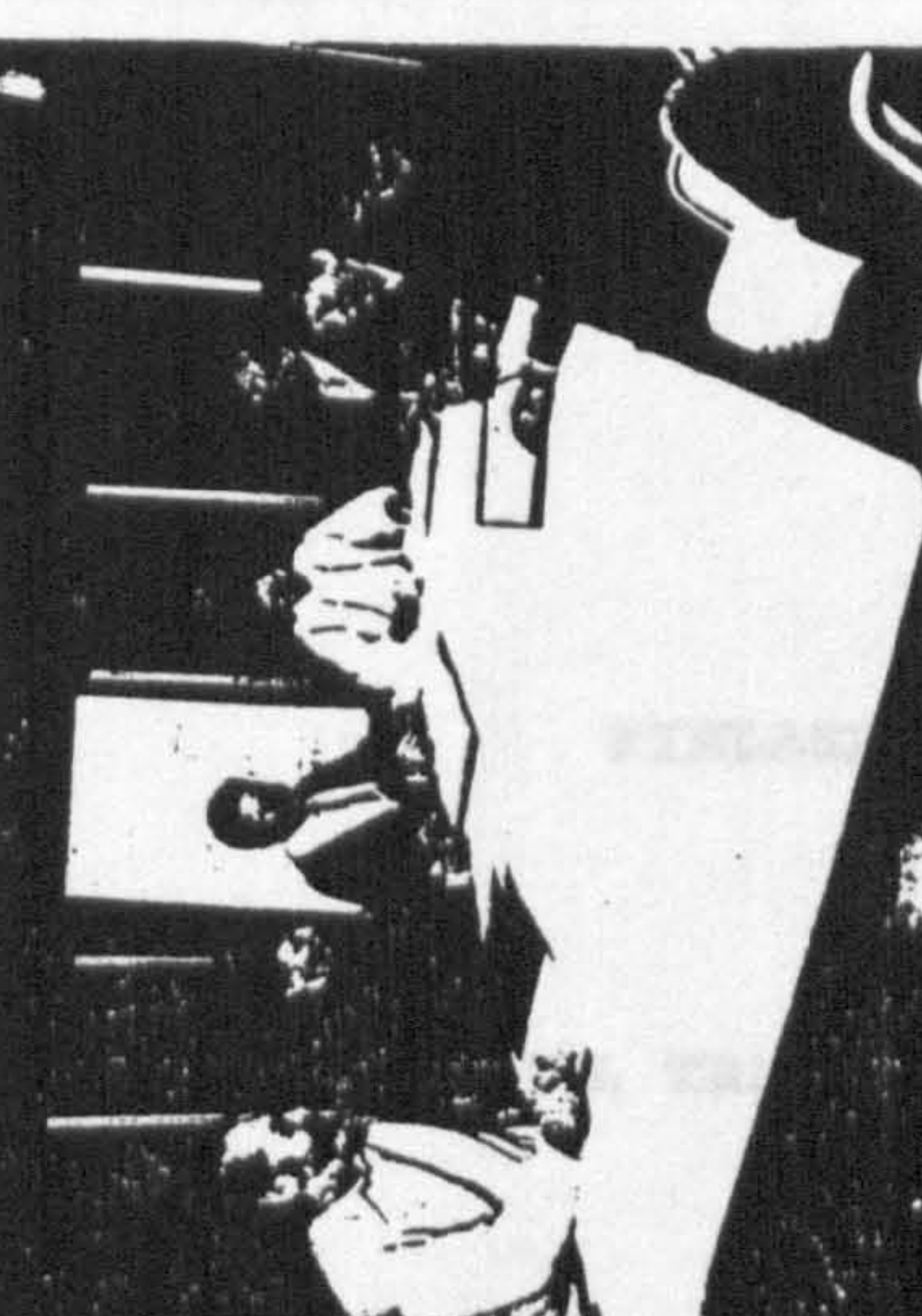
Viihtyisä 70-paikkainen anniskeluravintola A-  
oikeuksin on opiston asiakkaiden käytössä  
iltaisin.



Kaupunkiopeston viihtyisyyttä lisäävät monet taideteokset. Niiistä suurin on sisäpihalle sijoitettu taitelijalle Heikki Hälvöjän Urbanisti-veistos.

Ruokailuhuoneet ovat mieluisia, sillä tulo on tunnettu maukkaita aterioistaan.

Majoittumiseen on monia mahdollisuuksia: yhden tai kahden hengen huoneet, sekä kahden hengen huone oleskelukohtaan.



Ryhmätyöskentely kuuluu usein nykyiseen koulutukseen. Sitä varten on omat tilansa.

Vieraiden käytössä on myös kakat tyylikkästä kabinettia sekä Urbanisti Club A-oikeuksineen itäisiä yhdessäoloa varten.

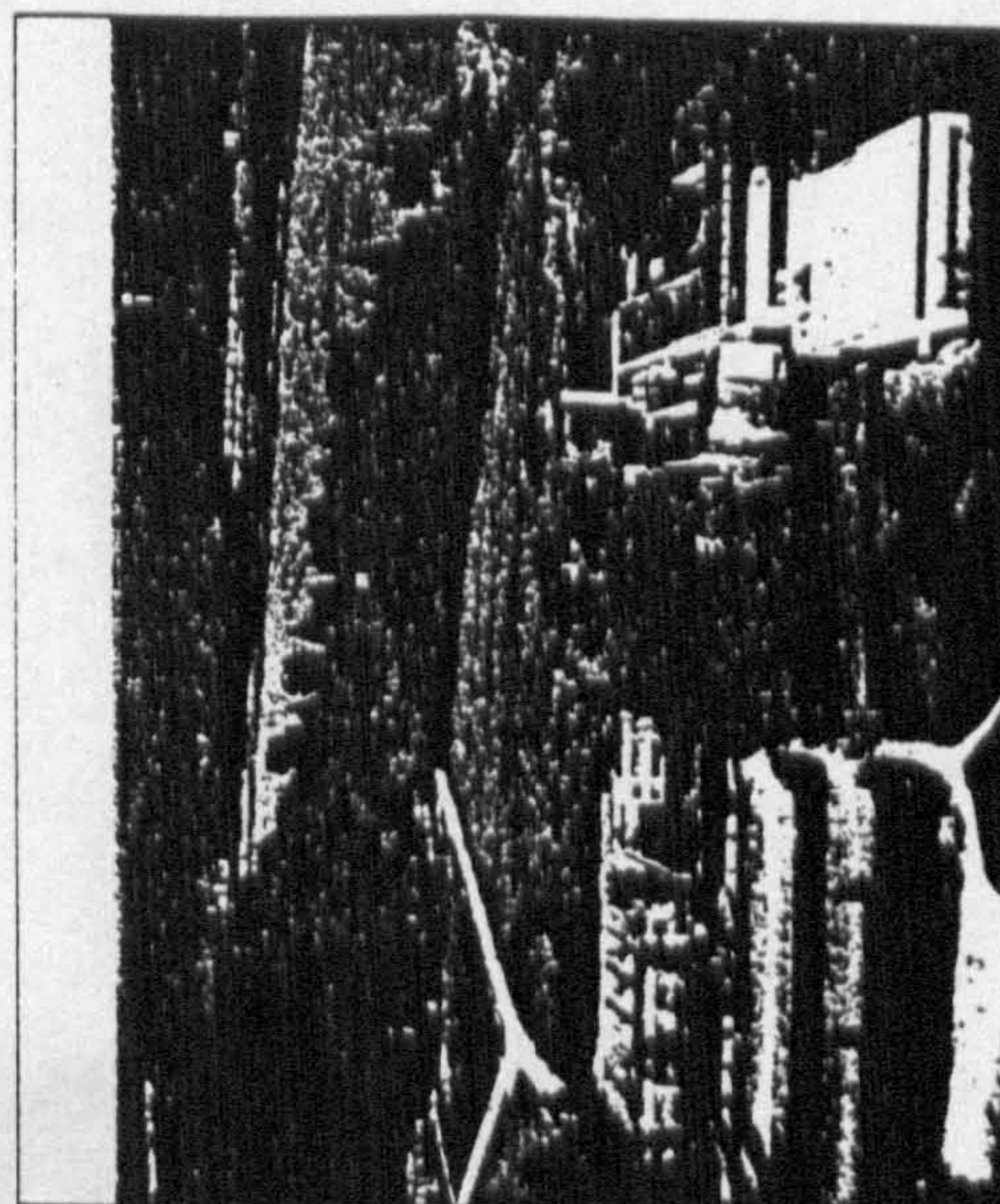
Talossa voi tyyliä joko ylimmän kerroksen perinteisessä hirsisaunassa uppine merimiesmestarin tai männikön keskeisä sijaitseva avroissa uimalasaunassa.



**FINLAND**

**THE MUNICIPAL TRAINING INSTITUTE**





**THE MUNICIPAL TRAINING INSTITUTE**

Kirkkotie 34 04310 TUUSULA

Tel. +358 0 273 731

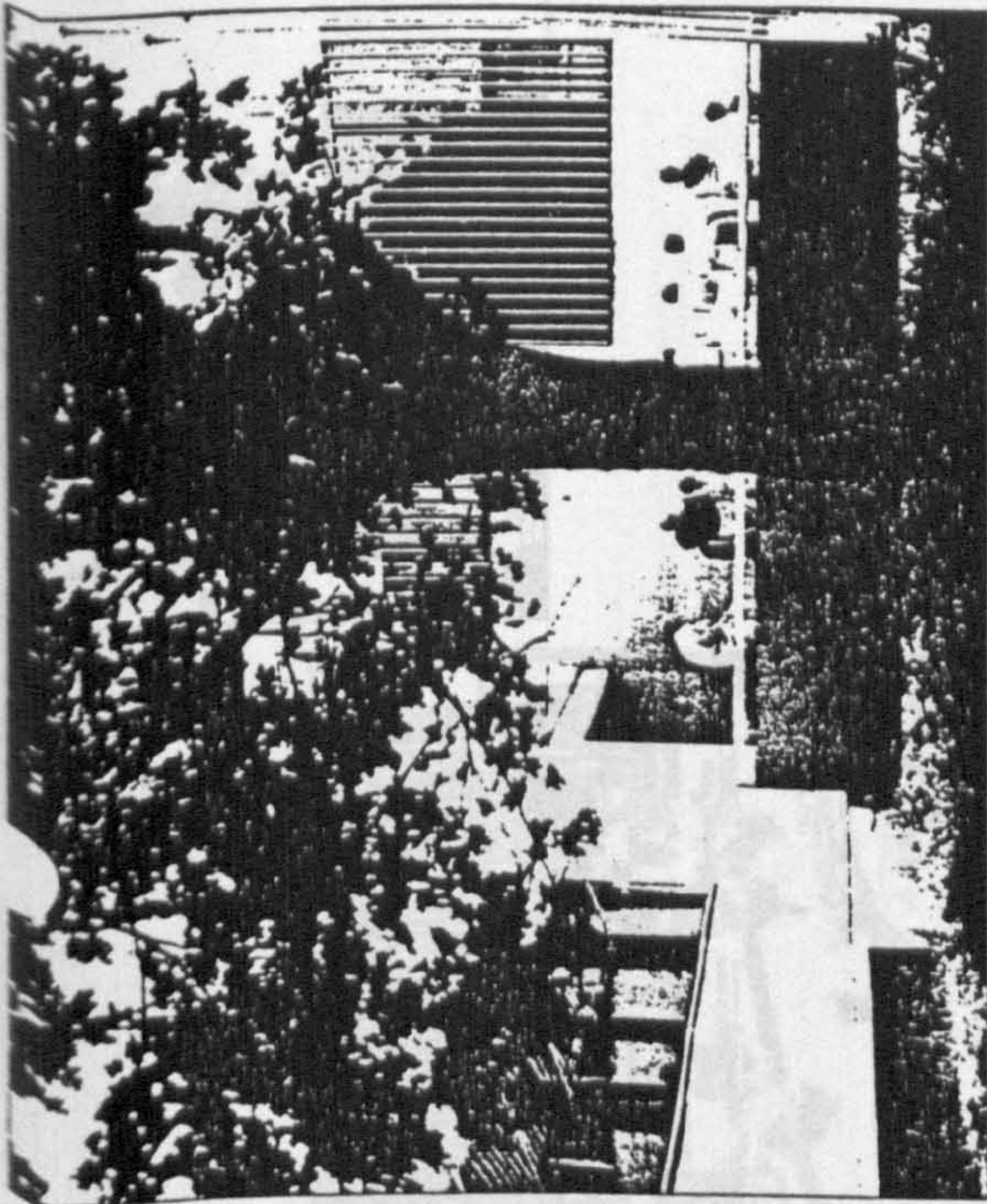
Telefax +358 0 273 7430

**KUNNALLISOPISTO**

LAYOUT  
TEXT  
PIC TURFS

Riitta Ali-Ritola  
Eija Vuolteen  
Maarit Heikkinen

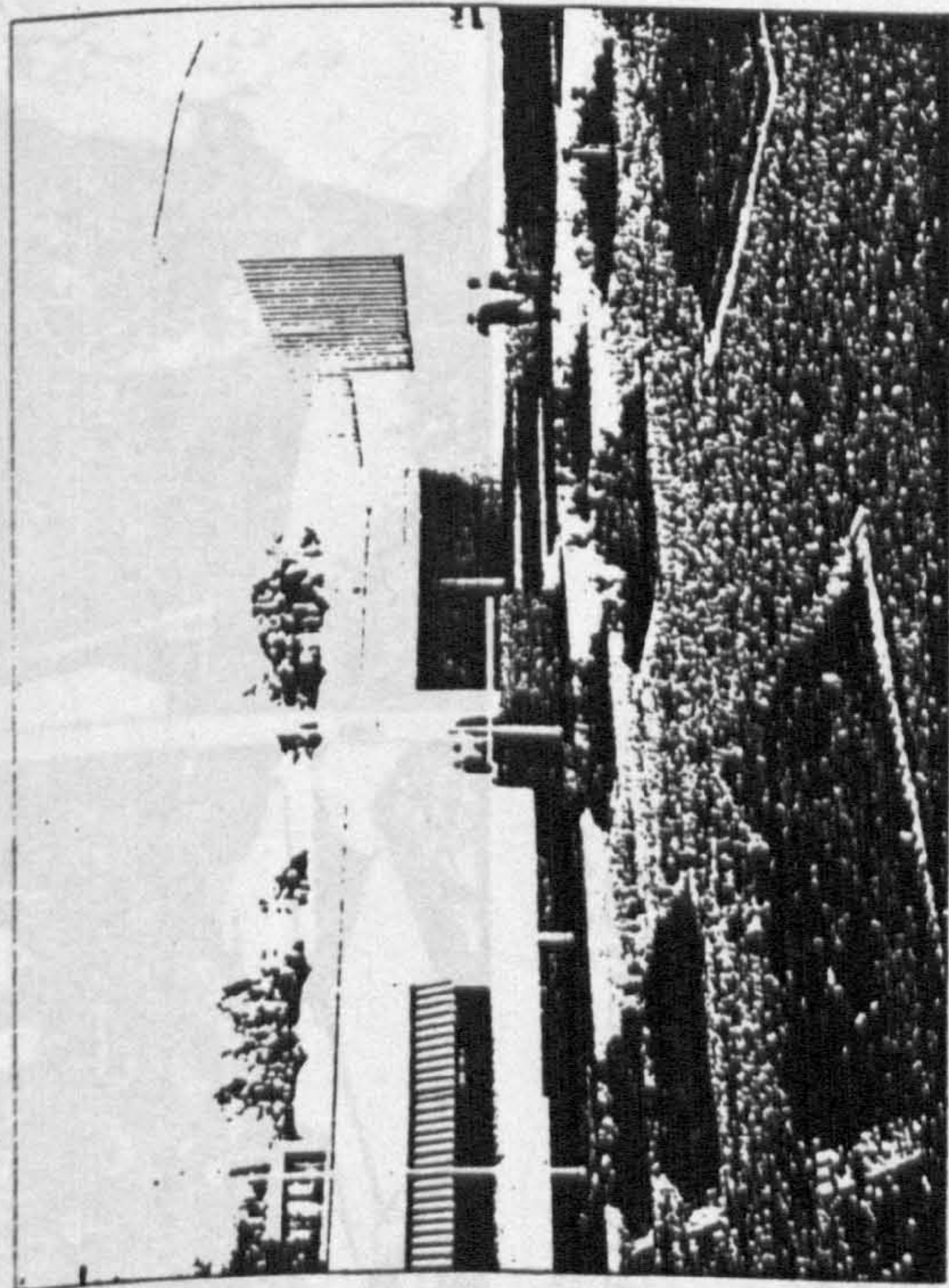




### FORMS OF ACTIVITY AND SERVICE

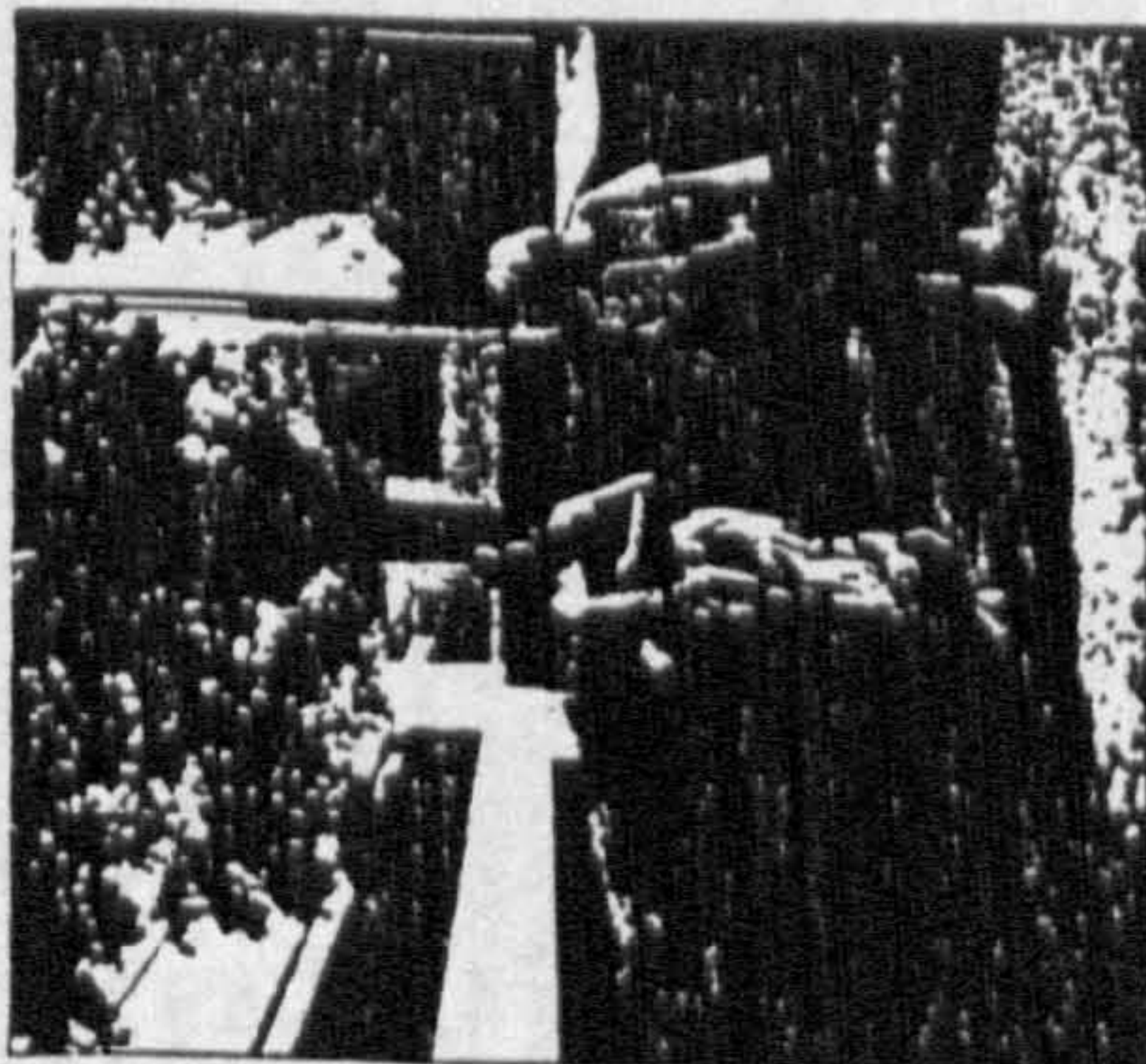
- The supply of training comprises both multi-phased training programmes and individual courses, which are arranged both on the premises of the Institute at Tuusula and in various parts of Finland. Training for individual municipalities or working bodies and private studies in addition to the everyday work are expanding service forms offered by the Institute.
- The support for staff training of the municipalities comprises supply of educational material, training of instructors and experts services for the planning of training.
- With the aid of research activities and cooperation in research the Institute develops its forms of service to meet the requirements of the changing municipal administration.
- The Institute rents out its premises and sells boarding school services to municipalities and other collective bodies for training and meeting purposes.

