Ways of Working
Frequently Asked Questions

Contents

1. What has Unite done so far? 2
2. Did Unite agree the changes to Ways of Working? 2
3. Why are you asking people to complete a grievance? 3
4. Why don't you trust the exceptions process? 3
5. What exceptions did Unite propose? 4
6. Why can't I submit a grievance myself? 4
7. I am in favour of the increased office attendance – why is Unite fighting this? 5
8. Are there equalities impacts on the Ways of Working changes? 5
9. I have been asked to complete a medical questionnaire/My line manager has said they want to go over a medical questionnaire with me. What should I do? 6
10. What if my grievance has not concluded before the implementation date? 6
11. What if my grievance is not successful? 6
12. I am afraid of retaliation by management/business leaders. I am worried that raising a grievance could impact my career. How can you protect me? 7
13. My line manager has told me that I have no choice and if I do not attend the office on the required days after the implementation date I will face a disciplinary for gross misconduct. 7
14. I am worried that my end of year rating will be marked down if I don't go to the office two days per week. 8
15. I submitted an exception and it was declined. Can I still submit a grievance? 8
16. I submitted an exception and it was partially approved. Can I still submit a grievance? 8
17. I submitted an exception and it was approved. Can I still submit a grievance? 8
18. I have not submitted an exceptions application. Can I submit a grievance? 9
19. I am personally okay with the request to attend the office more often but have seen the impact that it will have on other workers. What can I do to support them? 9
20. I have a great relationship with my line manager/team leader. I don't feel comfortable raising a grievance on them. What can I do? 10
21. Why is Unite not submitting a collective/corporate grievance? 10
22. What is the point of submitting a grievance – it will just be decided by FinCrime Hub leadership anyway and nothing will change? 10
23. I am not a member. Why should I join when Unite will win this for everyone anyway? 10

24. Why has Unite not balloted for industrial action on this issue? Why are we not out on strike? 11
25. Will Unite issue an indicative ballot on industrial action? 11
26. I cannot access the grievance template. 11
27. How do I become a member of Unite? 12
28. What can I do to help? 12
29. I would like to speak to someone in confidence about my specific circumstances. Is this possible? 12
30. How do I get in touch with Unite in NatWest? I have a question that is not covered, who can I speak to? 12

1. What has Unite done so far?

We have met with business leaders and had robust conversations. Unfortunately, these discussions have been limited by the leaders' unwillingness to reconsider their original decision. We have raised specific issues over the tone of communication from leadership, lack of clarity over the exceptions process and presented a proposal on how to make the exceptions process fair, consistent and transparent. Our proposal was rejected by the Director of the Financial Crime Hub.

We have also held a number of zoom drop-in sessions, reps have spoken one-on-one with hundreds of workers in the FinCrime Hub and we have run stalls at the key hub locations. We launched a Ways of Working survey which has had a huge level of response. We feel that we have a very strong idea of the opinions of our members and have communicated this to business leaders. Unfortunately, those that made the decision to bring in the changes to the Ways of Working remain unwilling to reconsider.

We have now taken the decision to advise workers across the FinCrime Hub of our real concerns over the legitimacy of the exceptions process that the leadership team have designed. We feel that it is not fit for purpose, lacks independence or transparency and is overly secretive. As a result we are now calling on our members to submit a grievance to Unite the Union outlining the ways in which the changes will impact them.

2. Did Unite agree the changes to Ways of Working?

No, we did not. The changes were first mentioned as part of a wider restructure and redundancy business case. In the consultation on that business case, Unite officials were clear that a wider discussion should be undertaken and that it should be separate to the business case. Business leaders felt otherwise and carried on with the announcement. You will all remember the confusion and disorganisation that occurred when the announcement was

made – line managers had not been briefed and were as surprised as everyone else. Since then, the communication issues from the leadership team have continued.

While Unite officials have met with business leaders numerous times, the tone of the discussions have been disappointing with the leadership team being adamant that any discussion is restricted by a firm decision that they will not consider or discuss reversing the decision. This has, of course, limited discussions unnecessarily.

3. Why are you asking people to complete a grievance?

We have been unable to reach agreement with the business over a transparent, independent and legitimate exceptions process. We feel that the current process is not fit for purpose and is mired in secrecy. A grievance is a truly independent process that moves the decision outside the FinCrime Hub and allows our members the chance to have their case heard in a formal and transparent, though confidential, process with the decision made by a truly independent hearing manager. We will ensure that no hearing manager oversees more than one grievance and that any manager is from outside the FinCrime Hub. The grievance process also allows you the opportunity to present your case directly in a formal meeting, minutes are taken for future reference and, in the event of an unsatisfactory outcome, has the option of an appeals process. This is the best alternative while the exceptions process remains compromised.

