|  |  |  |
| --- | --- | --- |
| For Office Use ⎯ | *Insert NDC Reference / File Number:-* | NDC. \*\*\*/\*\* |
|  | *Relevant Group/Branch Name:-* |  |
|  | *Date submission received:-* |  |

|  |
| --- |
| **Return** completed submission to: [ndc\_secretary@pcs.org.uk](mailto:ndc_secretary@pcs.org.uk) |

|  |  |
| --- | --- |
|  | NDC DISPUTES PRO FORMA (version May 2017) |

|  |  |
| --- | --- |
| Date: |  |

|  |  |
| --- | --- |
| PCS Group or Constitutional Body: |  |
| Name of FTO Responsible: |  |
| Bargaining Unit or  Regional/National Office: |  |

**DECLARATION:**

|  |  |  |
| --- | --- | --- |
| National Officer: |  | |
|  |  | |
| Declaration by National Officer submitting application  I confirm that this submission has been considered and cleared, and that the plans for the intended action will meet the legal required timescales in regard to industrial action ballots, and that the guidance in the PCS industrial action toolkit is being followed.  I recommend that the NDC give authority to ballot on industrial action (**Tick here**) | |  |

|  |  |
| --- | --- |
| FTO  The full time officer who will be responsible for the dispute is: | |
| Name: |  |

# Section One

1. WHAT IS THE “TRADE DISPUTE”   
and what has been done to try and resolve it?

|  |  |
| --- | --- |
| Name of Employer: | |
|  | |
| State what the trade dispute is | *(Give a brief but clear description of the trade dispute)* |
|  | |
| State what negotiating action has been taken, including the use of agreed procedures, to try and resolve the dispute without the need for industrial action:  *(Summarise where you are at in the process e.g. met with management? Response? Negotiations taking place?)* | |
|  | |

# Section Two

2. WHAT FORM(S) OF INDUSTRIAL ACTION IS PROPOSED?

*(Check Legal Requirements).*

2.1 STRIKE ACTION

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Is STRIKE ACTION proposed? | YES |  | NO |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Is the strike action intended to be CONTINUOUS? | YES |  | NO  go to 2.3 |  |

* Continuous STRIKE ACTION

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Is it intended to be a ONE DAY STRIKE ONLY in the first instance? | YES |  | NO |  |
| If “YES” what is the intended strike date? |  | | | |
| If “NO” what is the intended first strike date? |  | | | |
| State any planned last date of strike action  (NDC authority required to call off action) |  | | | |

* Discontinuous STRIKE ACTION

|  |  |
| --- | --- |
| If the strike action is intended to be DISCONTINUOUS, state all the dates on which strike is planned |  |

2.2 STRIKE PAY

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Is STRIKE PAY proposed? | YES |  | NO |  |
| Estimated Cost of this?  (refer to the Strike Pay Section of the Toolkit) |  | | | | |
| Reasons why strike pay is required | | | | | |
|  | | | | | |

2.3 ACTION SHORT OF STRIKE ACTION

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Is ACTION SHORT OF STRIKE proposed? | YES |  | NO |  |
| What will the action short of strike consist of?  (State all forms of continuous industrial action short of strike that are intended. Please be as specific as possible. Note that a ‘work to rule’ or ‘withdrawal of co-operation’ may amount to strike action, rather than action short of a strike which is why we need you to be clear.) | | | | | |
|  | | | | | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Is the ACTION SHORT OF STRIKE intended to be CONTINUOUS? | YES |  | NO |  |
| What is the intended first date of action? |  | | | |
| State any planned last date of strike action  (NDC authority required to call off action) |  | | | |

* Discontinuous ACTION SHORT OF STRIKE

|  |  |
| --- | --- |
| If the action short of strike is intended to be DISCONTINUOUS, state the dates on which action is planned: |  |

# Section Three

3. PROPOSED BALLOTING TIMETABLE

|  |  |
| --- | --- |
| Proposed date(s) for first despatch of ballot papers |  |
| Proposed ballot closing date(s) |  |

3(a) What is (are) the BALLOTING CONSTITUENCY(IES)?