3

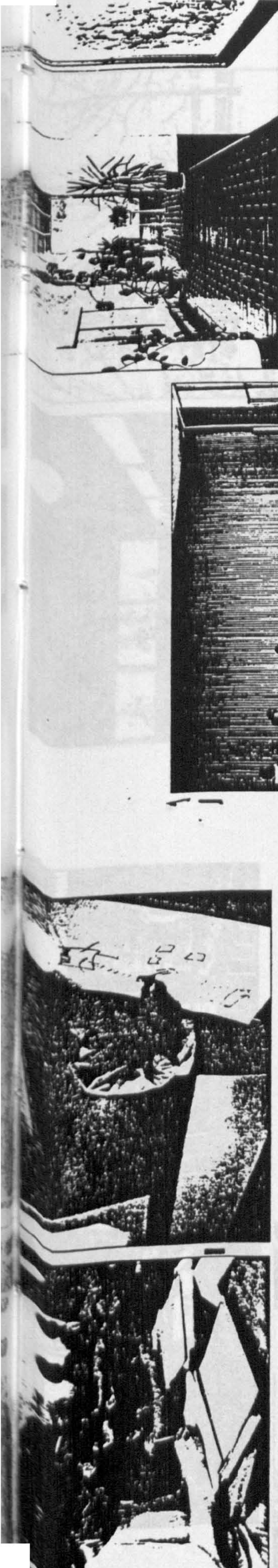


### THE GUIDING PRINCIPLE

The Municipal Training Institute is the training centre of the Finnish Municipal Association. It provides the municipalities, joint authorities and municipal working bodies, elected officials and employed staff with possibilities of increasing their knowledge and skills as well as the fruitfulness of their work through means obtained by training.







## TRAINING PROSPECTS AND AREAS OF EMPHASIS

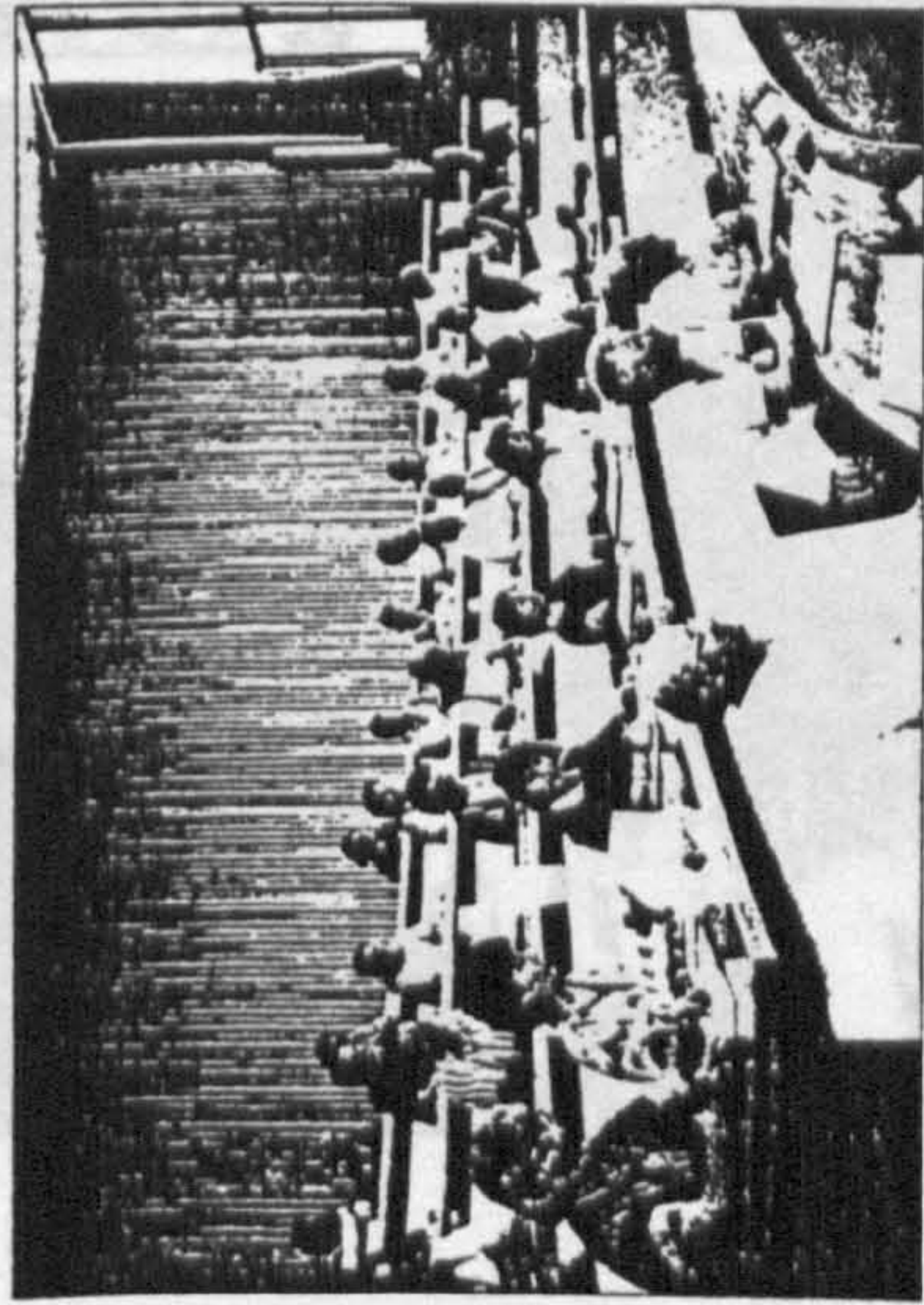
What is needed for activities to be fruitful is not only a good command of basic professional skills and of new knowledge but also a search for new patterns of thought and operation models and an ability to adopt and apply these. By improving its own know-how the municipal administration will be better equipped to perform its own duties in a changing environment. Learning is required for operational reforms to succeed. It is the purpose of training to support such reforms. By evaluating the training requirements of the organisation and of the individuals working in it a basis is created for fruitful training and learning. The changes taking place in the municipal administration and in training prospects are reflected in the activities of the Municipal Training Institute. The increasingly versatile training programmes offer possibilities of long-term self-development both to individuals and to organisations.

The number of training programmes for individual working bodies is increasing

The connection is growing firmer between these and the consulting work of the Municipal Training Institute. Possibilities of studying along with the everyday work are increasing. The short course activity serves the need of the municipal administration to acquire and apply new and up-to-date knowledge. Besides training services, the Municipal Training Institute also offers expert help to the municipalities and the joint authorities for evaluating their own need of training and for working out development and training plans.

The work for developing the training activities of the Municipal Training Institute is guided by areas of emphasis, which are chosen in accordance with the training requirements of the municipal administration and which are

- training for elected officials
- leadership training
- service development training
- administrative and economic development training



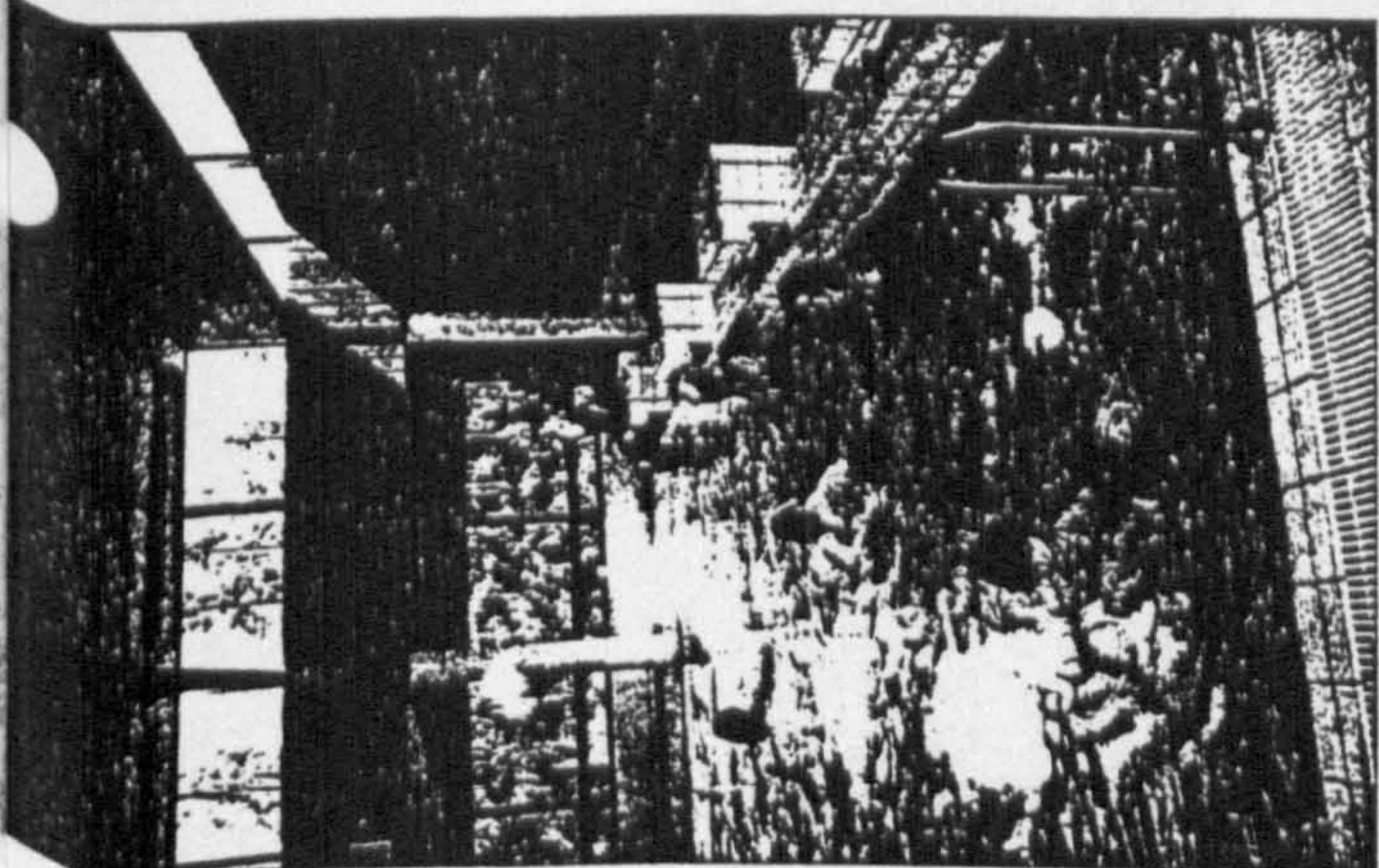
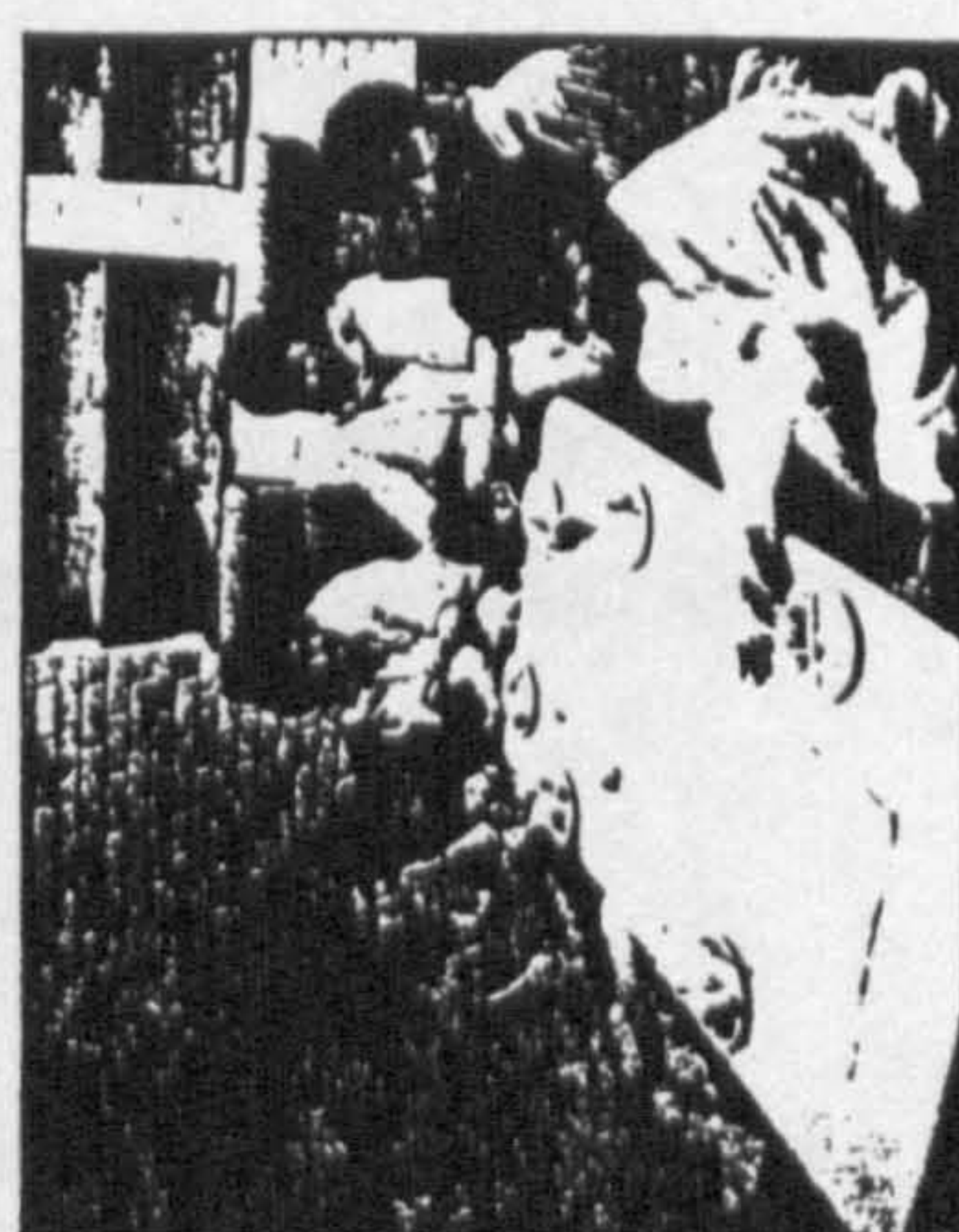
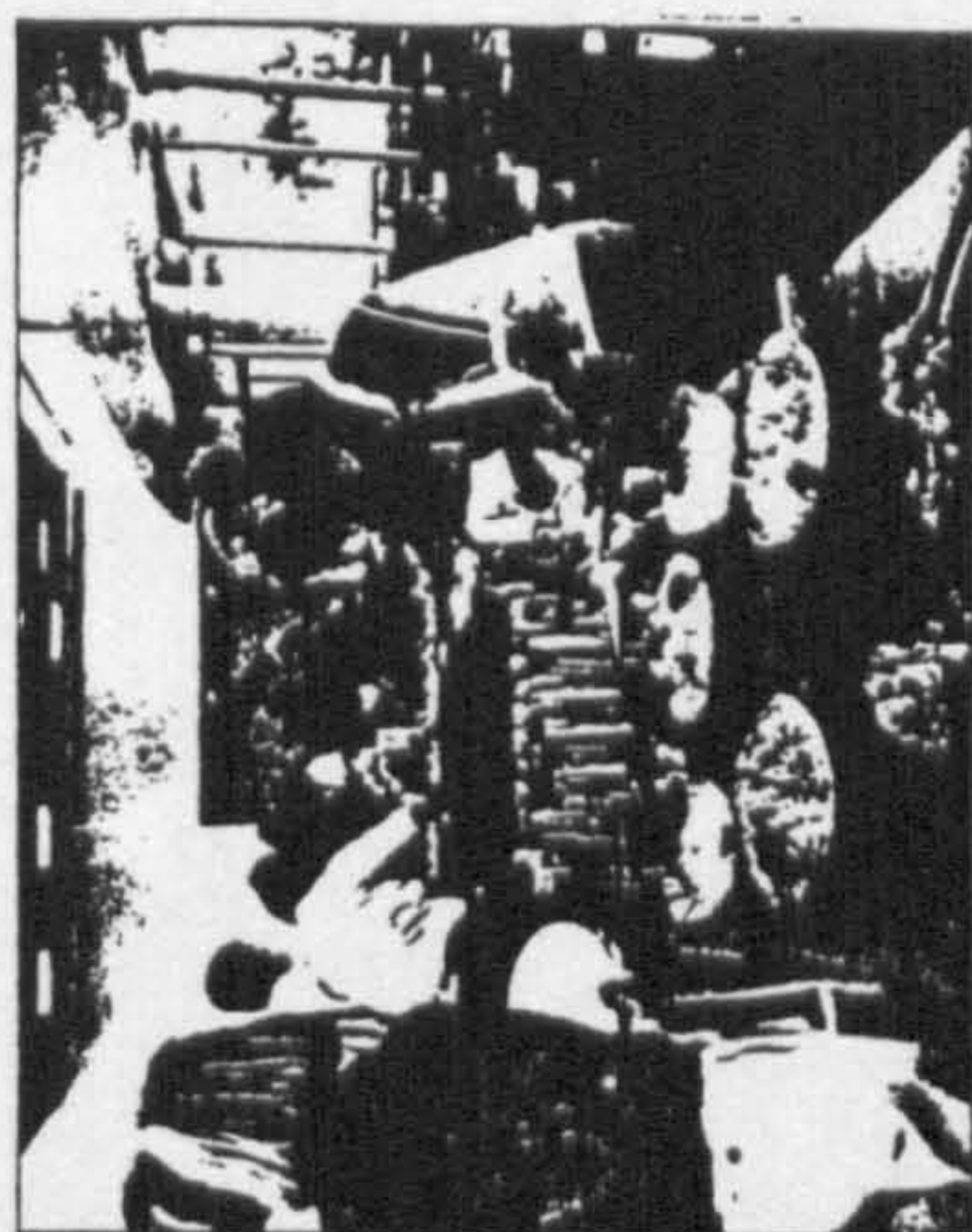
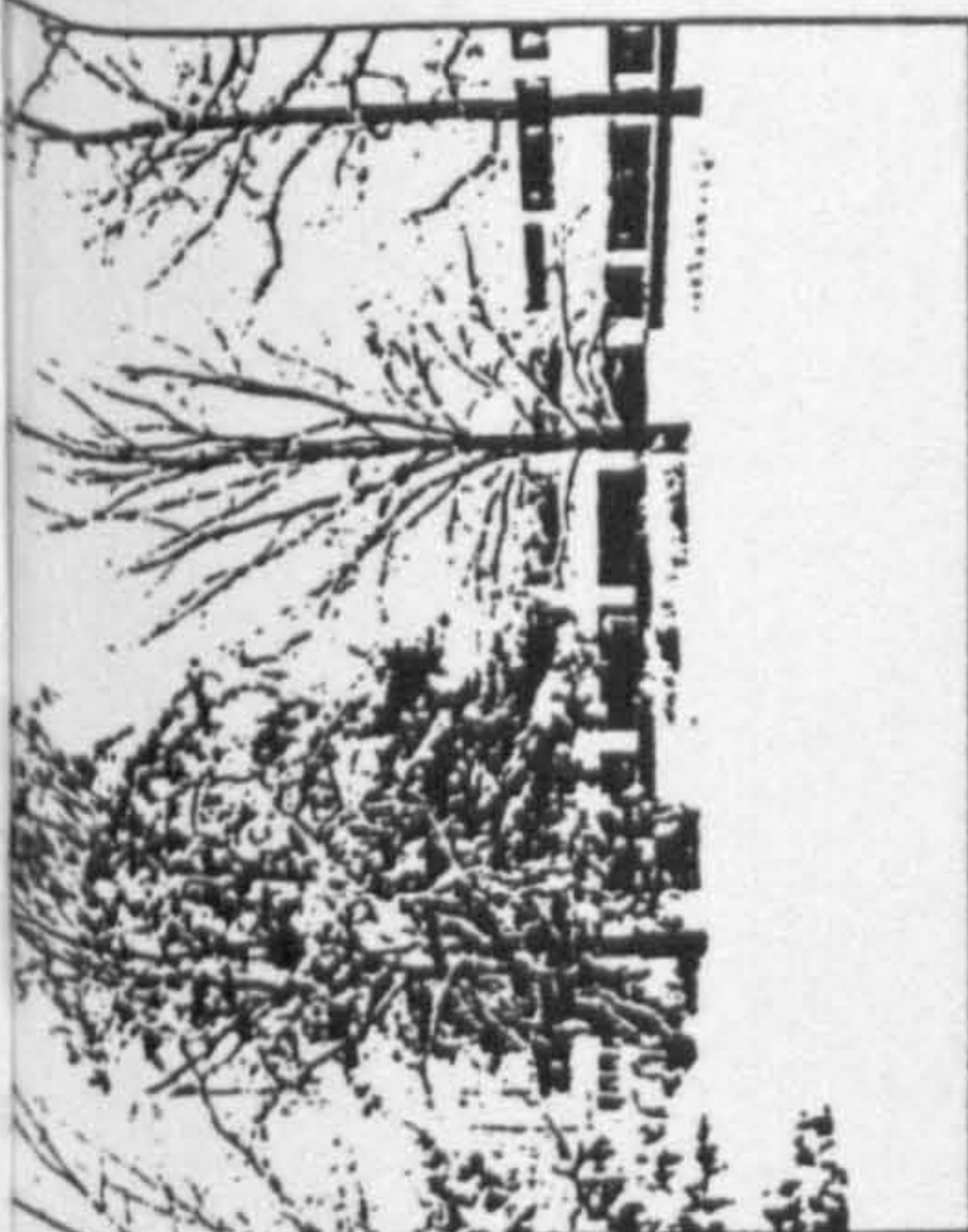
## ADMINISTRATION, NUMBER OF SERVICES AND STAFF

The Training Institute is closely connected operationally to the Finnish Municipal Association. Administratively it is an economically independent unit which is maintained by the Municipal Foundation to produce training services which are bought by the municipalities and by joint authorities. The Municipal Foundation has 360 member municipalities and cities. The Municipal Training Institute arranges almost 500 training courses each year, making a total of over 1,000 training days. Almost 20,000 elected

municipal officials and office holders utilise its training services each year.