4. Why don't you trust the exceptions process?

The exceptions process has been mired in confusion from day one. In the initial all-staff calls and FAQ documents it was made clear that distance, financial impact, caring commitments, etc. were not a valid exception. Since then, those FAQs have been quietly removed and rewritten to be less offensive in tone with many questions removed entirely. The business now denies the existence of the original FAQs which were emailed to everyone as a link (the link on the email no longer works). We won't comment on this, but we read what you did and know the truth of the matter.

Business leaders now tell us that 'anything can be an exception' but they refused to accept our clear definitions for exceptions and refused to tell us what *they* consider an exception. They did, however, say that while anything can be submitted as an exception, they do not consider things like financial impact or travel distance/time to be valid exceptions in isolation. Unite believes that both things cannot be true and that if these are not valid exceptions it is not true to say that *anything* can be submitted. As a result, the exceptions process is not fair or transparent. With any other formal process, a worker can see clear definitions, decide whether their situation meets that definition and judge the outcome against it. The exceptions process does not allow this level of transparency. We also feel that the unwillingness of leaders to allow an appeals process and the fact that the leadership team that made the decision to change the Ways of Working are also deciding on exceptions shows that the process is not at all independent. We have had meetings with the leadership team as recently as Friday 9th August and they have refused to budge on any of these key issues. We are therefore reluctantly forced to publicly state that we hold no faith in the validity of the process.

Members who have been through the process have also reported that it is long and involves invasive questions. Decisions are delivered verbally and the process has to be filtered through a line manager with the member unable to submit an exception themselves. We have even heard that an individual member who submitted an exception through their line manager on the basis of a £6,000+ cost of commute had their exception declined as not meeting the criteria. Those same criteria that the leadership team have refused to share with you or with us. If that level of major financial impact is not sufficient to achieve an exception, the process must surely be considered broken.

5. What exceptions did Unite propose?

Unite has listened to feedback from workers across the FinCrime Hub and in doing so has a been able to identify common themes that cover the majority of your concerns. We suggested exceptions based upon these themes with the intention that there should be clear definitions that are transparent and easy to prove, that decisions should be made quickly and that there should be a formal, independent appeals process. We suggested the following, in addition to medical/health-based exceptions:

EXCEPTION	DEFINITION
Travel time	More than an hour each way.
Cost of commute	Excessive cost to get to and from your hub location.
Child care	No requirement for additional office days during school holidays.
Caring responsibilities	Recognise carers of vulnerable people and make an exception to office attendance
Significant impact on work-life balance	If a worker can demonstrate a significant impact on their work-life balance for any substantive reason.
Remote first contracts	Where a contract specifies remote first or workers can demonstrate that they have worked remote first under an informal agreement, allow this pattern of continue unless they voluntarily agree to a different pattern.
Right of appeal	If someone feels that an exception has been unfairly or unreasonably refused then have a formal right to appeal involving a hearing manager, note take and Unite representative.

6. Why can't I submit a grievance myself?

You can. We are offering to collect and submit grievances on behalf of our members partly due to feedback received that there is a widespread fear of retaliation or negative consequences for submitting a grievance. While Unite will protect any member exercising their right to submit a legitimate grievance, we do not want fear to be a barrier. By submitting grievances in batches on behalf of our members, we provide a level of separation.

Additionally, many of you have had negative experiences of the exceptions process and the pressure to share deeply personal information with your line manager. The standard means of submitting a grievance is through your line manager. Submitting your grievance through Unite means that no other colleague within the FinCrime Hub sees the specific reasons for your grievance and your confidentiality is maintained. We equally support any member who chooses to submit their grievance themselves and are happy to provide feedback on any drafts before you submit. In fact, however you decide to submit, we would encourage every one of you to run it past a Unite rep for comments and feedback. We want every grievance to be as strong as possible.

7. I am in favour of the increased office attendance – why is Unite fighting this?

We support our members whatever their stance is. Unite is not against increased office attendance. Our position all along has been that the changes should be made voluntary. From the outset, business leaders have claimed that the changes are driven by the desire of many workers to have more time in the office and that it is intended to boost wellbeing. Unite feels that if this were truly the case then there would be no reason to force everyone to attend the office and increased attendance would occur naturally for those whose wellbeing it does benefit. Essentially, we support you in wishing to attend the office more and equally support the huge numbers of members who have told us that this will have a devastating impact on their finances, wellbeing, health and work/life balance.

8. Are there equalities impacts on the Ways of Working changes?

Potentially. Every living human being is covered by the Equalities Act 2010 which outlines a number of protected characteristics (age; disability; gender reassignment; marriage or civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation). We have asked the business on numerous occasions to provide information on the impact assessment for equalities and evidence that they have taken steps to ensure that the current proposal does not have any direct or indirect discrimination impact. To date, the business has failed to provide any hard evidence, however, business leaders have assured us that, in their opinion, there is no impact. We remain to be convinced and will continue to monitor this issue and gather evidence.

