
Social Partnership: the wider context

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ABSTRACT The Department for Education and Skills refers consistently to the Social Partnership Agreement (SPA) with unions representing teachers and support staff in education. Those inside the partnership will have their own perspectives on its operation. This article does not seek to describe, therefore, the day to day relationships of unions, Government and employers within the SPA nor is it about unions outside the agreement. Rather the article's purpose is to seek to place the idea of social partnership within a wider context. It examines the origins of the idea of social partnership, explores briefly the implications of the SPA and asks questions as a contribution to further debate.

Social partnership can be defined as a tri- or multi-partite arrangement involving employers, trade unions, public authorities (the State and/or local/regional authorities) and/or others (eg, voluntary sector). Social partnership is usually concerned with areas of economic and social policy and might be based on a binding agreement or declaration of intent. Social partners is the term used to designate the representative organisations of trade unions and employers. (The Copenhagen Centre for Partnership Studies, 2002)

In Europe

One source of thinking about social partnership lies in the Social Chapter or protocol of the Maastricht Treaty. The protocol says that member states should support and compliment each others' activities on:

- improving health and safety at work
- working conditions
- the information and consultation of workers
- equality between men and women with regard to job opportunities and treatment at work.

One of the first actions of the Labour Government in 1997 was to sign up to the Maastricht Treaty's Social Chapter. The Articles in the Treaty of Amsterdam required the European Commission to consult management and Labour on the direction and content of the Commission's proposals on social policies. Decisions by the Council of Ministers on the above areas can be taken by qualified minority voting. There have, however, to be unanimous decisions on policies relating to the:

- social security and social protection of workers
- protection of workers where their employment is terminated
- representation and collective defence of management and workers
- conditions of employment for non-Community nationals legally residing in community territories.

The European Commission published a communication, in October 2004, entitled *Partnership for Change in an Enlarged Europe: enhancing the contribution of European Social Dialogue*. Through a set of proposed activities, the Commission provided momentum to the Council of Ministers' call on member states, 'to build partnership for change' involving 'social partners', civil society and public authorities in accordance with 'national traditions'. *Partnership for Change* as it became known, according to the Commission, 'recognises that successful economies in the 21st Century will not be possible without a modern system of labour relations and efficient strategies for managing change proactively'.

Although there are a range of agreements at European level which have been made, for example: European minimum standards for different sectors; autonomous agreements; guidelines; codes of conduct and procedural texts, there are few public sector models of social partnership agreements in the European Union. There are, however, a number of countries which have structural arrangements in place to advance dialogue on professional issues, conditions of service and salary issues. In fact the description 'social dialogue' has a much more common usage in the rest of Europe.

One specific agreement on a national scale is the Swedish School Development Agreement, first agreed between the Swedish teacher unions and the employers in 1996 and renewed on a five year basis. It focuses on the 'basic idea of shared responsibility for a better education system and a salary system which would support school development'.

There are also examples of overarching partnership agreements in Europe covering a number of industrial sectors. The partnership agreement in Ireland, for example, covers the management of the economy, wage levels, workplace issues and social inclusion. This has involved the Government, the Irish Congress of Trade Unions and the Irish Business and Employers Confederation.

Contexts and Analyses of Social Partnership

This article draws on three texts evaluating social partnerships: *Strategic Unionism and Partnership: Boxing and Dancing?* (Huzzard et al, 2004); *Partnership Working*,

European Social Partnership Models (Steven Boyd, Scottish Trade Union Congress (STUC) 2002); *Trade Union and Employee Involving in Public Services Reform* (the Trade Union Congress (TUC) and the Work Foundation, September 2004).

Huzzard et al are acutely aware that social partnership has proved ideologically a contested terrain:

... some argue that almost by definition it is an act of collusion with the adversary and must inevitably undermine the capacity of unions to perform their basic function; that of looking after members' interests.

Others argue that 'cooperation is perfectly natural where joint interests of survival and prosperity can be discerned in an increasingly competitive globalised environment'.

Huzzard et al provide a fascinating analysis of the pluses and minuses of social partnership. They use the metaphor of trade unions, 'boxing and dancing' with employers and, by implication, Government.

The authors illustrate the boxing and dancing metaphor by identifying paradoxes in the day-to-day reality of trade unions:

A trade union official ... may necessarily be obliged to switch from a boxing mindset over salary negotiations ... with the employer before lunch to a dancing mindset on workplace development after lunch maintaining shifts between conflicting and cooperative practices on a daily basis.