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Is it the intention that ALL members employed by the employer with whom we are in dispute, in ALL that employer’s workplaces, are balloted as a single constituency? | YES |  | NO |  |
| If “NO” please describe the branches and workplaces and which category(ies) of members it is intended to be balloted | | | | | |
|  | | | | | |

# Section Four

4. What are the OBJECTIVES of the proposed industrial action?

|  |
| --- |
| What changes are intended as a result of the action – what do you want the employer to do? |
|  |

4.1 Have we enough MEMBERS to make any action effective?

|  |  |  |  |
| --- | --- | --- | --- |
| For each balloting constituency, state the number of staff eligible for PCS membership, and percentage of actual PCS membership to be balloted | | | |
| Each Workplace in the (or each) constituency (*list below)*: | **No. of**  **Staff** | **No. of**  **Members** | **%**  **Members** |
|  |  |  |  |
| Total |  |  |  |

4.2 What is the MEMBERSHIP SUPPORT for the proposed action?

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| STRIKE ACTION | (Poor)  1 | 2 | (Acceptable)  3 | 4 | (Strong)  5 |
| Is the support of the members to be balloted? |  |  |  |  |  |
| If it is stronger in some workplaces than others, please provide details: | | | | | |
|  | | | | | |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| ACTION SHORT OF STRIKE | (Poor)  1 | 2 | (Acceptable)  3 | 4 | (Strong)  5 |
| Is the support of the members to be balloted? |  |  |  |  |  |
| If it is stronger in some workplaces than others, please provide details: | | | | | |
|  | | | | | |

|  |
| --- |
| How has the level of membership support been assessed? |
|  |

|  |
| --- |
| What steps have been put in place to ensure that the statutory turnout thresholds for the ballot will be achieved? |
|  |

4.3 THE EMPLOYER’S RESPONSE

|  |
| --- |
| What would be the anticipated response of the employer to the proposed industrial action? |
|  |

4.4 IMPACT OF THE ACTION

|  |
| --- |
| What impact will the action have on the employer’s operations? |
|  |

4.5 OTHER UNIONS

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Which other unions are recognised by the employer? | | | | | |
|  | | | | | |
| Are any of those unions proposing to take industrial action? | YES |  | NO |  |
| (If “YES”, please provide details, including what steps have been taken to coordinate the timings of ballots) | | | | | |
|  | | | | | |

# Section Five

5 CAMPAIGNS AND ORGANISATION

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| What campaigning actions are being taken to seek to achieve these changes?  (Provide details of work with the Campaign, Communications & Organising Department) | | | | | | |
|  | | | | | | |
| What steps are being taken to maximise organisation and membership? | | | | | | |
|  | | | | | | |
| What are the political implications of the proposed actions?  (Provide details of any work with PCS Parliamentary Groups) | | | | | | |
|  | | | | | | |
| REQUEST FOR CAMPAIGN FUNDING | | | | | | |
| Is any funding required as part of the dispute for any of these activities? | | YES |  | NO |  |
| If “YES” | * Campaign Funding requests should be drawn up by the Industrial Officer with advice on costings for materials being obtained from the Communications Department * Provide details with this submission in a **separate memo**, including campaign objectives, amount and purpose of funding requested, communication strategy and political impact (see ***page 8 below*** for required format) | | | | | |

|  |
| --- |
| **The National Officer must r**eturn the completed form to: [ndc\_secretary@pcs.org.uk](mailto:ndc_secretary@pcs.org.uk) |

# NDC DISPUTES PROFORMA CHECKLIST

* Completing the pro forma

To avoid any delay on the submission being considered, please respond to **ALL** questions. Also please check the “Legal Requirements” section in the Industrial Action Toolkit.

**SECTION ONE**

* **Name of Employer** - specify explicitly who the employer is in the trade dispute
* **Trade Dispute** – Give a brief but clear description of the trade dispute
* **Negotiating action taken** – Summarise where you are at in the process. e.g. met with management; management’s response; negotiations taking place etc.