We suspect that there is likely to be a disproportionately negative impact on disabled workers and on carers of both children and vulnerable adults, who are predominantly women. We also consider the medical exceptions questionnaire that the business has started to use to be excessively intrusive, overly complex and not accessible to many neurodivergent colleagues. We will continue to review all avenues available to us and should sufficient evidence emerge, will purse appropriate legal advice.

9. I have been asked to complete a medical questionnaire/My line manager has said they want to go over a medical questionnaire with me. What should I do?

This is a personal decision. We have seen the medical questionnaire and consider it excessively invasive. The decision whether to complete this or not is your own. We would advise you to answer only those questions which you are comfortable to do so and not to feel pressured into disclosing more than you are comfortable to.

We have also had reports of managers of the opposite sex, or much younger than members, asking extremely intrusive or insensitive questions off the back of this questionnaire. This is wholly unacceptable. If you find yourself feeling uncomfortable, make this known to your manager who should stop the meeting. If they attempt to continue, you are free to end it yourself. If you have been made to feel uncomfortable, seek support from someone you trust or contact Unite. You may choose to raise a grievance over your treatment or to add this into your wider grievance if you already intend to submit one.

10. What if my grievance has not concluded before the implementation date?

A grievance is a formal process. Since one of the issues at play is the implementation of the changes to the Ways of Working, we will insist that anyone who has raised a grievance, or any other formal process, is not forced to begin the additional office attendance until all formal processes are completed. In the event that your grievance is upheld, the outcome will be an exception to the additional office attendance requirements.

11. What if my grievance is not successful?

A grievance is only the first in several stages that can be used to resolve a dispute between an employee and the business. Additional stages include:

- **A grievance appeal:** a process where a grievance appeal form is submitted and a new independent hearer meets with the member and their Unite representative in a formal meeting. New evidence can be presented and any flaws or inconsistencies made in the original grievance hearing can be reviewed. Unite members are entitled to full representation through this process. As more and more grievances are heard with Unite representatives involved, we will be uniquely placed to assess and review any inconsistencies in the decisions and make effective representations in formal meetings.
- **ACAS Early Conciliation:** a process overseen by ACAS (https://www.acas.org.uk/early-conciliation). Should both a grievance and a grievance appeal fail to resolve the situation, a conciliator from ACAS can be appointed to help reach a negotiated resolution. ACAS will not take sides and the process is confidential. Unite representatives will support members through this process.
- **Employment Tribunal:** should all of the above fail, we can consider the legal merits of each individual case and consider a submission to the Employment Tribunal. This

would be a last resort and is not a fast or straightforward process and involves strict time limits. Unite members meeting the criteria for legal cover at the time that the issue first arose and whose case is found to meet minimum legal merits will be fully supported through the process by qualified Unite officials and solicitors provided by Unite.

12. I am afraid of retaliation by management/business leaders. I am worried that raising a grievance could impact my career. How can you protect me?

Every member of staff has a right to raise a legitimate grievance for any issue that has affected them. They also have a right not to be victimised for doing so. The best protection is being a member of a recognised trade union like Unite the Union. Unite will take any credible allegations of detrimental treatment or victimisation extremely seriously. We will hold the business to account, raise complaints through official channels and will support our members up to, and including, lodging a claim with the Employment Tribunal. Unite has an excellent track record in winning such cases and will allocate appropriate resources to protect our members and the integrity of the grievance process.

We are disappointed to learn how widespread this fear of retaliation is among workers in the Financial Crime Hub. Many of you have told us that you feel that there has been a change in tone since the new Director of Financial Crime was appointed, with many of you now feeling a real culture of fear. The best way to overcome such a negative workplace culture is to make a stand and take part in a collective action which is exactly what we are encouraging everyone to consider. There is both strength and protection in numbers. Taking this action, you will not be alone. As a member of Unite you are never alone.

13. My line manager has told me that I have no choice and if I do not attend the office on the required days after the implementation date I will face a disciplinary for gross misconduct.

Many of you have told us that you have been on the receiving end of this or similar threats. We can assure you that this would not meet the definition of gross misconduct and this has been confirmed by Employee Relations. Such threats may be intended to intimidate or coerce people into accepting an unfair policy. Unite's view is that such threats are a sign of desperation and are only made by individuals who know that they cannot prevail in the argument. Bully boy tactics are not acceptable.

Should any Unite member face disciplinary action, contact Unite immediately for full representation at all stages of the process. A qualified rep will assist you throughout the process and ensure that a fair and unbiased meeting takes place. In Unite's view, baseless

threats or intimidation tactics are in and of themselves worthy of a grievance and we will support any member who wishes to take forward such a complaint.