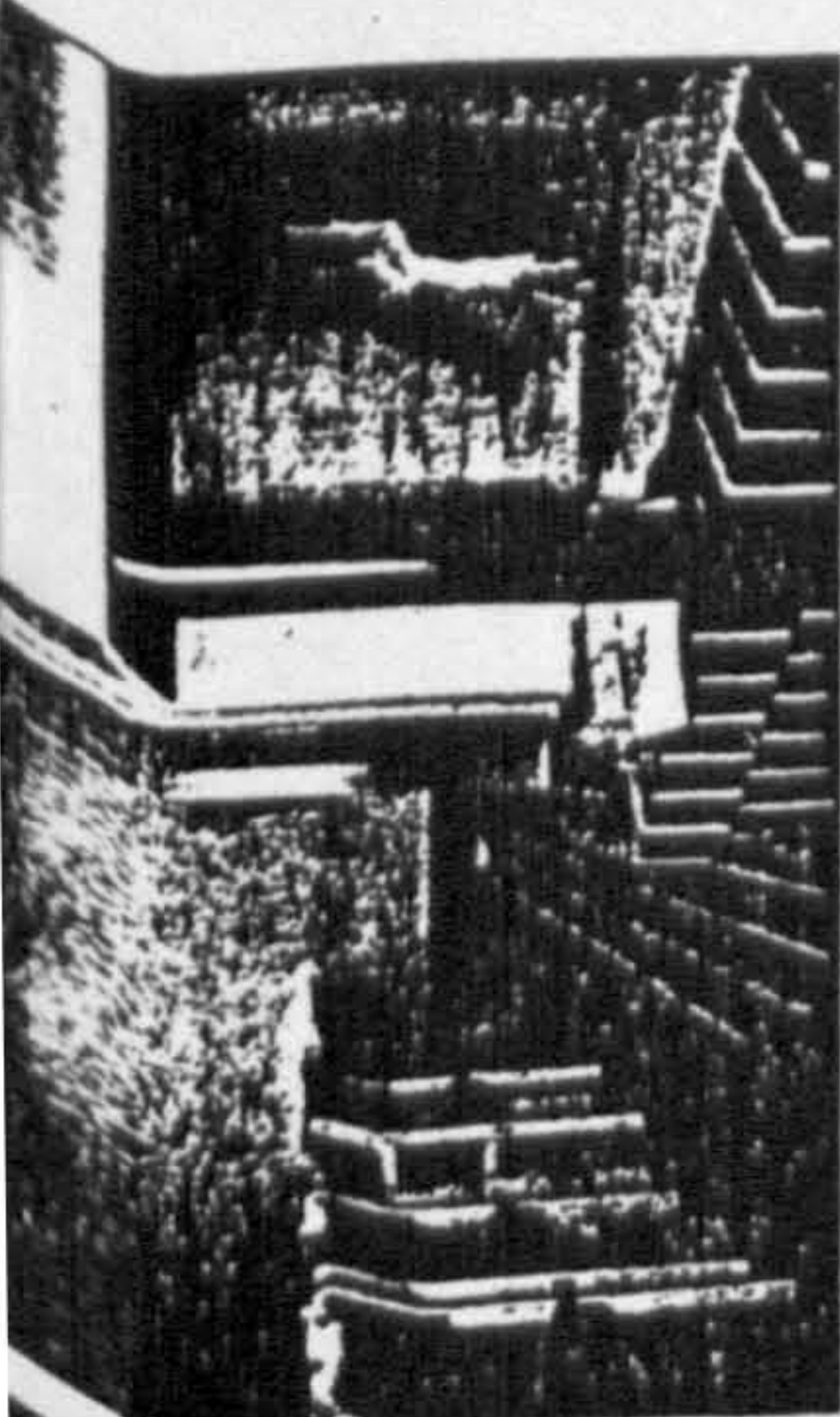
The Training Institute employs over 50 persons, of which about one-half attends to the planning and carrying out of the training, while the rest attends to training support and boarding school services. Experts in municipal and state administration and in special fields as well as experts of scientific bodies are used as instructors.





The Municipal Training Institute also offers many possibilities of relaxation and recreation during training days, for example, by taking sauna baths, swimming, cycling, jogging and playing tennis or volleyball. Participants in courses also have the use of various indoor games, newspapers and magazines as well as radio and television.

The Municipal Training Institute is located in Tuusula, about 30 km north of Helsinki, at a distance of 20 km from Helsinki-Vantaa Airport and 4 km from Kerava Railroad Station.



Pyykkö was the architect used for all these building stages. He succeeded in making the building complex of the Institute an integrated whole which is architecturally beautiful and which fits well into the cultural landscape of Tuusulanjärvi Lake and Tuusula Lakeside Road.

The Municipal Training Institute has spacious assembly halls, corners for cosy meetings and teaching premises of various sizes and equipped with modern facilities: an auditorium, several lecture rooms, an ADP classroom, rooms for small working teams and accommodation for 110 persons in single and double rooms. There is also a cuisine in the house which is renowned for its good food.

## SETTING AND LOCATION

The Municipal Training Institute began working in 1956 in the premises of Gustavelund Manor. In 1965 the present main building of the Institute was completed on the place of the manor. The sauna and swimming pool part was completed in 1975, the residential part in 1980 and the beach sauna house in 1988. Mr. Into



**SWEDEN**

**STORA BRÄNNBO**

**THE LOCAL GOVERNMENT TRAINING CENTRE**

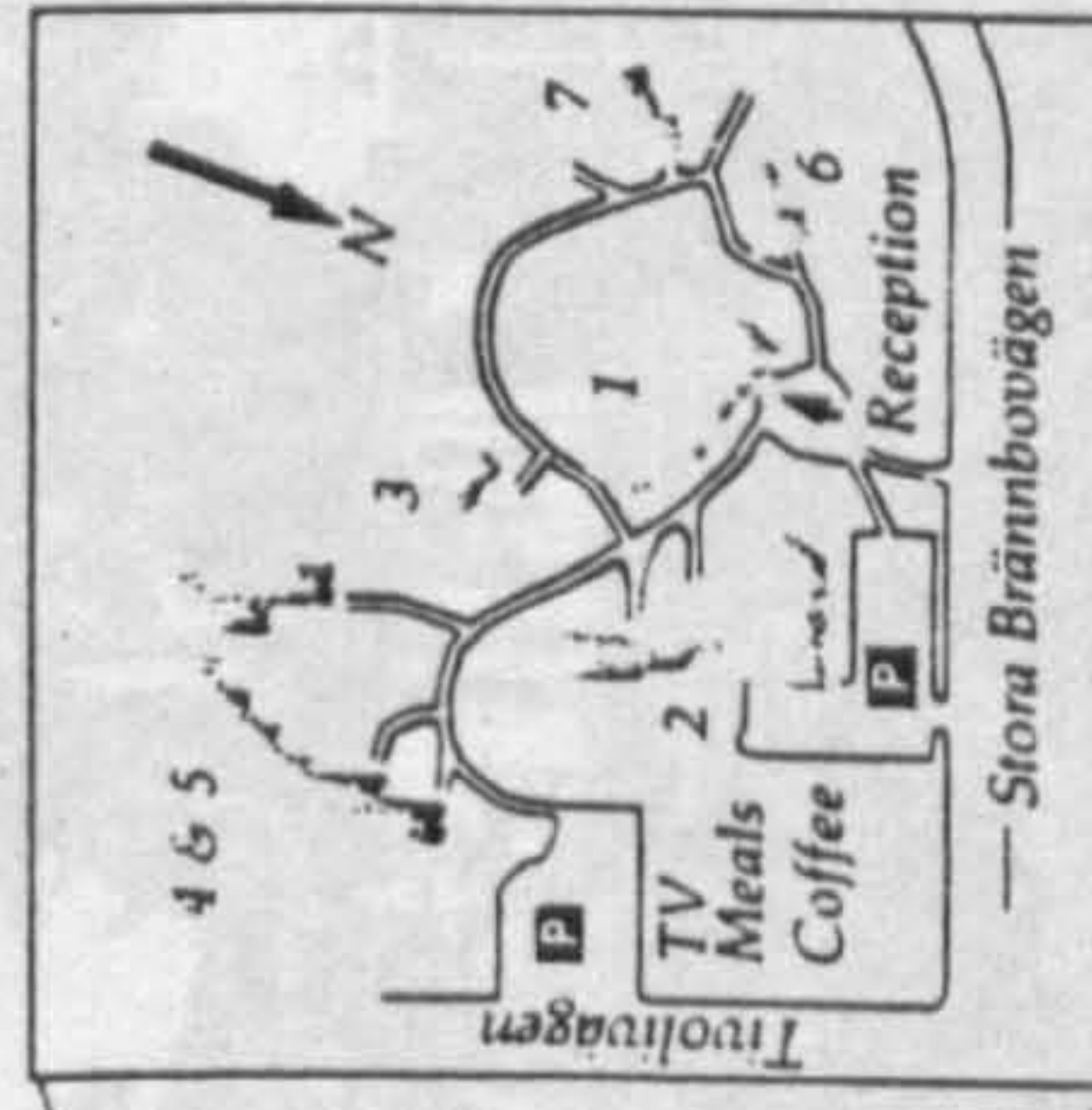
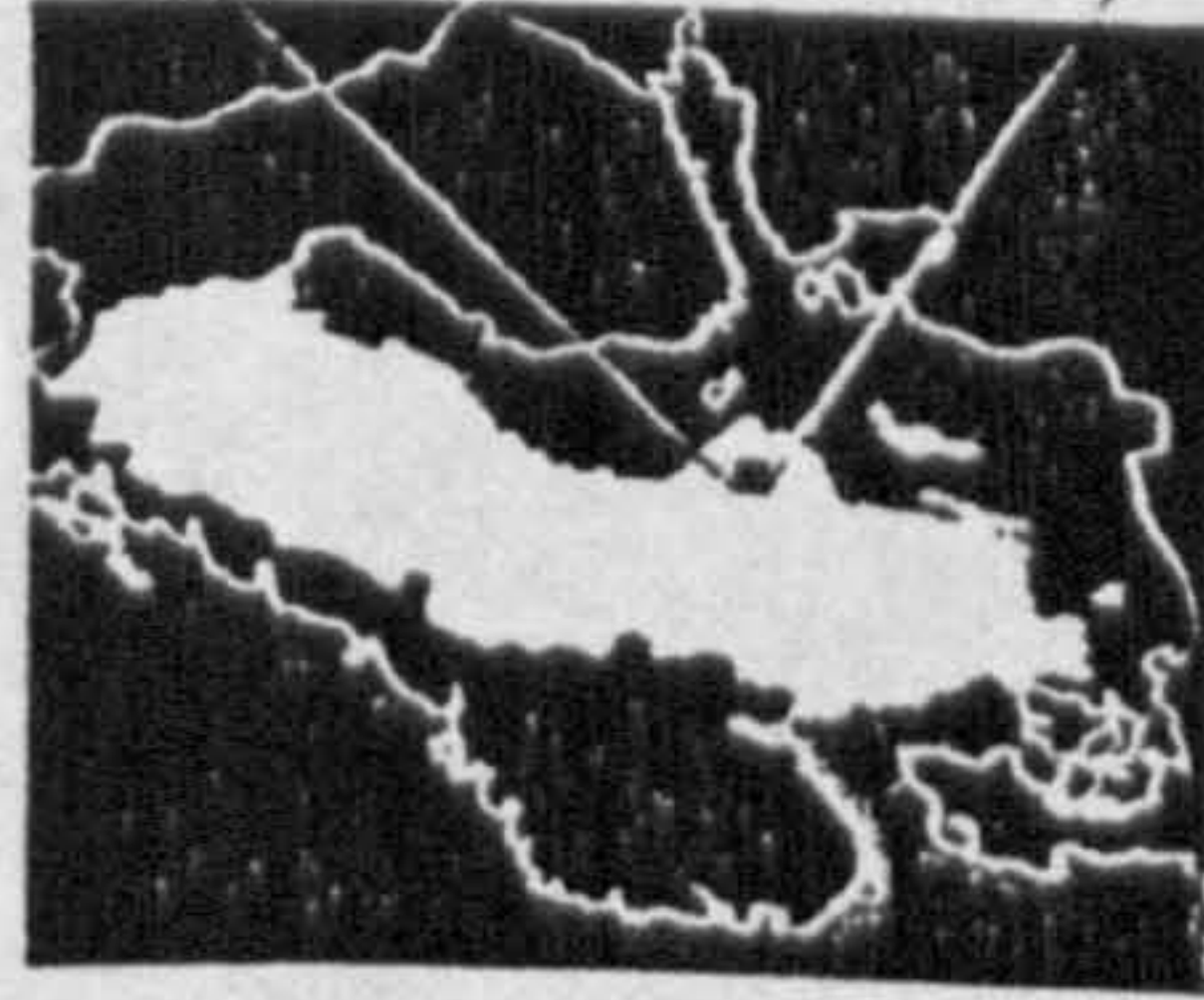


STORA BRÄNNBO - 1985 & 1986

## Location

Stora Brännbo in Sigtuna is situated right in the middle of the fastest growing region in Sweden, encompassing Stockholm, Arlanda and Uppsala. This means that access is easy, whether you travel by air, rail or road. The distance from Stockholm is

50 km, from Uppsala 30 km and from Arlanda international airport 17 km. There are regular bus connections from both Arlanda and nearby Märsta. There is a fixed tariff if you go by taxi from Arlanda, Stockholm, Uppsala or Märsta.



## The establishment

- 120 beds in 100 single rooms, all with shower, WC and telephone
- 4 large conference chambers accommodating 25—125 persons
- 16 group-rooms accommodating 6—20 persons plus conference rooms for small groups attending one-day conferences
- We ensure that all the AV equipment you require is available
- Fully-licensed restaurant and every kind of meal served from early-morning coffee to late-night feasts. The evening café serves wine, beer and hors d'oeuvres almost till midnight.

## Recreation

Fully-licensed evening café, Floodlit cross-country tracks for running and skiing, Sauna, Solarium, Billiards, Table tennis, Lounge with TV, kitchen and fridge. Volleyball court  
Sigtuna golf course and tennis courts within easy reach. Bicycles can be borrowed, canoes and sailing boats hired. Walking tours of Sigtuna offer exercise and relaxation as well as historical insights. Guided tours can be arranged.

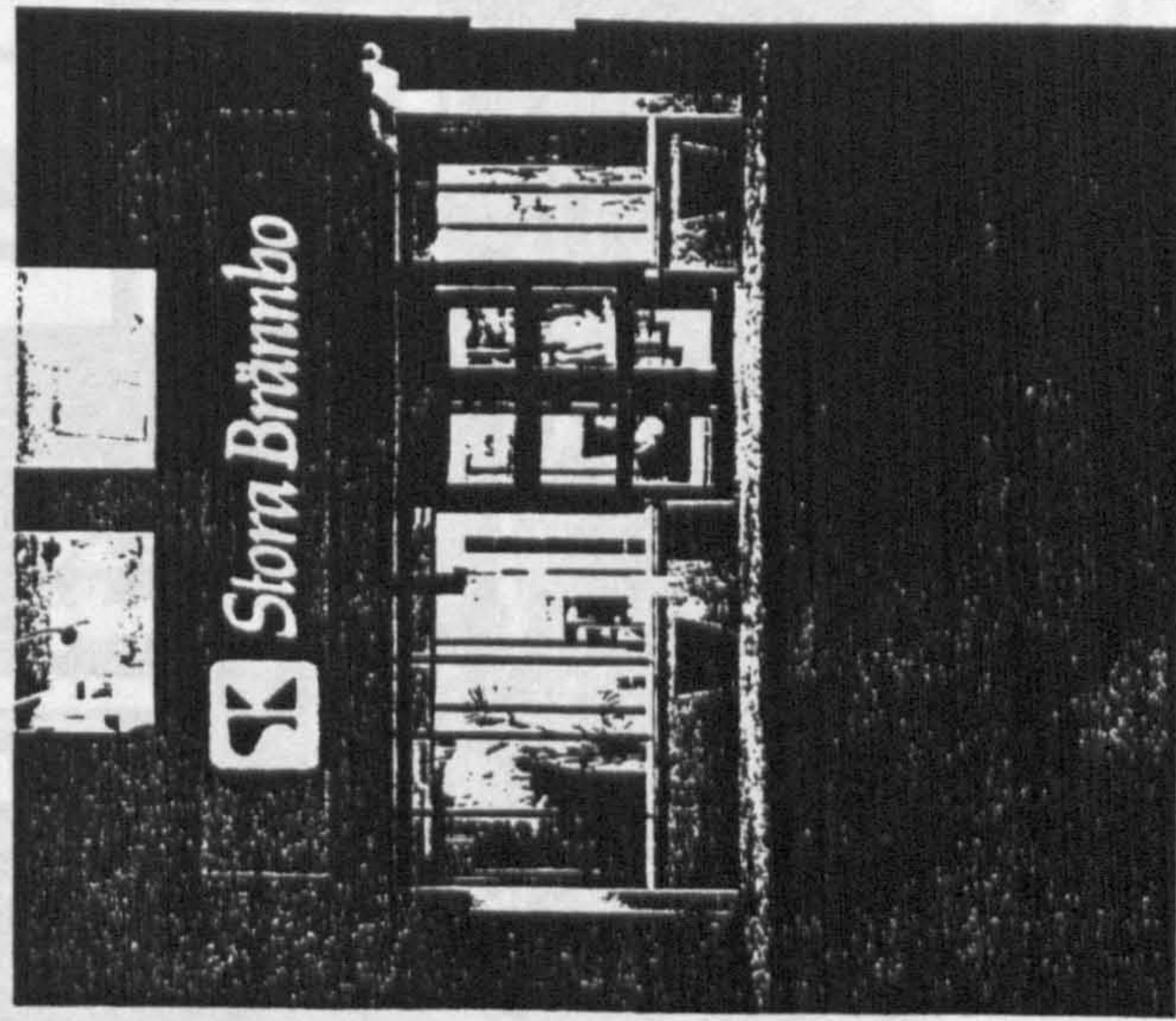
## Prices

Our prices vary according to the season. Discounts available if you visit us several times a year. We also stay open on weekends at special prices. Please ring and talk it over!  
Stora Brännbo is owned by the Swedish Association of Local Authorities and is open to both municipal and private clients organizing courses and conferences. Welcome!



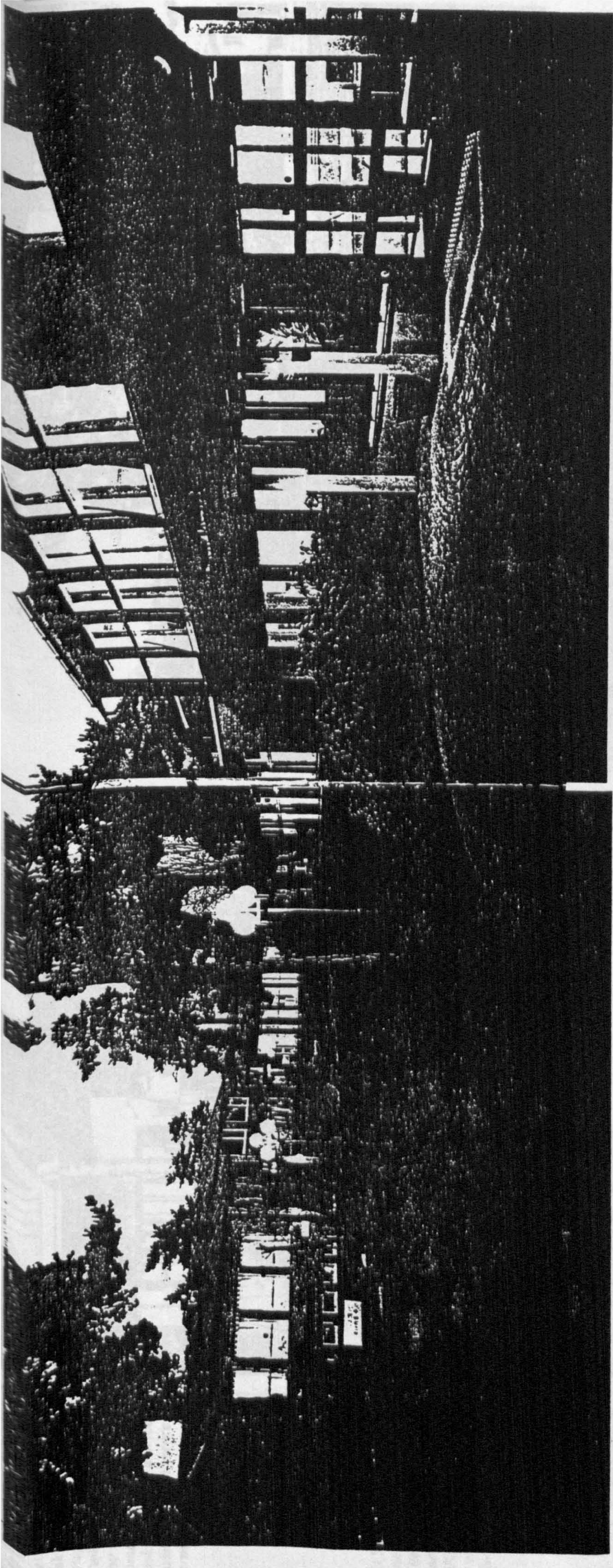
**Stora Brännbo**  
Kommunförbundets kursgård, Sigtuna

Postal address: Box 65, S-193 00 Sigtuna, Sweden Visiting address: Stora Brännbovägen 2—6, Sigtuna  
Telephone: + 46-760 501 05