**SECTION TWO**

* **Form of Industrial action proposed** – what are you seeking approval for? What would be contained in the notice to the employer
* **Strike Action / Action Short of Strike** –

Simple explanation of Continuous / Discontinuous**:**

**Continuous:** Start date and no end date e.g. all out strike = Continuous action

**Discontinuous:** Stop/start – with an end date e.g. a 3 week overtime ban

**SECTION THREE**

* **Balloting timetable** – build in sufficient time, allowing preparation before and after ballot; and third-party involvement i.e. balloting office, campaigns (materials), NDC authority.
* **Balloting Constituencies** – Think what will appear in the notice to the employer. Define who’s in and who’s out (working with the Balloting Office and/or branches to clarify the data).

**SECTION FOUR**

* **Objectives** – be clear what you want the employer to do, what outcomes you wish to achieve.
* **Effective Action** – Be accurate about membership density, as this is needed to gauge potential effectiveness.
* **Membership Support** – Again be accurate, as this information helps to give an indication of support. Also give a clear indication of how membership support was assessed (consultation exercise, consultative ballot, meeting?)
* **Employer’s Response** (to the proposed industrial action) – Give a risk assessment e.g. what detrimental things could the employer do to members that we would not want to happen.
* **Impact of the Action** – Give an accurate assessment of the impact the action will have.
* **Other Unions** – In addition to indicating which other unions are involved, outline whether joint action is planned and, if known, the timetables sister unions are working to.

**SECTION FIVE**

* **Campaigns & Communications** – Campaigns & Communications **must** be involved and have cleared any campaign funding requests.
* **Organisation** – Details work with Organising, how are new members treated etc?
* **Political Implications** – It would be useful to provide details of any work with the union’s Parliamentary Group.
* **Funding** – Discuss campaign materials with Campaigns first, and submit a funding bid at the same time as the submissions. Bids should be calculated in stages (e.g. bid for first phase and return to NDC for with a further bid for later stages). See format overleaf on what to including in bids for campaign funding.
* **Note**: bids are **not** required for statutory ballot costs and strike day materials (arm bands, placards etc.)
* Further information

If you need to provide further information, please do so on **no more than** one sheet of A4. **Avoid additional attachments.**

* Ballot Result

Ensure the NDC Secretary is provided with the ballot result(s) as soon as they are known.

* NDC
  + You need the explicit approval of the NDC for the required 7 day notice of action letter to be sent to the employer and subsequently for members to be called on to take the industrial action.
  + You should provide the NDC with regular reports on the outcome of negotiations, campaigning and action taken.
  + You must seek the authority of the NDC **before** calling off a period of industrial action, whether continuous or discontinuous.
* Funding Request
* Funding requests should be made via separate memo to the NDC Secretary. It should be drawn up by the Industrial Officer and approved by your National Officer.
* Any services or materials should not be ordered until the funding bid has been approved
* The request should contain the following details:

|  |  |
| --- | --- |
| **GROUP / BRANCH / OTHER** | * Include details of the Group, Branch or Other Body making the request. |
| **NATIONAL OFFICER ENDORSEMENT** | * Include which National Officer and how they have been consulted. |
| **BACKGROUND** | * What has led to the position where the campaign is necessary or desirable. |
| **OBJECTIVES OF CAMPAIGN** | * Identify what the request (campaign activity or resources) is trying to achieve and where appropriate, how this can be measured. |
| **AMOUNT AND PURPOSE OF FUNDING REQUESTED** | * Total amount being requested. * Please include, where appropriate, a programme / timeline of activities; * Also specify all costs, and identify what the funds are required for (i.e. t&s costs, publicity material etc.); * Also indicate what, if any activities have already commenced. |
| **ESTIMATED LEVEL OF INVOLVEMENT AND PARTICIPATION** | * Where appropriate, detail the level of involvement of members and/or other unions in the activity. |
| **UNION POLICY** | * If possible, detail the Conference Motion, GEC/BEC decision or general source from which authority has come or to which the campaign request relates to. |
| **COMMUNICATIONS STRATEGY** | * It will be especially important to identify what are the key messages and target groups. |
| **POLICY /POLITICAL IMPACT** | * Identify any likely or potential policy or political problems, or issues that might arise. |
| **PARLIAMENTARY ACTIVITY** | * Identify any Parliamentary activities and MPs who will be involved. |
| **CONTACT POINT** | * Give details of the main person to contact regarding this request. |