One interesting conclusion by Huzzard et al is that, 'as long as employers stick to short term interests, that is securing the fastest and greater return on capital, the room for social partnership is limited, if not to say nil'.

Huzzard et al believe that unions are disadvantaged in that they still work in national state frameworks. Macro and global economic developments demand trans-national union responses but the possibility of a 'dancing and boxing', at this level 'remains severely constrained, although paradoxically, the need for such engagement, has if anything, grown more urgent'.

Steven Boyd's analysis for the STUC of European social partnership models contains an extremely succinct analysis of their impact in Europe. As it was written in 2002 it does not take into account developments in the UK including those analysed by the Work Foundation. Some of Boyd's findings are particularly relevant, however. He concludes that:

- social partnership continues to be the norm in Western Europe and commonly involves concentration on employment policies;
- social partnership means different things in different countries;
- there are no precedents for transposing 'models' from one country to another;
- social partnership approaches are particularly appropriate in smaller countries;

- arguments in favour of social partnership include reducing conflict and evaluating economic evidence and those against include, accusations that social partnership is undemocratic and unrepresentative;
- agreement between partners on the economic benefits of social partnership is a critical factor;
- successful partnership requires powerful representative bodies; and
- most successful partnerships originate as responses to serious national problems like war, inflation and economic stagnation.

In Britain, Boyd concludes, previous moves towards allowing partners a greater say in policy making have tended to be labelled as 'corporatism'.

One significant and relevant analysis of social partnership, relevant because it relates to social partnership in public sector reform in England, is the joint Cabinet Office/TUC/Work Foundation Paper *Trade Union and Employee Involvement in Public Sector Reform* published in September 2004. The study draws on 10 case studies, seven of which are local case studies involving employers such as health care trusts and local authorities. An eighth study focuses on a specific national agreement between the National Probation Service, UNISON and NAPO, to set up a national health and safety forum. The last of the ten case studies represent the only two public sector social partnership national agreements with the UK Government. One involves the Department of Health (DoH) with the agreement, 'Agenda for Change'. The other agreement involves the Department for Education and Skills (DfES) with the agreement, 'Remodelling the School Workforce'.

The DoH initiative has led to a new pay system for medical staff in the NHS based on the principle of equal pay for equal work in exchange for 'flexible modern' working practices. It has led also to the creation of 'NHS Staff Councils'. The agreement was subject to the 17 staff side organisations balloting their membership for approval. The DoH, UNISON and other unions agreed on the framework of the agreement, but decisions have been taken subsequently at Trust level on the implications of the national pay and grading system.

The Implications of the Social Partnership Agreement on Education in England and Wales

With respect to the School Workforce Agreement (SWA) and the Rewards and Incentives Group (RIG), now collectively described as the Social Partnership Agreement (SPA), the relationship between teachers' organisations and Government is one where agreements are made as if the Government is the employer. The SWA was brokered initially by the TUC as an agreement focusing on the conditions of service of teachers and on the improvement of the pay and conditions of school support staff. While aspects of it have been controversial its original scope was relatively narrow. It has now expanded, as the SPA, to cover an unlimited number of DfES policy areas.

A Public Sector Forum, consisting of public sector unions and Cabinet representatives has been established by the TUC and Government in England. Its intention is to provide a forum for discussion on public sector issues. As a forum it is very similar to the social dialogue practices common in the rest of Europe. The forum has also provided a vehicle for unions within the TUC and Government to reach agreements on the future of public sector pensions.

Recent examples of the SPA include agreement on a new system for paying teachers for additional responsibilities, (the Teaching and Learning Responsibility payment system) and a restructuring of the existing performance related pay system for teachers. As part of the 'Social Partnership' process, teacher organisations within the SPA alongside the DfES and employers representatives present joint evidence annually to the School Teachers' Review Body.

The support staff unions' relationship with the Government within the SPA is more akin to 'Agenda for Change' in that it is the National Joint Committee, an independent negotiating body representing local authority employers and support staff unions, which sets the framework for local negotiations.

The STUC's conclusion that social partnership means different things in different countries is certainly accurate when comparing developments between England and the rest of the European Union. At a European level, definitions of social partnership and social dialogue have commonly addressed relations between employers and employees, or relations between trans-national trade union bodies and European Commission policy making. They have also described overarching national agreements between cross-sector trade union confederations and governments on the economy involving general trade-offs on wage levels.