*This is  
the entrance to  
a successful  
conference . . .*





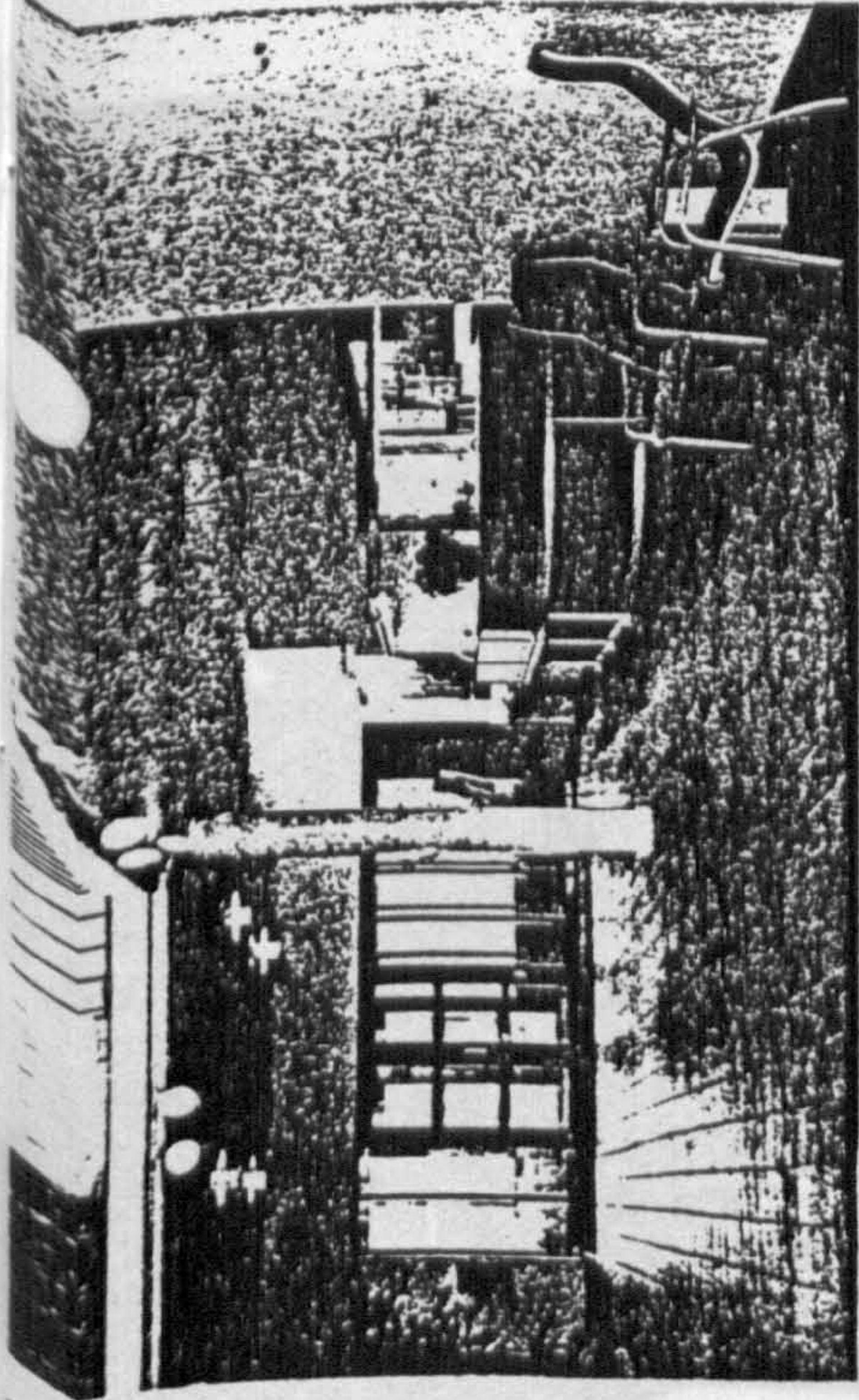
... Stora Brännbo — a modern course & conference centre in the historic old town of Sigtuna, situated right in the middle of Sweden's fastest-developing region, Stockholm-Arlanda-Uppsala. Let's take a look around.



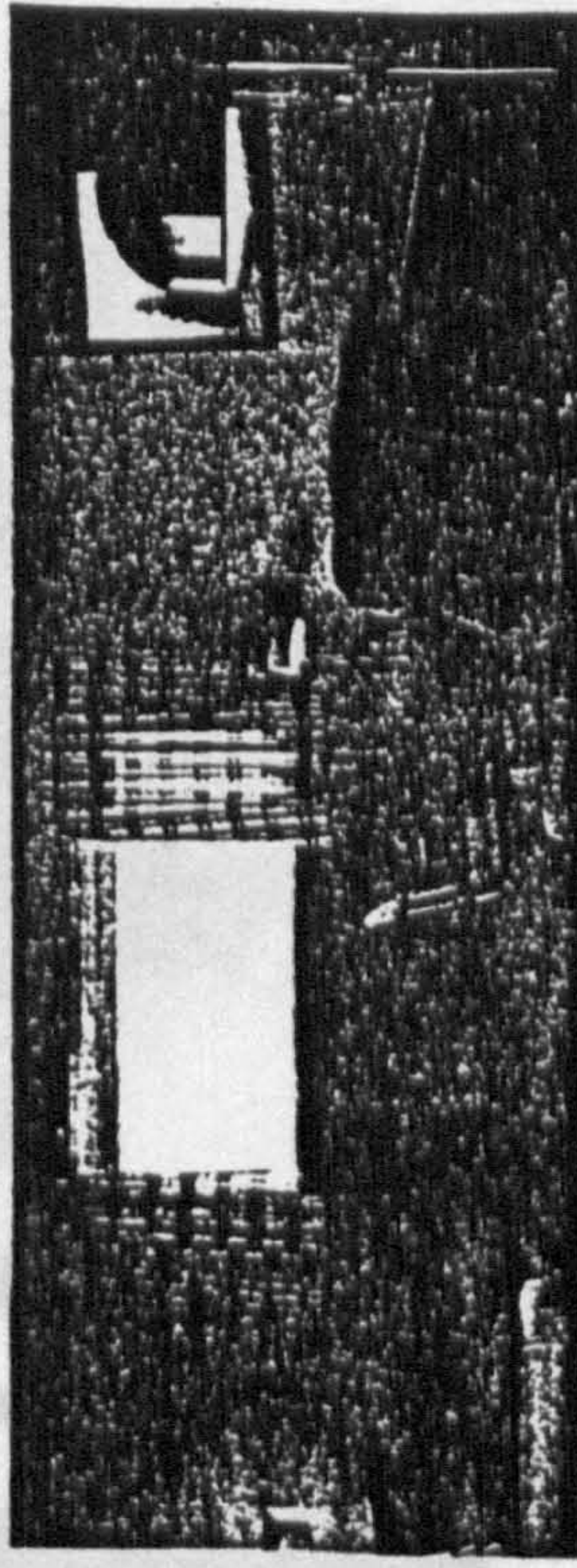
**Stora Brännbo**  
Kommunförbundets kursgård, Sigtuna



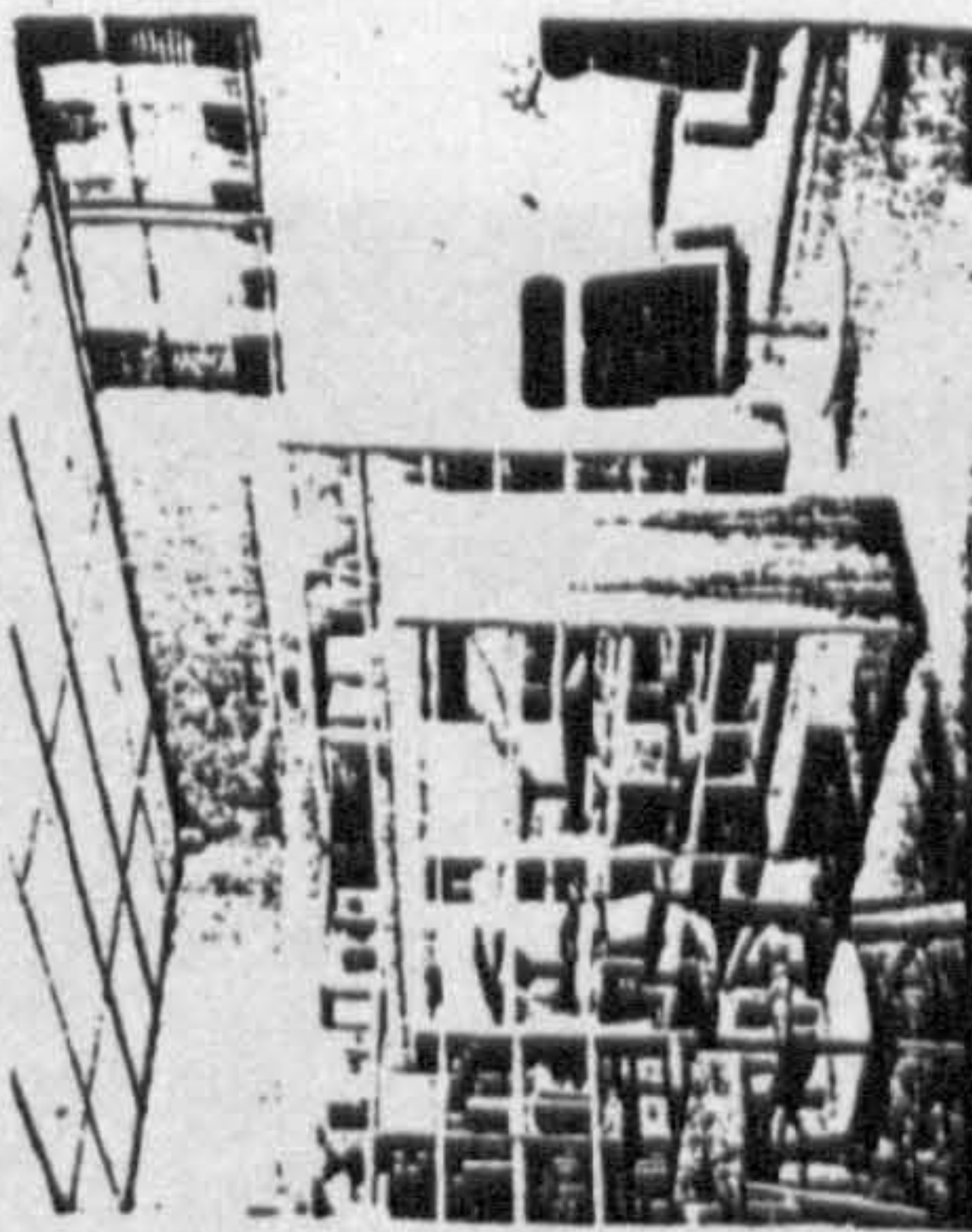
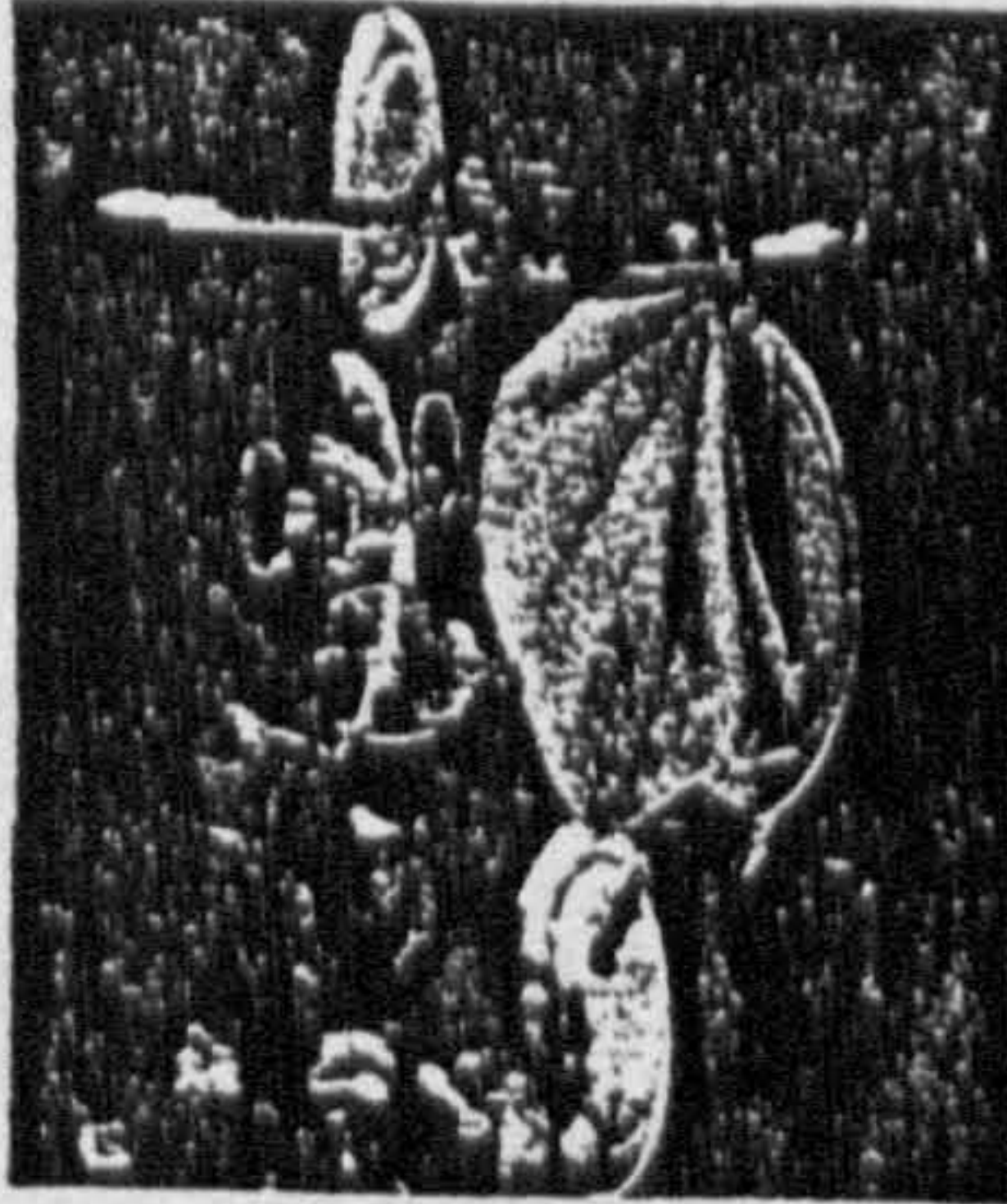
*We begin, as one usually does, at the reception desk. Here you collect your room key and here is where you go whenever you want help or to ask something. The reception desk also serves as a focal point for all conference services.*



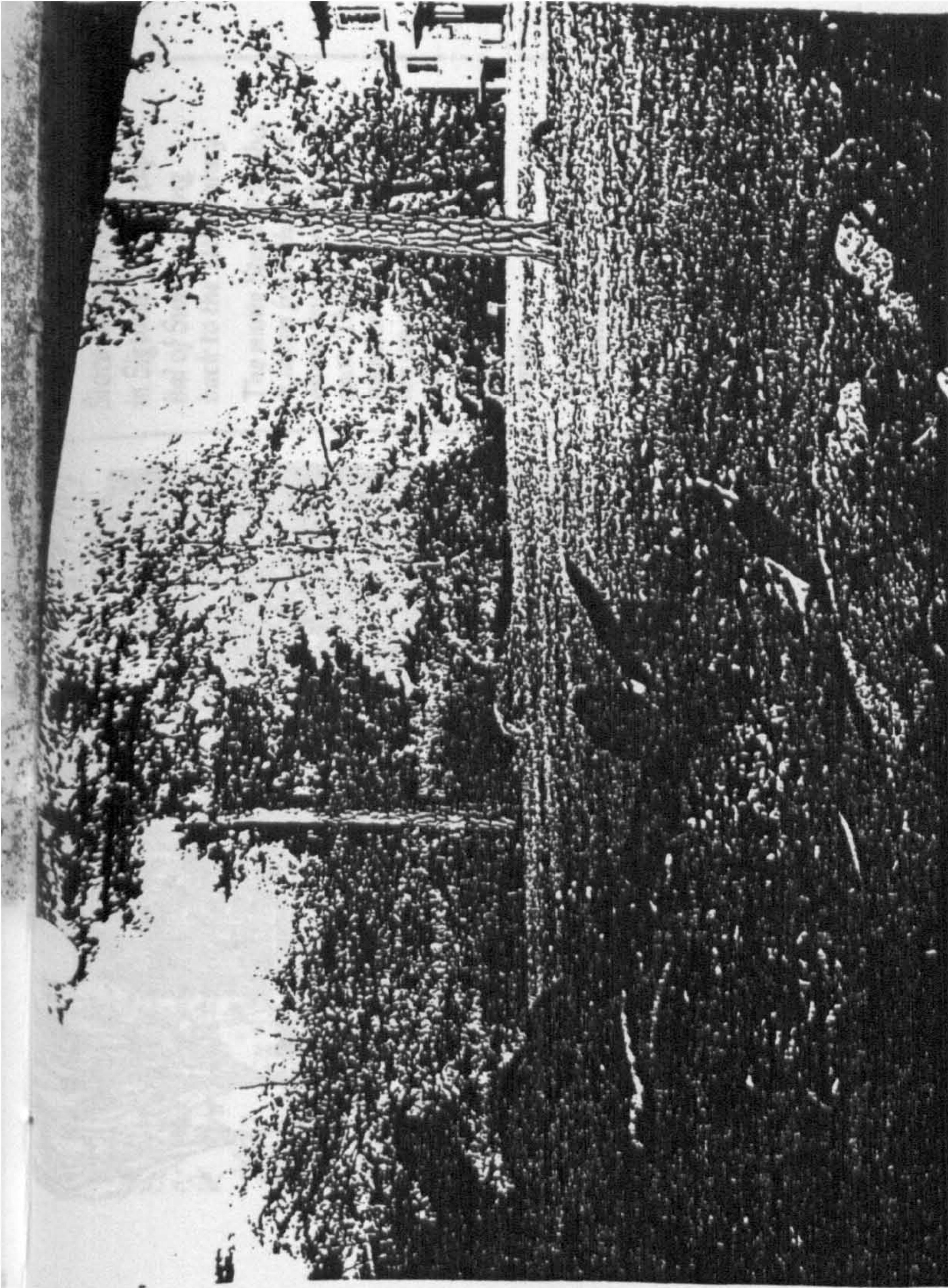
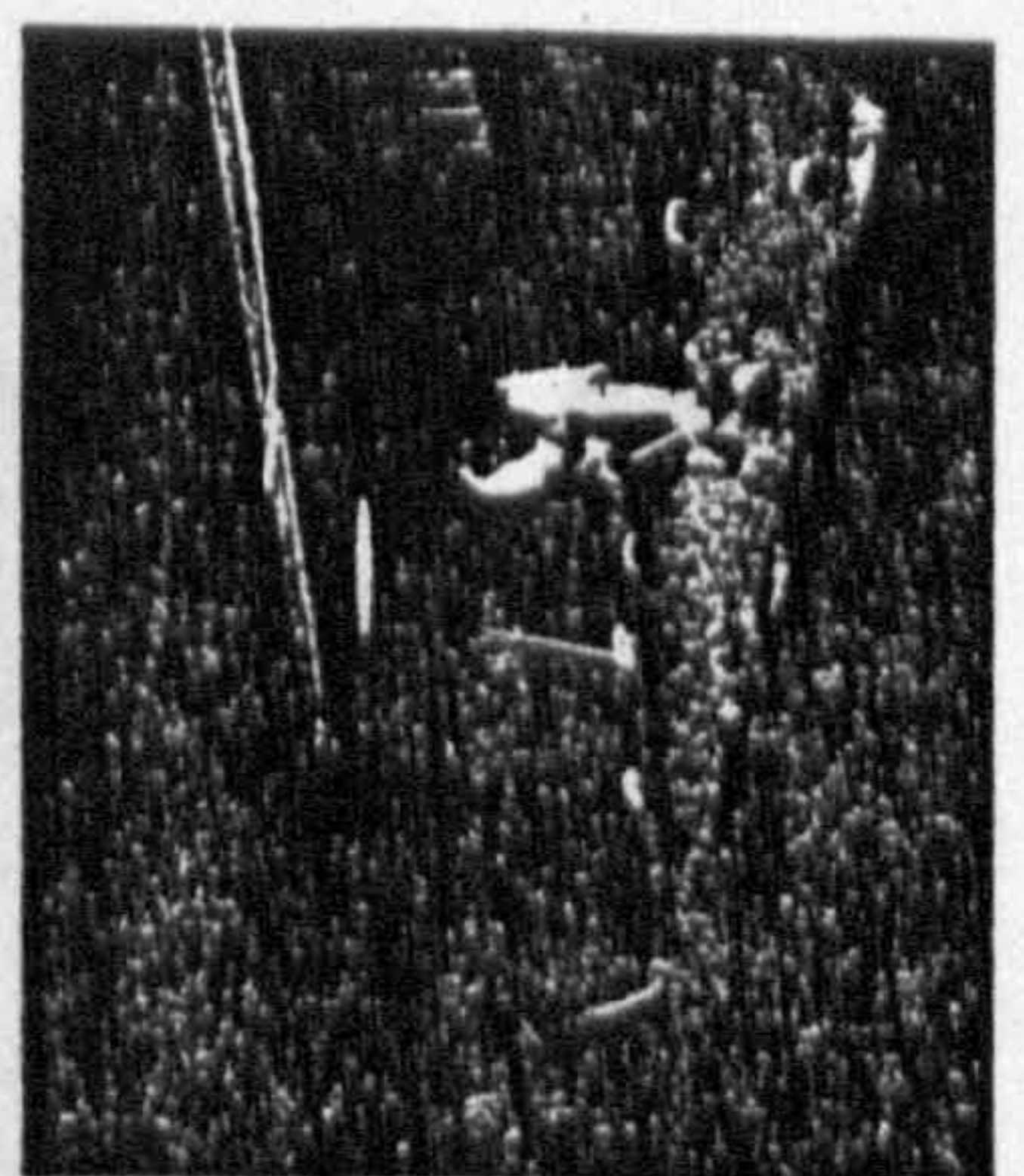
*At Stora Brännbo everyone has a single room. There are 100 of them. Each has a shower and WC, of course, but each is equipped with a telephone as well.*



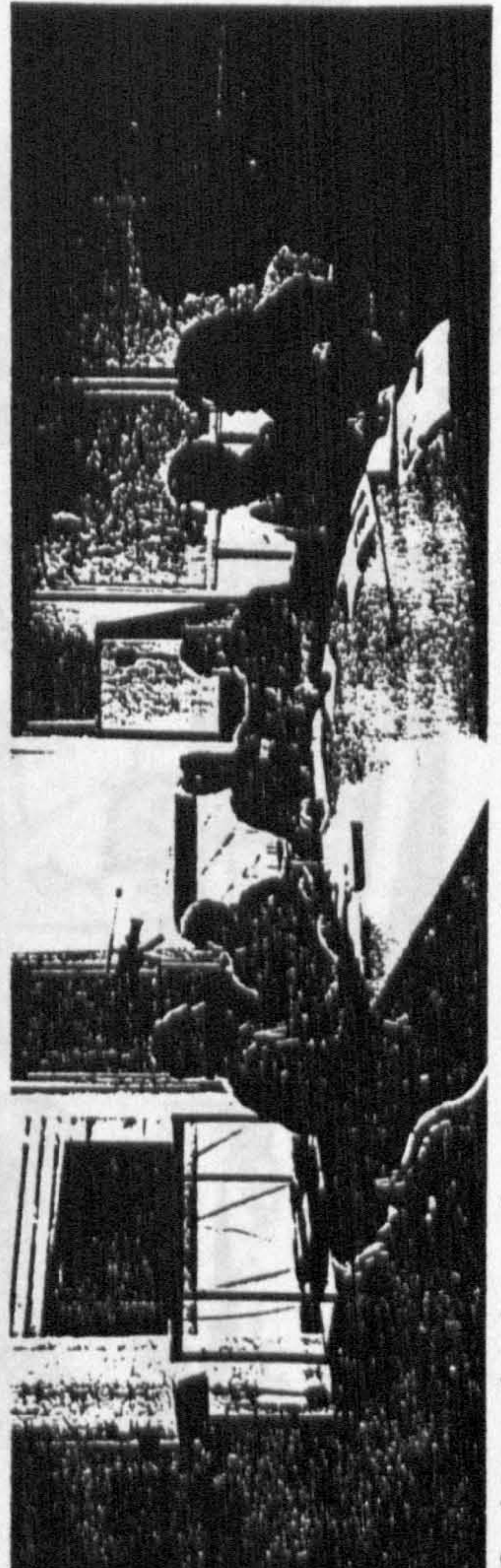
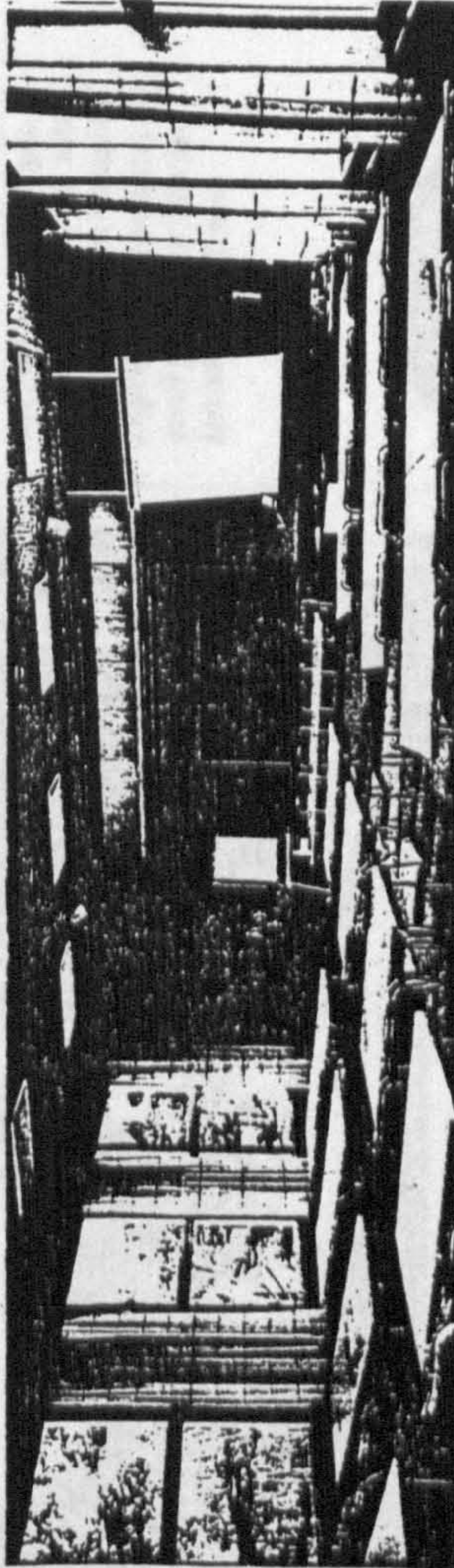
*Food is important at conferences and courses, as everyone knows. The high quality of the cuisine at Stora Brännbo is widely recognized. You can get everything here — from simple, well-cooked meals to proper feasts. And you can eat when you yourself choose.*



*If everyone's tastes are to be satisfied there must also be a variety of spare-time activities available. Stora Brännbo offers both physical and spiritual opportunities for recreation.*



*You can not get much closer to nature than Stora Brännbo!*



*Conference chambers and group-rooms are of course equipped with all the audiovisual equipment you may require.*



Stora Brännbo is located in Sigtuna, the first capital of Sweden dating back to the 11th century.

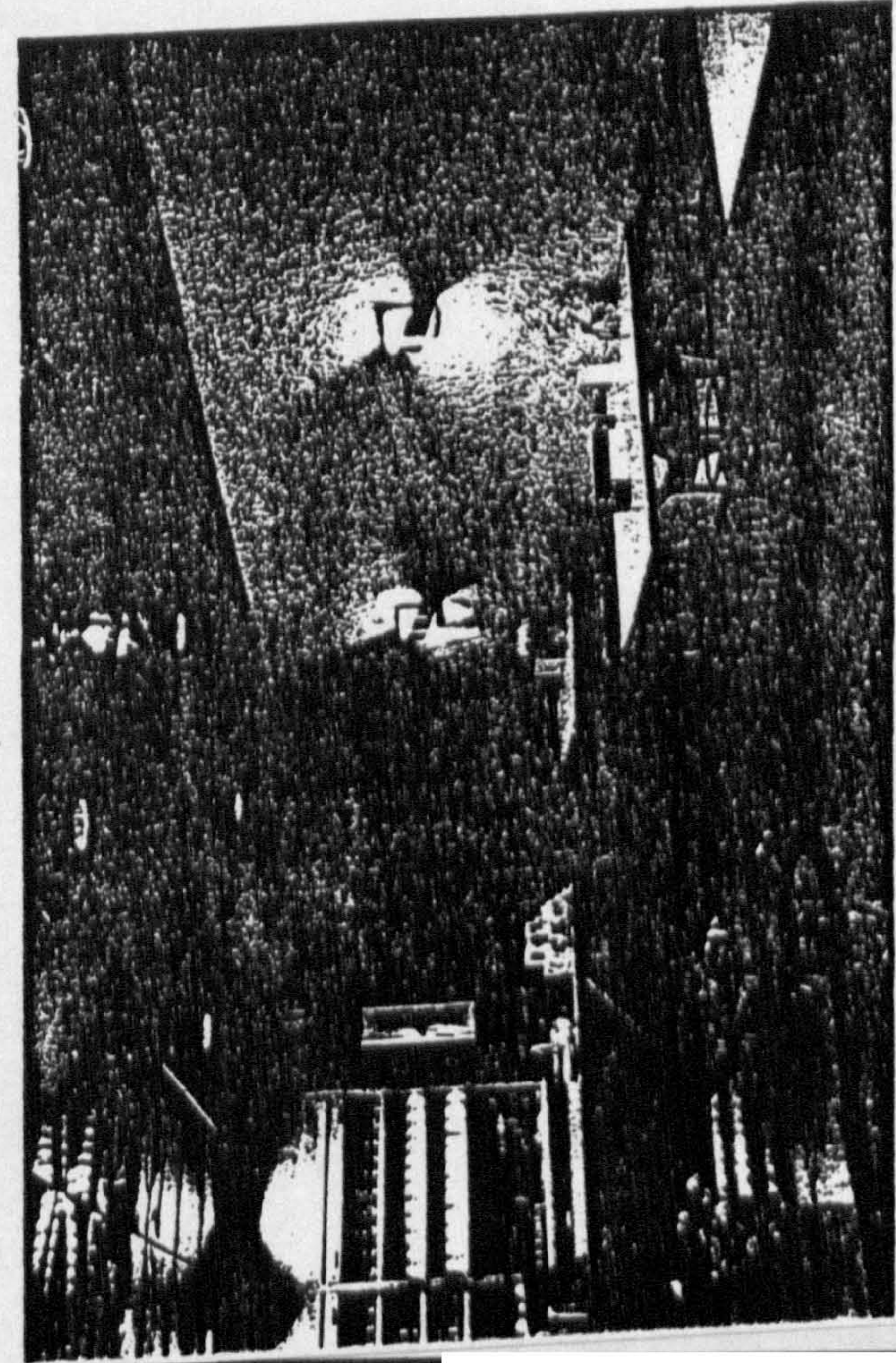
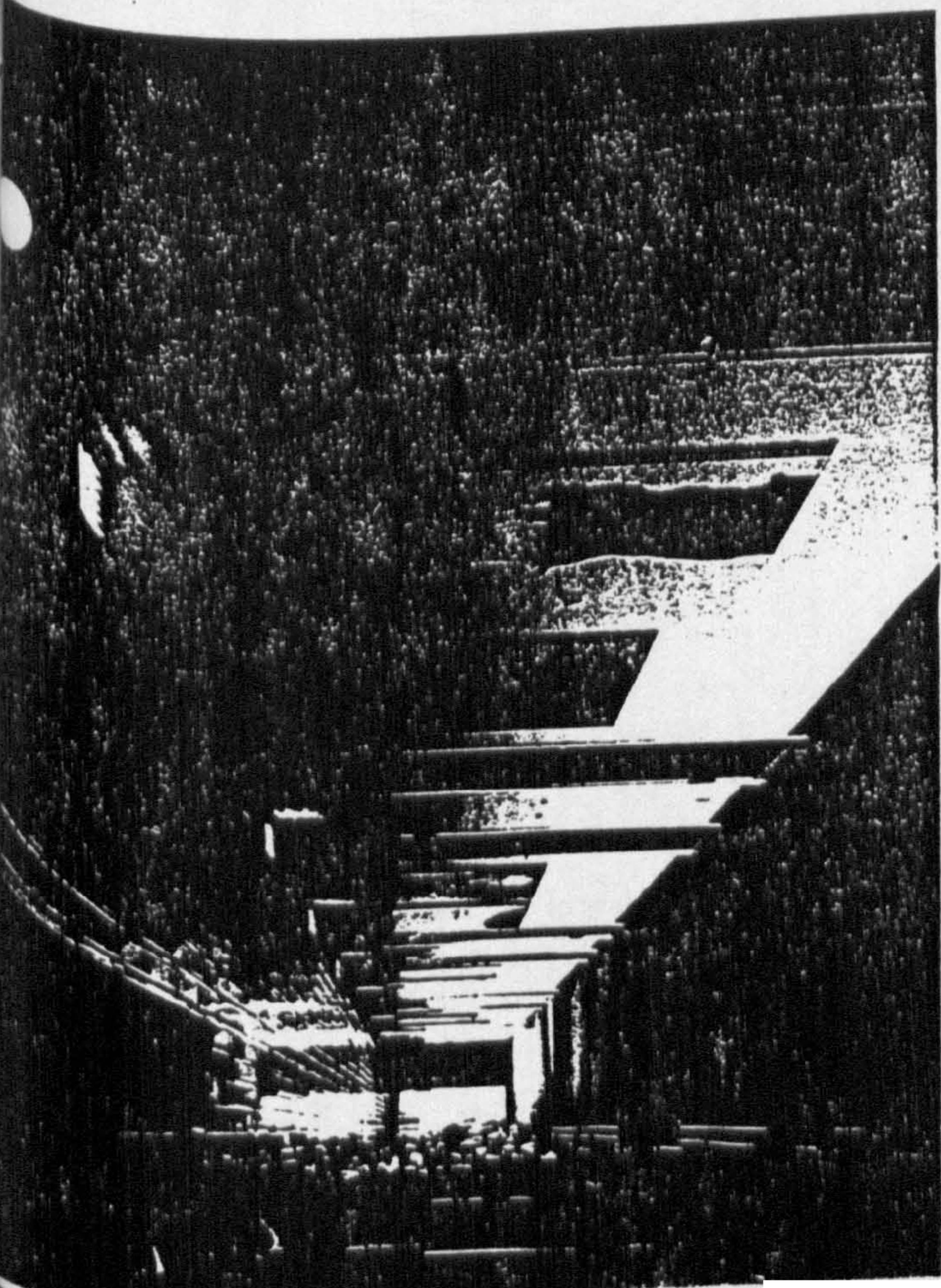
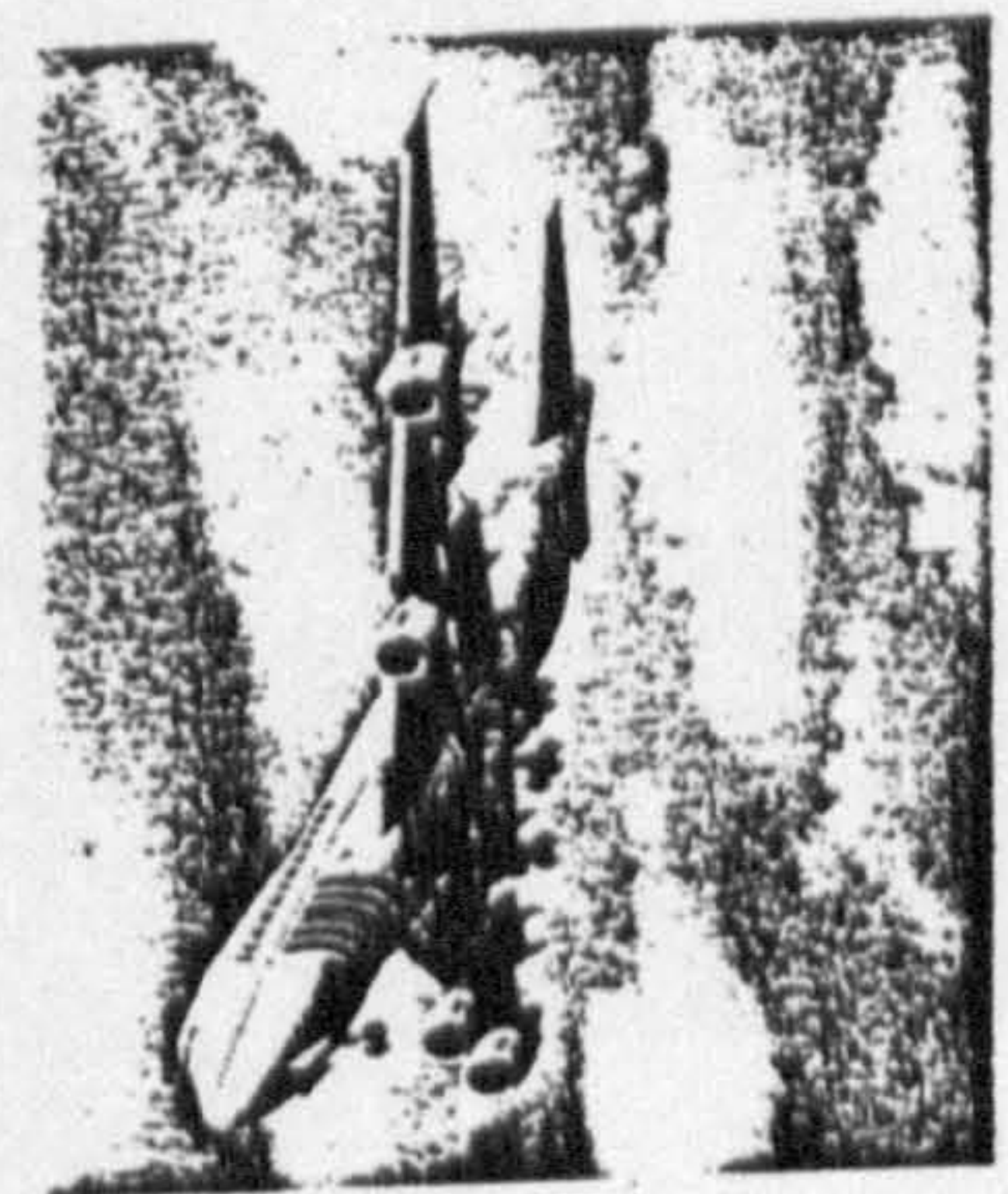
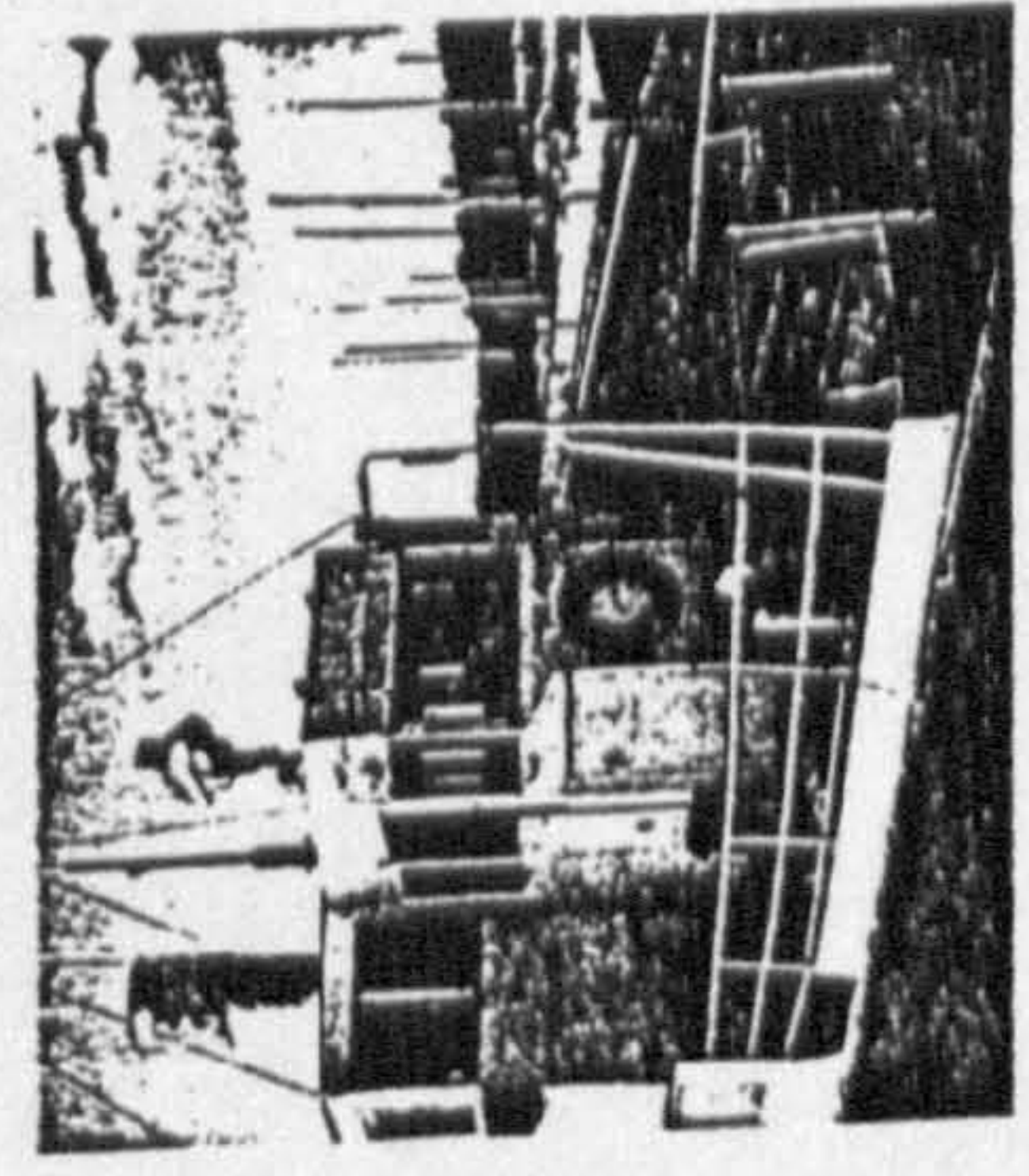
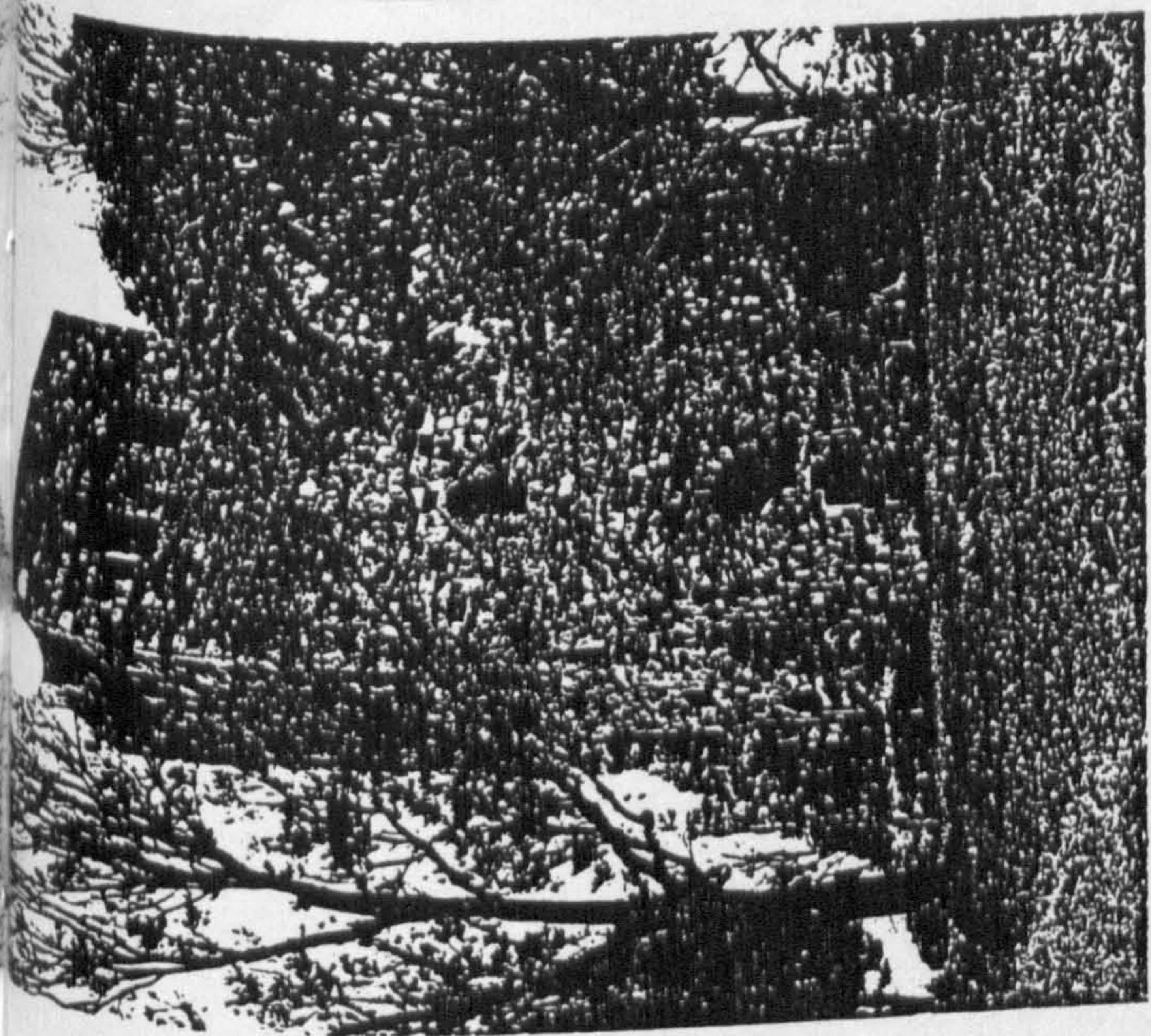
The name Stora Brännbo is taken from the landed estate once situated at this spot. The estate is first mentioned in a will written on parchment in 1452. The place is believed to have been established about a century earlier.