Very few social partnership agreements involve the detail and relationships which exist within the SPA. The SPA has redefined the meaning of social partnership away from the meaning commonly understood in the rest of Europe. Such an agreement subordinates all parties into a single corporate identity for the purpose of promoting the policy areas the partners choose to appropriate and discuss. The Work Foundation study of the SPA found that the Government was devoting considerable resources to cementing this single corporate identity including developing the impression that partner unions are equal policy partners with Government:

Nothing is agreed until everything is agreed. If it's in the agreement we have agreed it. A huge amount of time and resources has been devoted to relationship management ... a stable and dedicated team of (DfES) officials has enabled these relationships to grow stronger over time. (The Work Foundation, 2004)

The understanding between Government and those involved in the SPA is that the Agreement will dissolve if there are no new policies on which to reach agreement. To debate social partnership, as described by the 'social partners' in

the English education system, is to accept a new definition of social partnership as the subject for debate.

There is no other social partnership agreement between trade unions, employers and Government of the kind developed in England and Wales for teachers. In contrast, the post-McCrone Agreement in Scotland on teachers' pay, conditions and professional development, which was an agreement between the Scottish teacher unions and the Scottish Parliament, had a greater similarity to the tri-partite Burnham negotiations on teachers' pay which existed before the introduction in 1991 of the School Teachers' Pay and Conditions Act.

Discussion

Although the number of relevant texts referred to in this article is relatively small, the issues highlighted by those texts are sharp and raise questions for future debate.

The advocates of social partnership and social dialogue in the wider European context have argued that collective bargaining should be replaced by social partnership as the new *modus operandi* between employers and unions in advanced industrial societies. While there is no sharp distinction between social partnership and social dialogue, the social dialogue model promoted by the European Commission is a commonly accepted form of mutually beneficial consultation between Governments, employers and unions.

The small number of social partnership and cross-federational agreements reached in Europe countries have tended to be more controversial than social dialogue arrangements but they have not developed the characteristics of the SPA in England and Wales. Reading the analyses of the Work Foundation it is apparent that the levels of 'high maintenance' described by Huzzard et al as necessary for social partnership have reached unprecedented levels. Other forms of social partnership agreement reached both in the UK (for example, Agenda for Change) and in other areas of Europe do not appear to have involved such high levels of maintenance. For example, the SPA is unique in that it has led to the exclusion by the social partners and the Westminster Government from normal bi-lateral discussions of unions which have chosen not to be party to the SPA.

These developments do not appear to have been anticipated by those who have provided the theoretical underpinning for the social partnership model. They had anticipated that the focus of criticism on new models of partnership would be on alleged 'corporatism'. While allegations of corporatism certainly provide a backdrop they have not featured noticeably in relation to the social partnership models in the rest of Europe. The questions that have arisen about the SPA itself have centred on whether the teacher organisations within the SPA can maintain their independence within such a highly maintained single identity and whether the hitherto pluralist nature of relationships between Government, employers and all unions can continue. Indeed, the SPA triggers a

wider question about whether pluralism as a feature of a democratic society is undermined by the nature of such a partnership.

The intention of this article then is to raise questions. The questions below are not inclusive. There may be many others.

- Is their any optimum relationship between unions and employers and unions and governments?
- Is there a substantive difference between the concept of social partnership and social dialogue?
- Is it possible for union members, who are not in the leaderships of their unions, to share the same perceptions of 'boxing and dancing' as their leaders?
- Can social partnership, as defined by Huzzard et al, deliver advances which union members recognise as positive?
- How does the Social Partnership Agreement for schools in England and Wales affect relationships between the leaderships of unions and their members?
- Does the Social Partnership Agreement for schools enhance the democratic discourse about future education policy or does it lead to a democratic deficit?
- Has the SPA had a noticeable impact on school standards?

The idea of social partnership and social dialogue is very much a feature of successive Labour Government administrations, since 1997. The concept has not really featured in the rest of the United Kingdom except where the Government in Westminster has constructed agreements which affect countries within the United Kingdom collectively. Nevertheless, there is a developing theory and practice concerning trade union, employer and Government relationships which has barely been analysed but which is both serious and needs further debate.

References

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