So we are treading historic ground both here at Stora Brännbo and when we wander about Sigtuna. Take a stroll around the town — have a look at the ruins of 12th century buildings — saunter down the main street, Stora gatan, which runs through Sigtuna just as it did almost a thousand years ago.

Sigtuna is a fantastic town, with one foot in the early Middle Ages and one foot in the modern era's fastest-growing region just 15 minutes by road from Arlanda international airport.



Sweden's first coin, from the 11th-century reign of King Olof, was minted in Sigtuna. You can buy a silver replica of the coin at the reception desk at Stora Brännbo.



Evening café is a meeting-place where you can relax with a glass of wine and a range of cheeses or simply a beer and a piece of sausage. Open almost to midnight.



**SWEDEN**

**HÖGBERGA**

**THE COUNTY COUNCILS' TRAINING CENTRE**



# WELCOME TO HÖGBERGA

## Address

Andstingskolan Högberga  
 Brändstigen 4-6  
 S-181 62 LIDINGÖ  
 Sweden

## Telephone numbers

Reception: 08/766 01 55 (put through to annexe after 5.0 p.m.)  
 Matron: 08/766 05 04  
 Participants: 08/766 39 42 (main building after 5.0 p.m.)

**Limited times of opening** The school is not open for conferences during July or during the Christmas and New Year holidays.

**Course rooms** Main building: conference room for 60 persons at table, 6 group rooms. Annexe: conference room for 20 persons at table, 3 group rooms.

**Catering** Dining room with self-service for 70 persons. Full board consisting of breakfast, morning coffee, lunch, afternoon coffee, inner and evening coffee served at fixed times.

**Technical aids** Microphones, loudspeaker system, videotape player, TV camera for recording, 16 mm sound film projector, projectors for slides and film strips, overhead projectors, open reel and cassette tape recorders. All the group rooms have AV cabinets containing writing board, flip-over pad and screen.

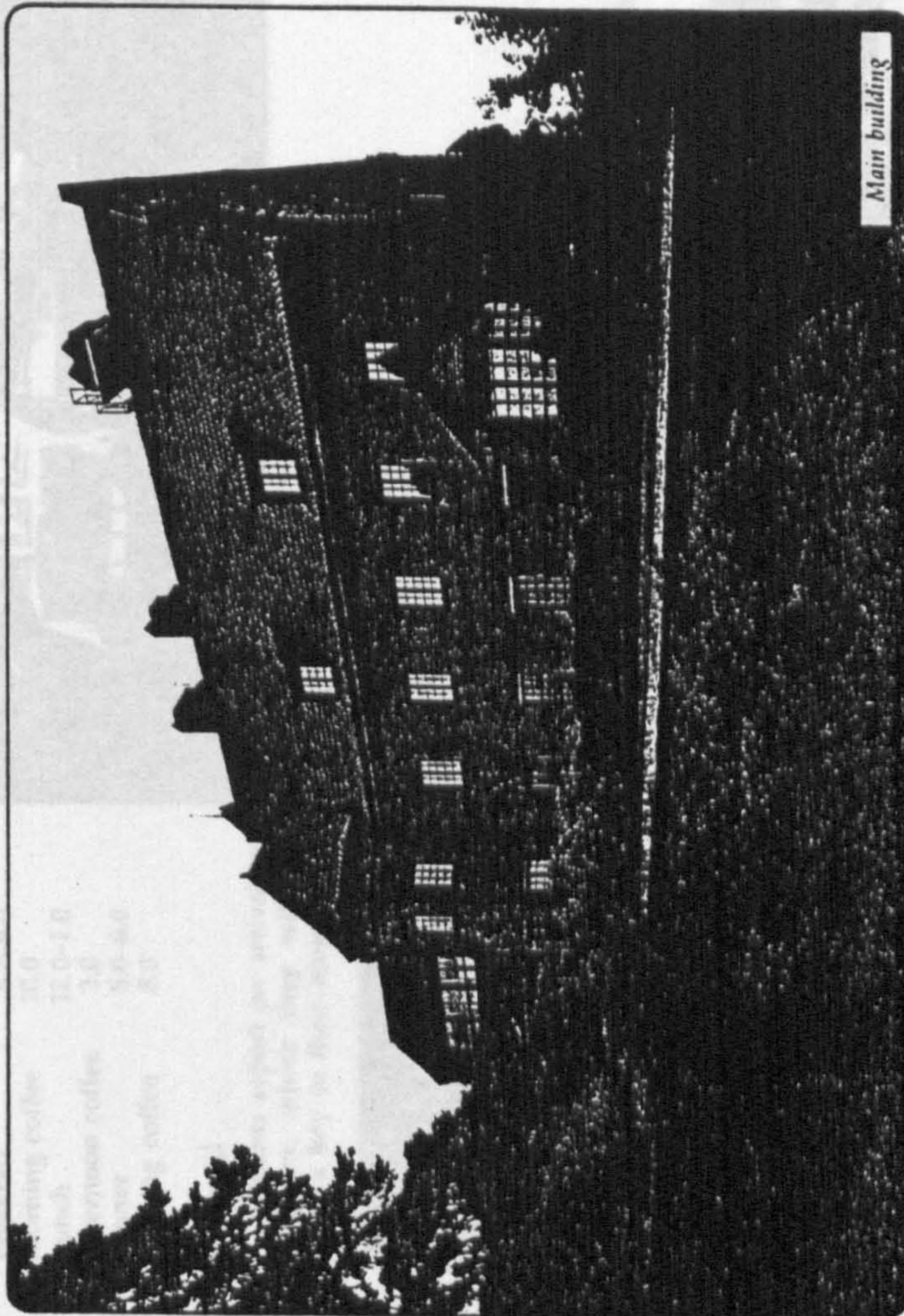
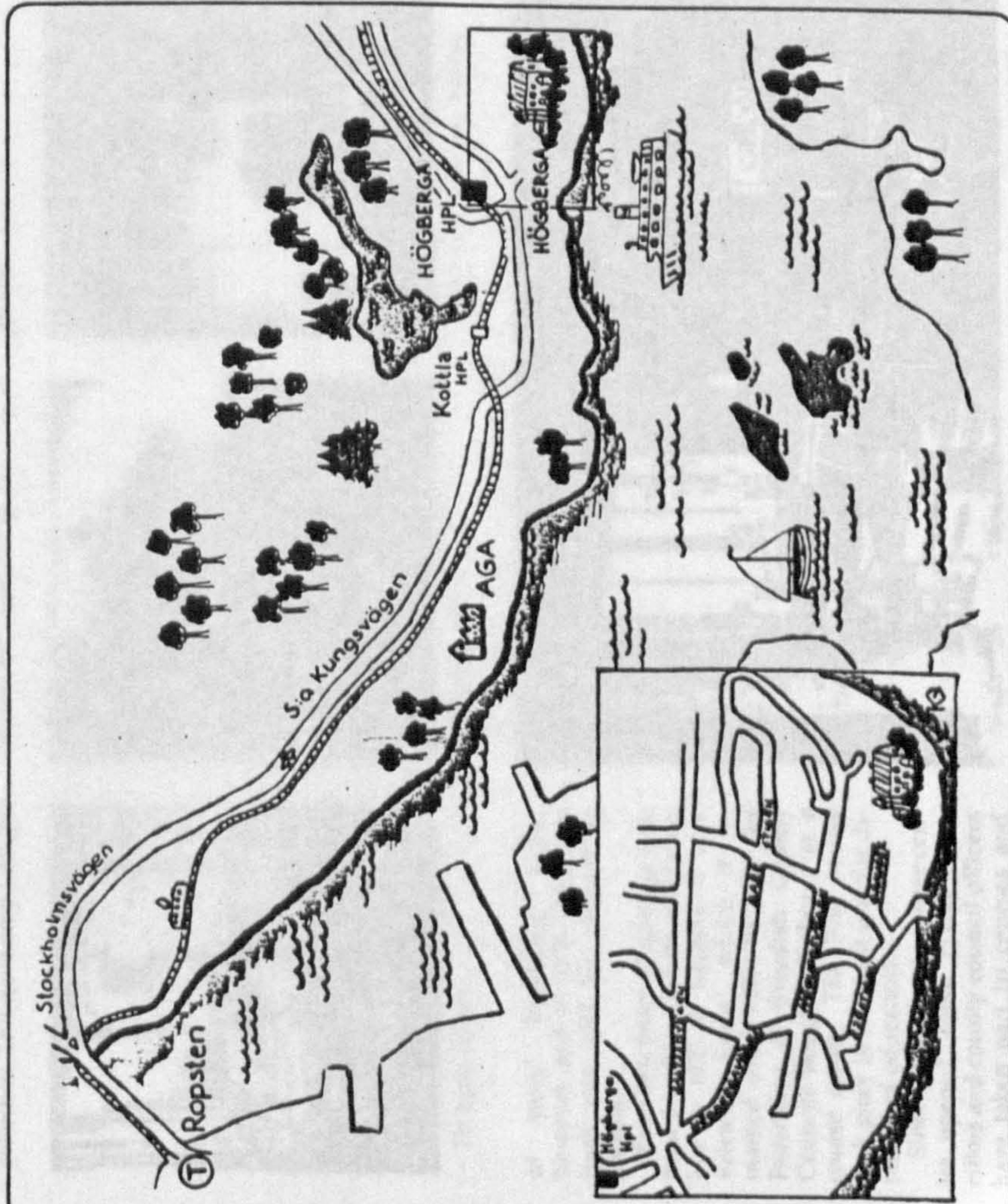
**Accommodation** 50 single rooms, each with shower and toilet. Two rooms are suitable for the disabled. There is a clock radio in each room.

**How to get there** Stockholm Underground to Ropsten, followed by train on route 221 to Högberga station.

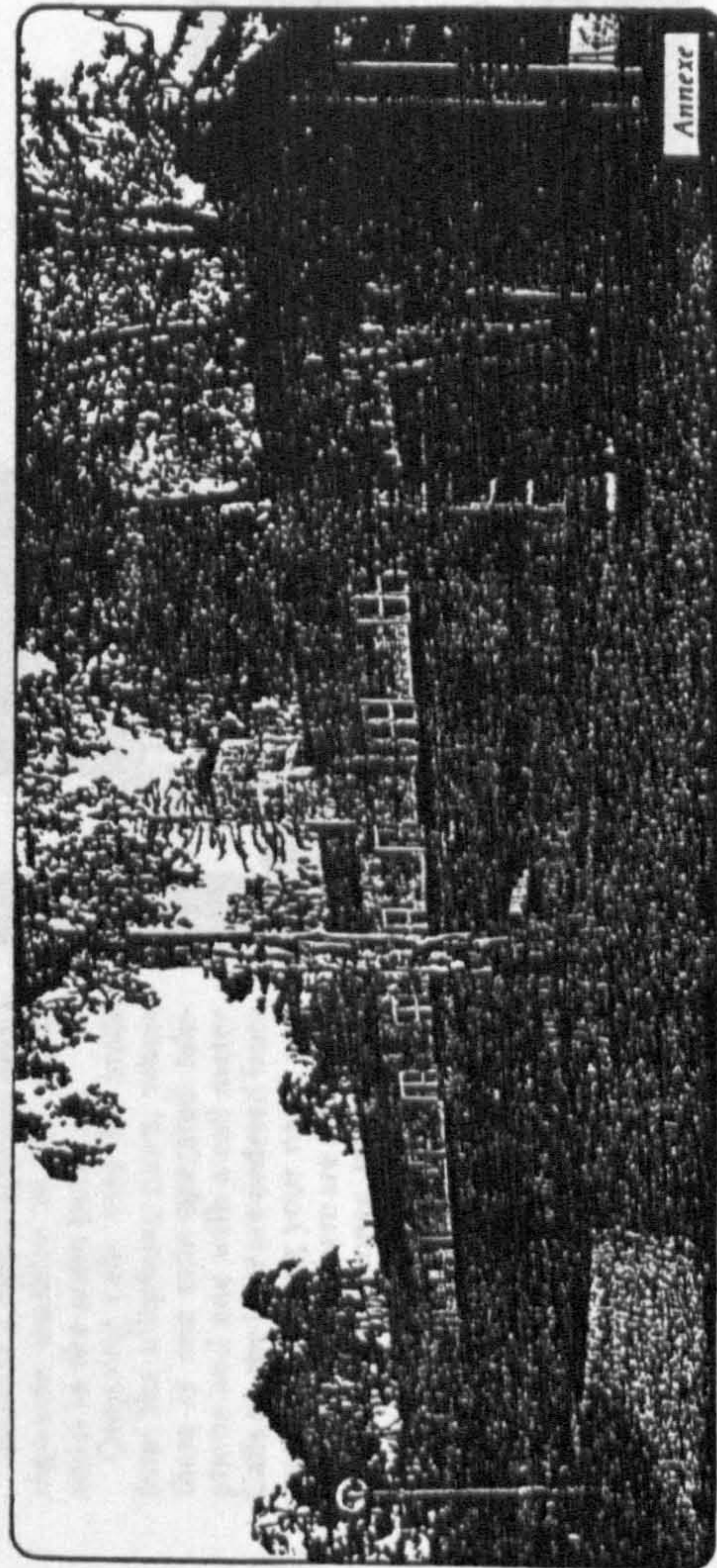
**Location** By car over Lidingöbron (Lidingö Bridge) - sign: Gåshaga väg, route 277 - Stockholmsvägen - Södra Kungsvägen - Högbergavägen.

**Locality** The school is situated in a residential area on the southern side of the island of Lidingö and overlooks the main channel, opposite to the entrance to Skurusundet.

**Recreational activities** The centre has a sauna, table tennis, billiards and an exercise room. Both buildings have common rooms with TV. There is a music system in the Chinese Room.



Main building



Annexe



## A brief history of Högberga

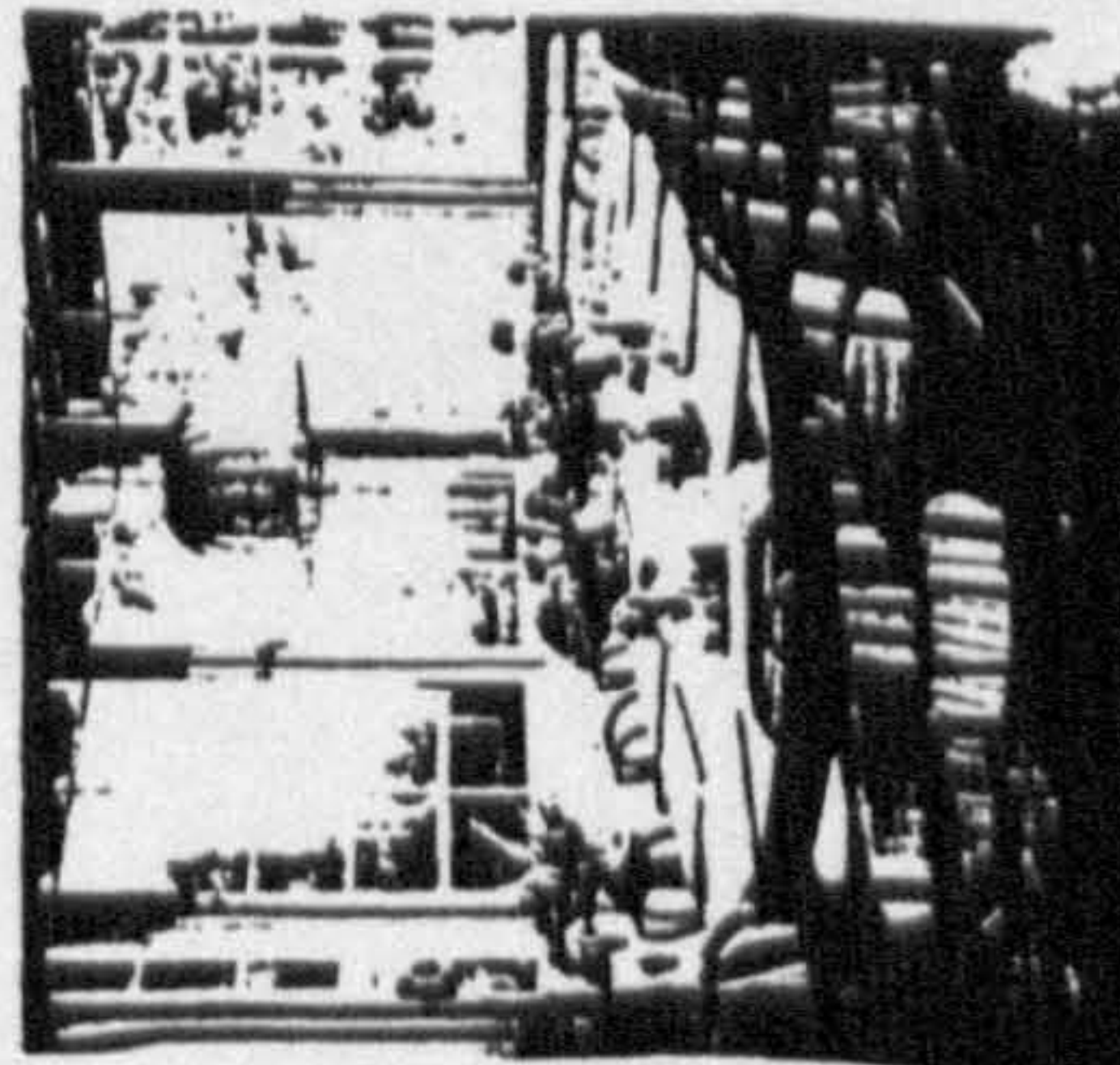
Högberga was built between 1912 and 1916 by Claes Fähræus. Fähræus was an art collector and a patron of the arts. The present lecture room in the main building was an art gallery. The Högberga collections were large and valuable.

Fähræus often allowed artists, both well known and not so well known, to stay at Högberga, where they found peace and quite in which to work and also creative inspiration.

Chinese art had also begun to interest Fähræus and he acquired a large collection of Chinese art, in which many objects dated from the seventh century B.C. He had the Chinese room built in 1914-16 in order to house this collection.

But times changed, the economic climate became increasingly austere, and in 1926 Fähræus had to sell the Chinese collection. This gave only a couple

so that it can now provide overnight accommodation for 50 guests.

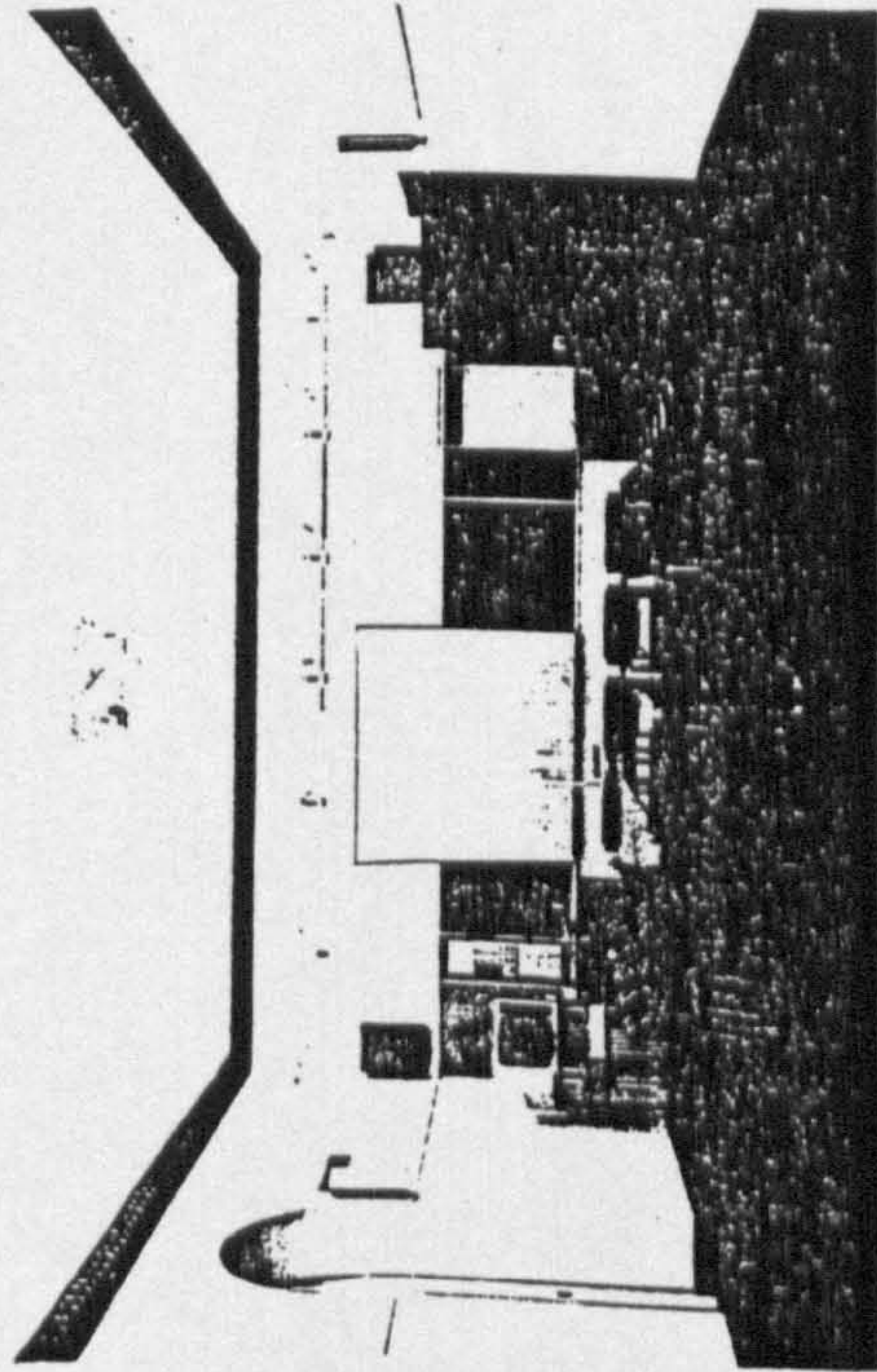


- The loggia, interior

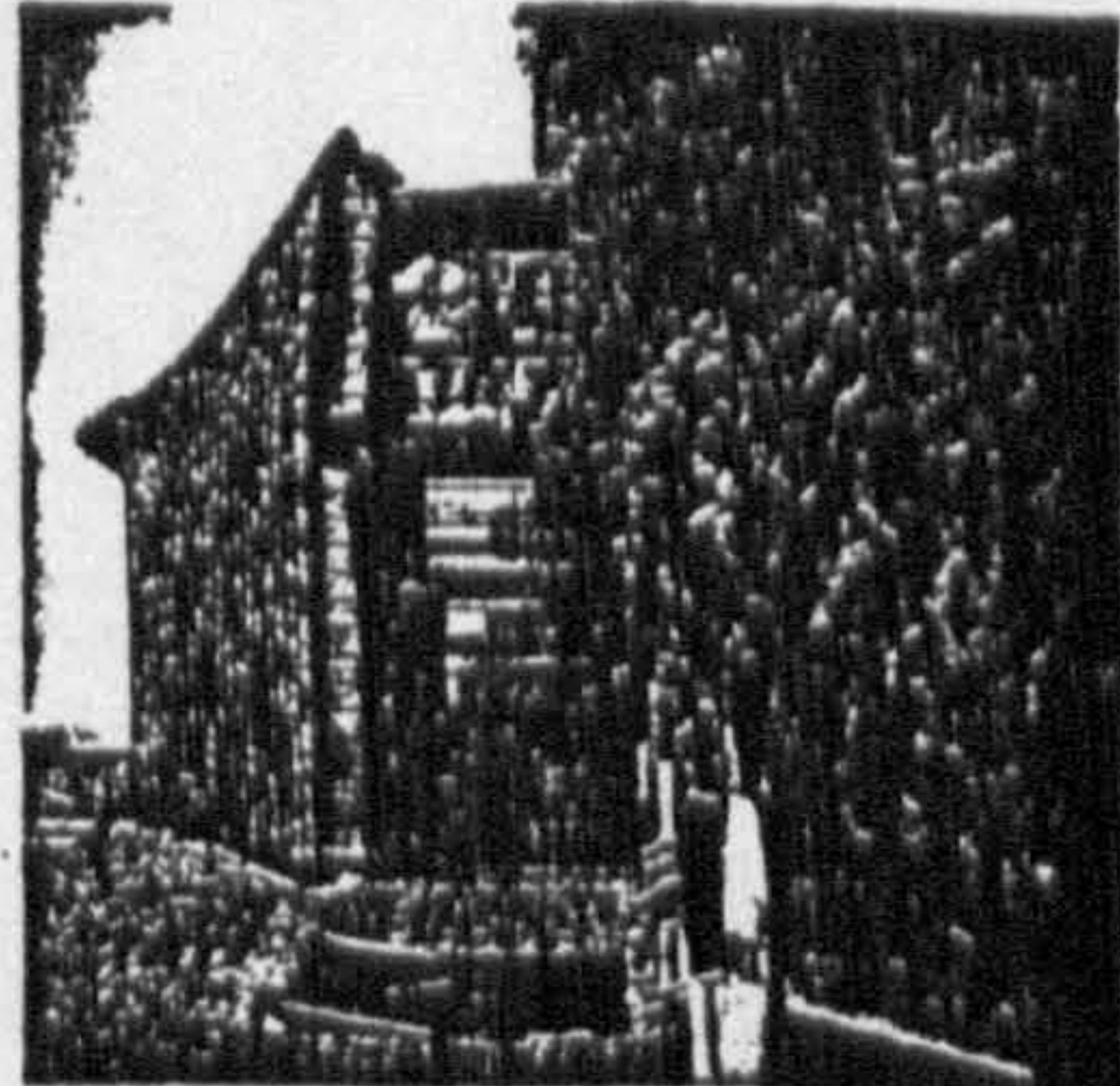
of years' breathing space, however, and in 1928 Högberga itself was sold by compulsory auction.

For a few years Högberga continued to be a private residence, but in 1932 it became a convalescent home, which it remained until 1963. In 1964 the Federation of Swedish County Councils bought Högberga as a course centre. The first course took place in 1965 and was for directors of education.

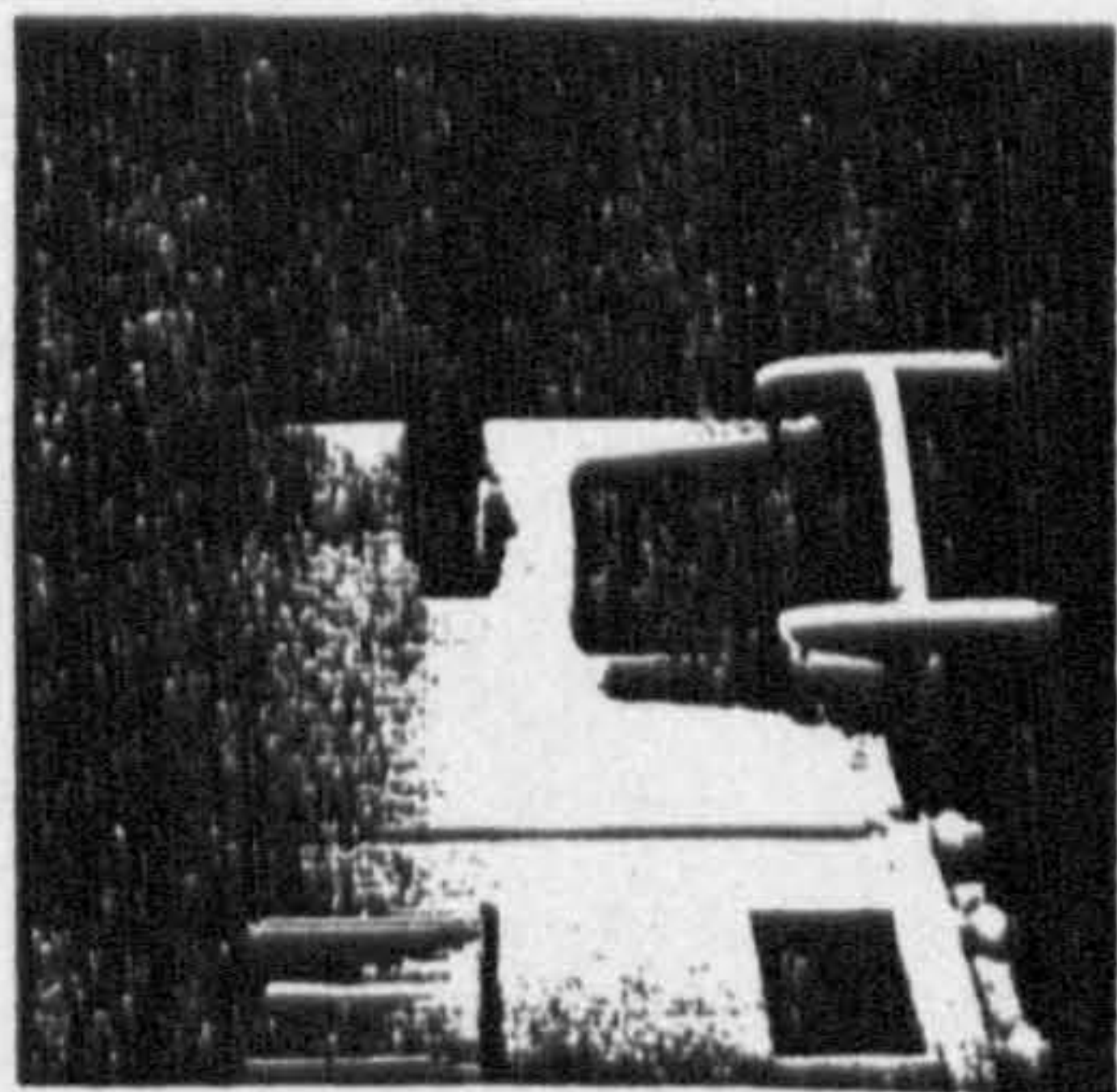
Since the Högberga course centre opened, some 15,000 councillors and county council officers have taken part in courses and conferences.



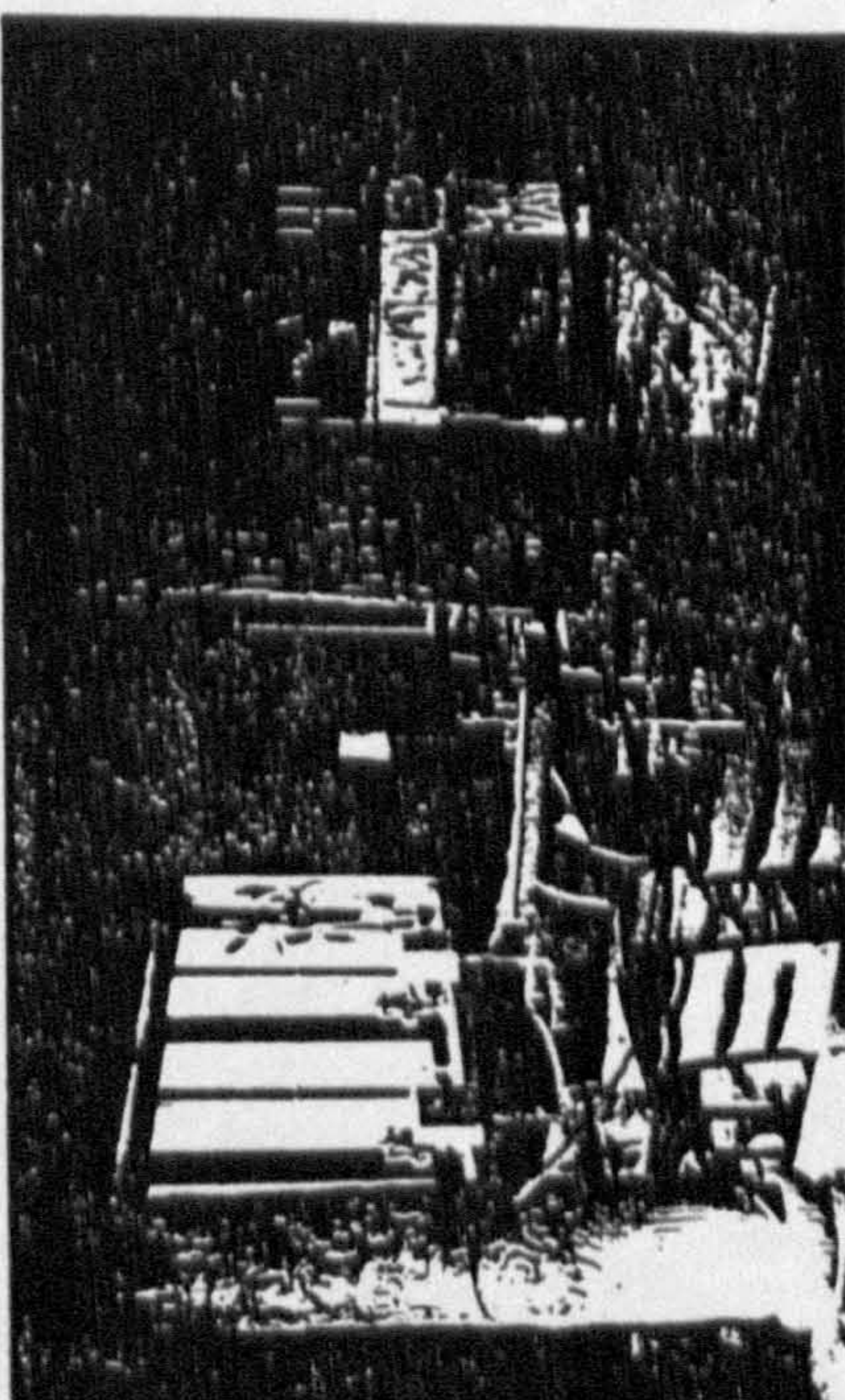
- The conference room in the main building



- The loggia, exterior



- Guest room in the main building



- The Chinese Room

## To the cow, participant

May we bid you warmly welcome to the County Council Course Centre at Högberga.

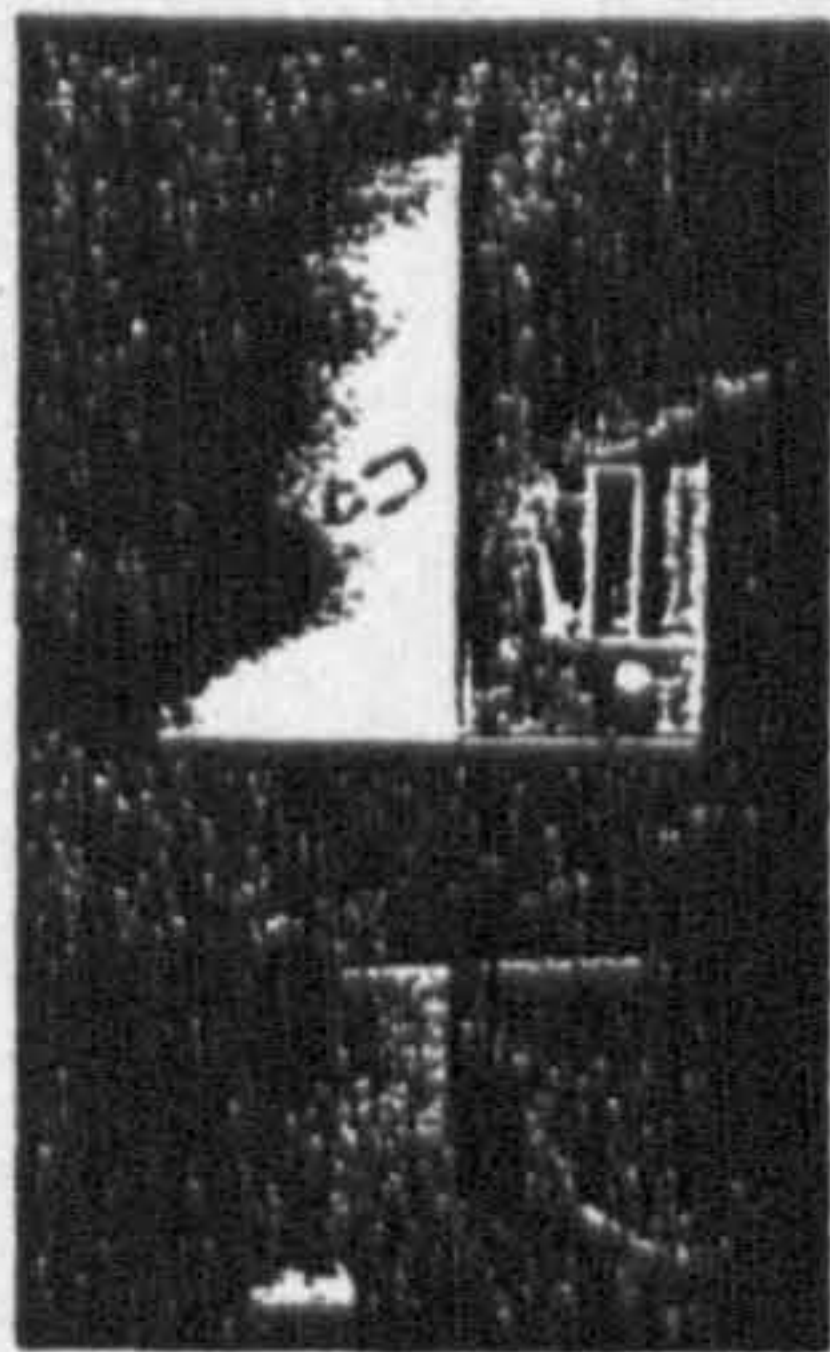
In order to help the course to run as smoothly as possible, we would like to tell you a little about school routines and facilities.

### Mealtimes

Breakfast	8.0-9.0
Morning coffee	10.0
Lunch	12.0-1.0
Afternoon coffee	3.0
Dinner	5.0-6.0
Evening coffee	8.0

### General

Participants report on arrival to reception, where they will be given a key to their room. This



- Guest room in the annexe

key opens both the guest's own room and the entrance doors to the annexe and to the main building.

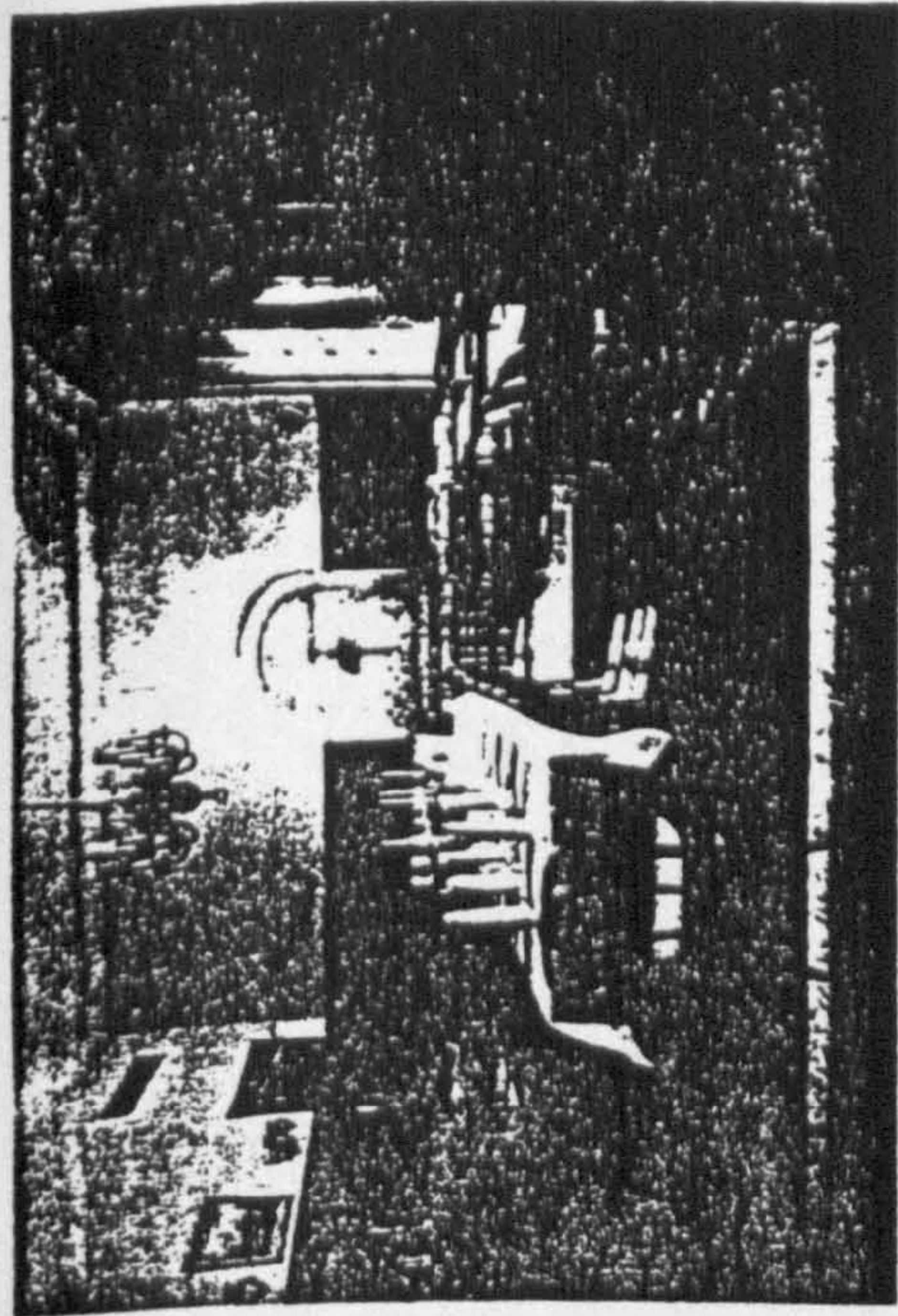
Postcards and stamps may be purchased at reception, which is open from 8.0 a.m. until 4.30 p.m. Train tickets etc and taxis can also be ordered from reception.

There is a cash dispenser and a cigarette machine in the cloakroom in the main building.

Outgoing calls may be made from the telephone room, where there is one coin-operated telephone and one with a call meter. Calls on the later are ordered from reception, giving your name and room number. There are also coin-operated telephones in the annexe. There is a telephone for incoming calls in the telephone room.

The bill for board and lodging is presented to the employer, so participants do not need to settle this in cash.

If you need overnight lodging at the school the night before the

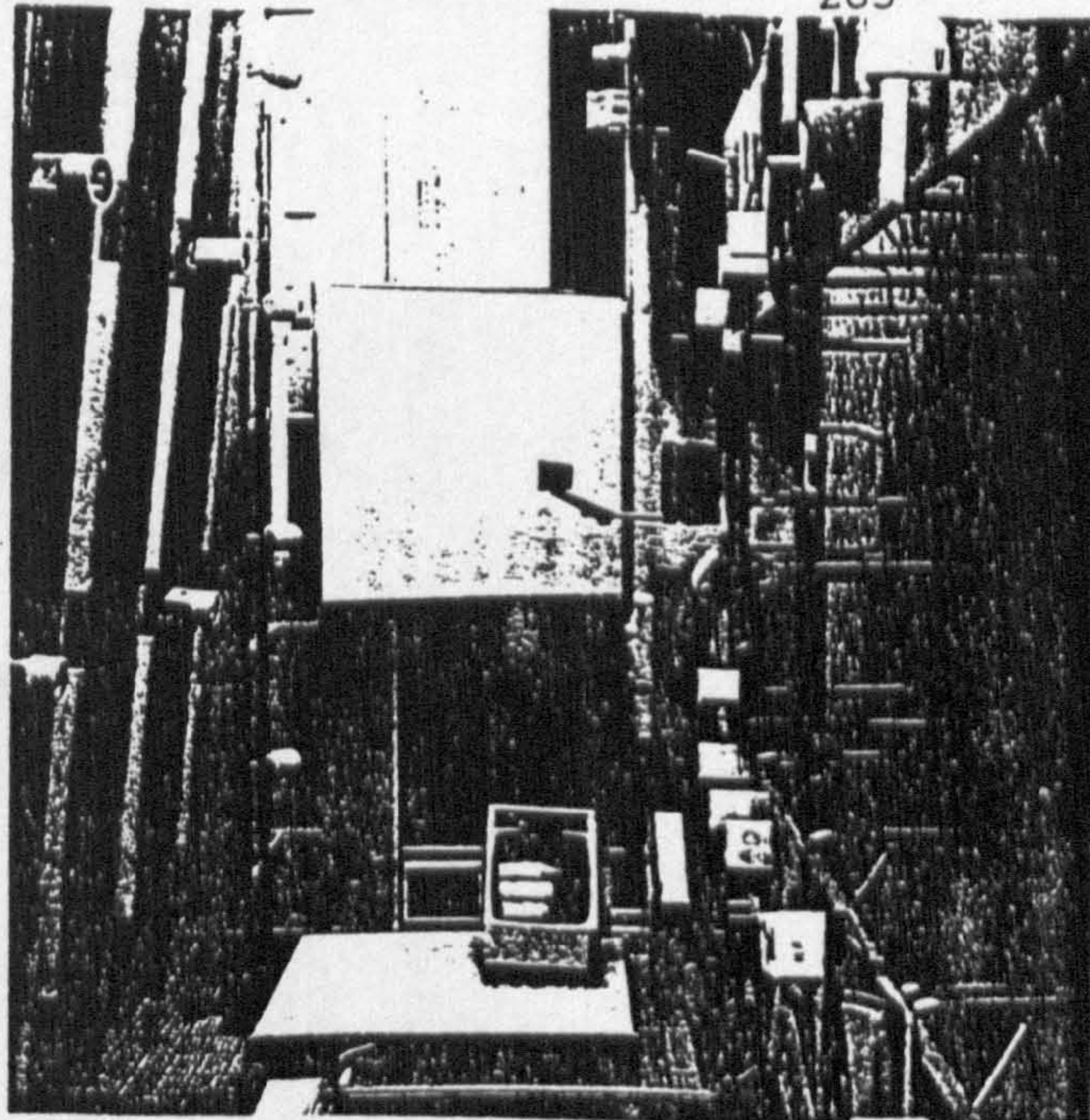


- The dining room in the main building, ready for a banquet

course begins, you should ring 08/766 01 55 as early as possible.

We hope that you will have a pleasant and rewarding stay at Högberga.

Landstingsförbundet · The Federation of Swedish County Councils



- Conference room in the annexe



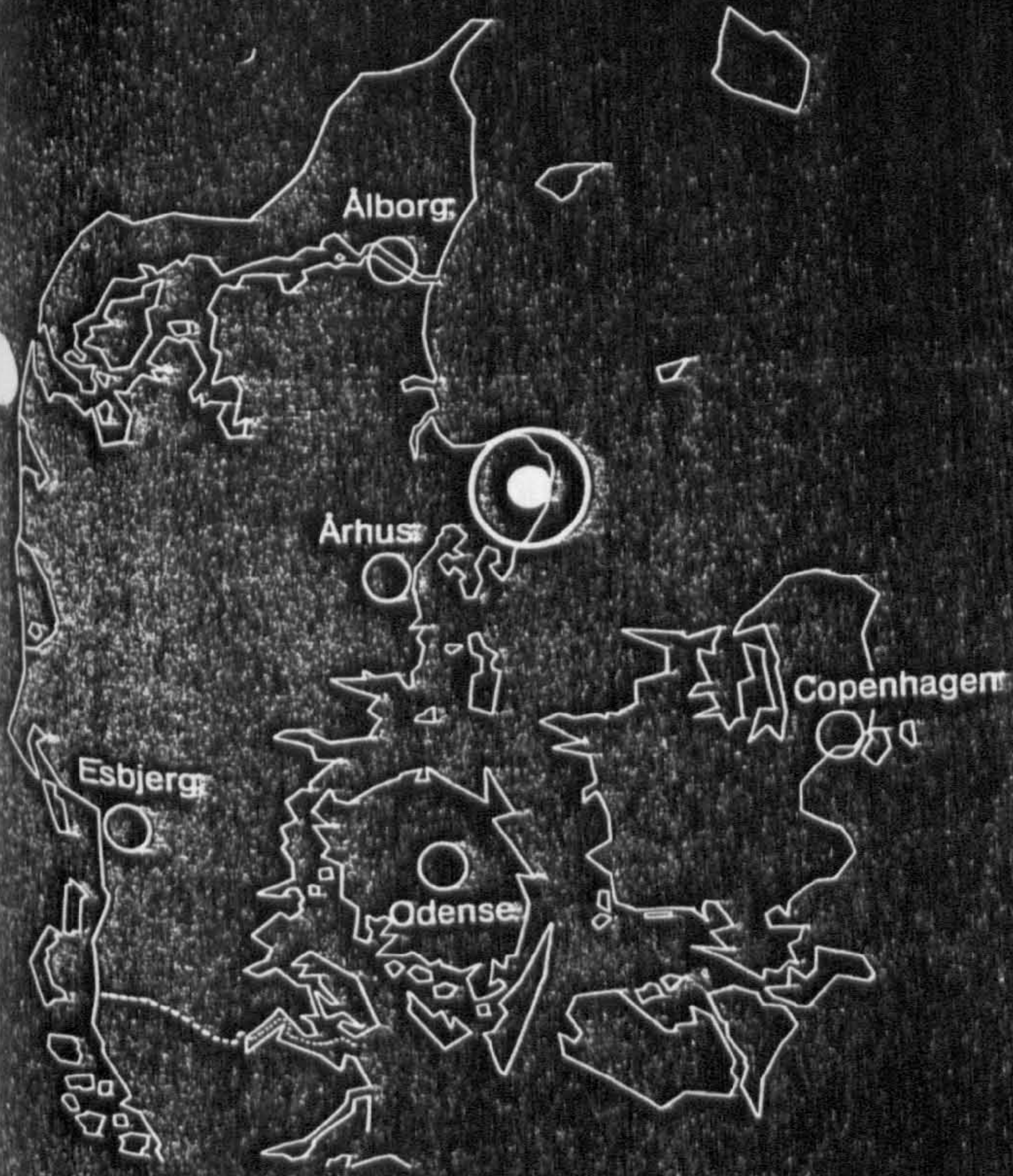
**DENMARK**

**THE LOCAL GOVERNMENT TRAINING CENTRE**



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Printed in Denmark by Center Offset, Grenaa

THE LOCAL GOVERNMENT  
TRAINING CENTRE  
OF DENMARK



# THE LOCAL GOVERNMENT TRAINING CENTRE OF DENMARK

## Objective and Control

The Local Government Training Centre of Denmark was established in 1967 with the objective of carrying out course-activities for elected representatives and employees in municipalities and counties.

The training centre is an independent institution and its members appoint a total of 11 members for the governing body:

The National Association of Local Authorities .....	6 members
The National Association of County Councils .....	3 members
The City of Copenhagen .....	1 member
The City of Frederiksberg .....	1 member

The election period follows the local government election period, i.e. 4 years.

## Tasks

The administrative staff - appointed by the governing body - carries out the following tasks:

- Planning of courses/conferences held at the centre.
- Planning of courses arranged on a regional/local basis in co-operation with regional municipal associations and county councils.
- Assistance to municipalities and counties concerning "the job training".

## The activities at the centre

The centre has no permanent staff of trainers. They are brought in from municipalities, counties, local government associations, government departments, universities, institutions of higher education and trade and industry.

Thoughly the activities can be divided into the following categories:

- Courses for elected representatives.
- Courses for managers at different levels.

- Specialized courses for a great number of employees. The courses are of relatively short duration, typically 3-5 days.

On an annual basis the centre carries out 170-200 courses with 9.-10.000 participants.

## The regional activities

In a series of fields the centre arranges courses "off premises". This part of the centre's activities is carried out through a formalized co-operation with the regional authorities and their secretariats.

The centre is responsible for designing of programmes developing of coursematerials and training of trainers.

## Capacity, financials and staff

The activities of the training centre began in 1967 in the buildings of a former hotel and with a capacity of app. 40 rooms.

Since then, the training centre has been expanded three times, the last of which was completed in March, 1984. Thus the total capacity of the centre is now: 160 single rooms, 4 conference-rooms, 17 group-rooms, 1 library, TV-studio, dining and living rooms, reception, leisure rooms, administration and secretariat.

The total initial costs of the centre, including the purchase of the former hotel and the three expansions amount to app. 43 million d.kr. financed basically by the Municipal Vat-Fund and through founders' investments.

The running of the centre must be autonomous and the annual operating costs are financed through the course fees paid by municipalities and counties.

As regards regional and local courses, the training centre may apply to the Municipal Vat-Fund for means for development and planning. (app. 10 million d.kr.).

The Local Government Training Centre employs a total of 70 full-time or part-time employees. 20 in the administration and planning section and the rest in various hotel-functions.



**APPENDIX 10**

**EXAMPLE OF A COSLA  
HUMAN RELATIONS BULLETIN**



# Convention of Scottish Local Authorities

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Fax 031-346 0055  
Roy MacIver  
Secretary General

## PERSONNEL SERVICES CIRCULAR

### HUMAN RESOURCE ADVICE 20/92 EQUAL OPPORTUNITIES

20 November 1992

## DEPARTMENT OF EMPLOYMENT: ACTION ON EQUAL OPPORTUNITIES AND SEXUAL HARASSMENT

### Ten Point Plan for Employers

1. The Department of Employment have issued employers with their Ten Point Plan for Equal Opportunities. This states that women, people from ethnic minorities and people with disabilities "frequently suffer unfair discrimination in employment" despite their abilities to make a full contribution at all levels in the workplace. The DE claim that action to provide equality of opportunity is essential on moral, legal and sound business grounds:

"Equal Opportunities is a natural and integral part of good management practice, aimed at developing people to the fullest extent possible for the good of their organisations and of themselves."

2. The Ten Point Plan aims to assist employers to promote equality of opportunity in their organisations and provides practical advice and information. The key points are to:

- (1) Develop an equal opportunities policy;
- (2) Set an action plan including targets;
- (3) Provide training for all staff;
- (4) Monitor the present position and monitor progress in achieving objectives;
- (5) Review recruitment, selection, promotion and training procedures regularly;
- (6) Draw up clear and justifiable job criteria;
- (7) Offer pre-employment training and positive action training;
- (8) Consider the organisation's image;
- (9) Consider flexible working;
- (10) Develop links with local community groups, organisations and schools.



3. Free copies of the pack are available from: ISCO 5, The Paddock, Frizinghall, Bradford BD9 4HD please quote reference No. PL 922.

#### **Sexual harassment in the workplace**

4. The Department of Employment have also recently issued guidance to employers' on tackling the issue of sexual harassment at work. They have provided a booklet for employers explaining how to draw up a policy and arrangements that can be made to deal with any complaints. They have also provided a leaflet for employees which explains what sexual harassment is and what steps to take if it occurs.

5. Copies of "Sexual Harassment in the Workplace" (Reference PL923) and copies of the employee's leaflet, "The Facts the Employees Should Know" (Reference PL924) can be obtained from ISCO 5, The Paddock, Frizinghall, Bradford, BD9 4MP.

6. The above publications are **NOT** available from the Convention.

#### **COMMUNICATION IS YOUR RESPONSIBILITY**

7. A report entitled "Communication is your Responsibility" has recently been published by The Commission of Enquiry into Human Aids to Communication. The Commission was set up by four organisations (the British Association for the Hard of Hearing, the British Deaf Association, the National Deaf Children's Society and The Royal Institute for Deaf People) to "consider the full range of human aids to communication between all deaf and hearing people and made recommendations for the improvement in the quality and quantity for both the shorter and longer term". The report aims to encourage organisations in both the public and private sector to implement the recommendations in order to improve opportunities for deaf people.

8. The report, sponsored by British Gas and supported by British Telecom, cost £15, can be ordered from Chris Shaw, Hon. Secretary, Panel of Four, 48 Gallows Hill Lane, Abbots Langley, Herts, WD5 0BY. Cheques should be made payable to the National Deaf Children's Society. **The report is not available from the Convention.**

9. Further Information on the terms of this circular is available from the Convention's Secretariat.

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25 NOV 1992  
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## BIBLIOGRAPHY

- Abolition of Domestic Rating (Scotland) Act, 1988, London, HMSO, 1988
- BYRNE, Tony, Local Government in Britain, London, Penguin, 1983
- Council of Europe, List of National Associations of Local and Regional Authorities, Strasbourg, Council of Europe, 1988
- , Local and Regional Structures in Council of Europe Member States - Denmark, Strasbourg, Council of Europe, 1979
- , Local and Regional Structures in Council of Europe Member States - Norway, Strasbourg, Council of Europe, 1973
- CLARKE, Michael and STEWART, John, Land of the Free, in Local Government Chronicle, 13 October 1989
- Convention of Scottish Local Authorities, Information Pack, Edinburgh, COSLA, 1990
- DAHLIN-JANSSON, Siv, HAIKONEN, Atte, KNAPPI-RUNG, Hilikka, and VARPASUO, Paavo, Finnish Local Government, Helsinki, Suomen Kaupunkiliitto and Suomen Maalaiskuntien Liitto, 2nd edition, 1983
- DAHLIN-JANSSON, Siv, HAIKONEN, Atte, HURME, Ritva, KNAPPI-RUNG, Hilikka, TUOMINEN, Helina (eds), Finnish Local Government, Helsinki, Association of Finnish Cities and The Finnish Municipal Association, 1988
- Danish Association of County Councils, Regional Self-Government in Denmark, Copenhagen, Danish Association of County Councils, 1986
- Danish Association of Local Authorities, Local Government in Denmark, Copenhagen, Danish Association of Local Authorities, 1984
- EDLUND, Sten (ed), Labour Law Research in Twelve Countries, Stockholm, The Swedish Work Environment Fund and The Swedish Center for Working Life, publication date unknown
- Equal Pay (Amendment) Regulations 1983, London, HMSO, 1983
- Everyman's Encyclopaedia, Fabbri and Partners, 1969
- FOWLER, Alan, Human Resource Management in Local Government, Harlow, Longman/Local Government Training Board, 1988
- , Personnel Management in Local Government, London, IPM, 1975
- , 2nd edition, 1980
- Further and Higher Education (Scotland) Act 1992, London, HMSO, 1992
- GUSTAFSSON, Agne, Local Government in Sweden, Stockholm, Swedish Institute, 1988
- HAKAMÄKI, Simo, HARISALO, Risto and HOIKKA, Paavo, An Introduction to Local Government Activities, Administration and Finance in Finland, Tampere, Tampereen Yliopisto, 1988
- HARLOFF, Eileen Martin, The Structure of Local Government in Europe, The Hague, International Union of Local Authorities, 1987
- HUMES, Samuel and MARTIN, Eileen, The Structure of Local Government - A Comparative Study of 81 Countries, The Hague, International Union of Local Authorities, 2nd edition, 1969
- JÄGERSKIÖLD, Stig, Collective Bargaining Rights of State Officials in Sweden, Ann Arbor, Institute of Labor and Industrial Relations, 1971
- KEATING, Michael and MIDWINTER, Arthur, The Government of Scotland, Edinburgh, Mainstream Publishing, 1983



KELLY, Geoff, A History of LACSAB - Industrial Relations in Local Government 1947 - 1991, London, Centurion Press, 1991

KESSLER, I, Bargaining Strategies in Local Government, writing in MAILLY, R, DIMMOCK, S J and SETHI, A S, Industrial Relations in the Public Services, London, Routledge, 1989

LACSAB, An Employers' Strategy?, London, LACSAB, 1987

-----, LACSAB Employers Guide No 2 - Who and What is LACSAB?, London, LACSAB, 1982

Local Government Act 1988, London, HMSO, 1988

(Finnish) Local Government Act 1976, Helsinki, 1976

(Norwegian) Local Government Act 1954, Oslo, 1954

(Danish) Local Government Reform Act 1970, Copenhagen, 1970

Local Government and Planning (Scotland) Act 1982, London, HMSO, 1982

Local Government (Scotland) Act 1929, London, HMSO, 1929

Local Government (Scotland) Act 1973, London, HMSO, 1973

Local Government Training Centre in Denmark, A Guide in English, Grenaa, Local Government Training Centre, pamphlet, undated

-----, Forår/Efterår 1989 (Prospectus Spring/Autumn 1989), Grenaa, Local Government Training Centre, 1988

Local Government Training Board - Final Report of Review Panel, London, Association of County Councils and others, 1989

Municipal Training Institute, A Guide in English, Tuusula (Finland), Municipal Training Institute, 1989

-----, Guiding Principles of the Institute, Tuusula, Municipal Training Institute, undated

-----, The Training Centre of the Finnish Municipal Association, Tuusula, Municipal Training Institute, undated

National Association of Local Authorities in Denmark, Copenhagen, Association of Local Authorities, pamphlet, 1987

National Joint Councils for Local Authorities Services (Manual Workers) (Scottish Council), Manual Worker Job Evaluation Review, Edinburgh, COSLA, 1987

Norwegian Association of Local Authorities, Oslo, Association of Local Authorities, pamphlet, undated

Report of Committee of Enquiry into Local Government in Scotland, Cmnd 8115, Edinburgh, HMSO, 1971

Report of the Royal Commission on Local Government in Scotland 1966 - 69, Cmnd 4150, London, HMSO, 1969

Report on the Staffing of Local Government in Scotland, Edinburgh, Scottish Development Department and others, 1966

Report to the Minister of Health by the Departmental Committee on Qualifications, Recruitment, Training and Promotion of Local Government Officers, London, HMSO, 1934

Review of LACSAB, London, Report to the local authority associations, 1988

RHODES, Roy, The National World of Local Government, London, RIPA, 1989



School Boards (Scotland) Act 1988, London, HMSO, 1988

Scottish Information Office, Factsheet 28, Local Government in Scotland, Edinburgh, Scottish Office, 1986

Scottish Local Government Information Unit, Local Government in Scotland, A Short History, Edinburgh, SLFIU, 1990

-----, Local Government in Scotland, What Local Government Does, Edinburgh, SLGIU, 1990

SETH, Torsten, Labour Relations in the Public Service in Sweden, writing in TREU, Tiziano and others, Public Service Labour Relations - Recent Trends and Future Prospects, Geneva, ILO, 1987

SEWEL, John, Reorganised Scottish Local Government: a Review, in Scottish Geographical Magazine, vol 103 no 1

SMART, Peter, Scandinavia, in MJ Scotland, 24 August 1990

The Structure of Local Government in Scotland: A Case for Change, Edinburgh, The Scottish Office, 1991

Swedish Association of County Councils, Some Innovation Projects at Swedish County Councils, Stockholm, Association of County Councils, 1990

Training for Local Government in Sweden: The Training Work of the Swedish Association of Local Authorities, Sigtuna, Swedish Association of Local Authorities/International Union of Local Authorities, 1986

YOUNG, Ronald, The Search for Democracy - A Guide to Scottish Local Government, Milngavie, Heatherbank Press, 1977

White Paper on Local Government in Scotland, Cmnd 4583, London, HMSO, 1971