14. I am worried that my end of year rating will be marked down if I don't go to the office two days per week.

Beyond has now been rolled out and Unite have been consulted as part of the process in regards to the impacts on the future of fixed pay. While the details remain embargoed, we can assure you that end of year ratings no longer exist so have no impact on pay awards. If you feel that you are unfairly penalised for raising a legitimate grievance, contact Unite and we will discuss your options and work with you to ensure that this is addressed.

15. I submitted an exception and it was declined. Can I still submit a grievance?

Yes. Every member of staff has a right to raise a legitimate grievance over any issue that has affected them. There is no exhaustive list of what constitutes a grievance – you are the judge. If you are unhappy about a workplace issue, consider a grievance. The process is through the Resolving Issues at Work policy and you can find the template for a grievance on the HR intranet pages (navigate to Human Resources > Working Here > Resolving Issues at Work > Resolving Issues at Work Templates Checklists). Unite can also provide you with a guide on how to complete a grievance for this issue.

16. I submitted an exception and it was partially approved. Can I still submit a grievance?

Yes. Every member of staff has a right to raise a legitimate grievance over any issue that has affected them. If you feel that the wrong decision was made or you are still dissatisfied or have any other issues with the Ways of Working process, treatment by leadership or the way in which the changes have been communicated, you are entitled to raise a grievance. The process is through the Resolving Issues at Work policy and you can find the template for a grievance on the HR intranet pages (navigate to Human Resources > Working Here > Resolving Issues at Work > Resolving Issues at Work Templates Checklists). Unite can also provide you with a guide on how to complete a grievance for this issue.

17. I submitted an exception and it was approved. Can I still submit a grievance?

Yes. Every member of staff has a right to raise a legitimate grievance over any issue that has affected them. If you have any other issues with the Ways of Working process, treatment by leadership or the way in which the changes have been communicated, you are entitled to raise a grievance. The process is through the Resolving Issues at Work policy and you can find the template for a grievance on the HR intranet pages (navigate to Human Resources >

Working Here > Resolving Issues at Work > Resolving Issues at Work Templates Checklists). Unite can also provide you with a guide on how to complete a grievance for this issue.

18. I have not submitted an exceptions application. Can I submit a grievance?

Yes. Unite does not agree that the exceptions process is legitimate or independent and after multiple meetings with FinCrime Hub leadership have received no assurances. Indeed, our proposal to reform the exceptions process and make it credible, independent and transparent was rejected by leadership only last Friday (9th August 2024). Since this process is not legitimate, has no independence and no clear definitions, we do not support it. The exceptions process is also not an official or formal process. Unlike the grievance process, a worker in the FinCrime Hub cannot get a clear set of definitions on exceptions. Worryingly, we have seen evidence from many members that valid exceptions have been refused with no clear rationale provided and no option to appeal. As an invalid process, an exceptions application is not a requirement before submitting a grievance.

Every member of staff has a right to raise a legitimate grievance over any issue that has affected them. If you feel that you have a valid exception, are dissatisfied or have any other issues with the Ways of Working process, treatment by leadership or the way in which the changes have been communicated, you are entitled to raise a grievance. The process is through the Resolving Issues at Work policy and you can find the template for a grievance on the HR intranet pages (navigate to Human Resources > Working Here > Resolving Issues at Work > Resolving Issues at Work Templates Checklists). Unite can also provide you with a guide on how to complete a grievance for this issue.

19. I am personally okay with the request to attend the office more often but have seen the impact that it will have on other workers. What can I do to support them?

Many people feel the same way and this is the real stuff that trade unionism is about – looking out for others as well as ourselves. You do not need to be personally impacted by the changes to get involved. You can complete our Ways of Working survey. You can help spread awareness of the actions that Unite is taking and encourage impacted workers to join Unite. You can voice your support to workers in your business area – hearing that even people who are not adversely impacted disagree with the appalling way that these changes are being rolled out will make a tremendous difference. If you feel strongly enough, you can even raise a grievance. The process allows you to make a formal complaint about any issue that adversely impacts you. This might be the way that these changes have been communicated, the fact that the office attendance is mandated rather than voluntary or threats that you have heard, or received yourself, from managers or leadership.

20. I have a great relationship with my line manager/team leader. I don't feel comfortable raising a grievance on them. What can I do?

This is a common misconception. A grievance is always against the business rather than an individual. You will raise a grievance citing your specific issues and how you have been impacted and the business will respond. Please be aware that many line managers are impacted themselves and feel very much the same as their team members. We have spoken to many different line managers and they are financially impacted, have their own health concerns, see a substantial impact on work-life balance and are worried about how workers like you will manage. This is an issue that impacts people at all levels of the FinCrime Hub. We have already received some grievances from managers and continue to see more. The grievance process is open to everyone.

21. Why is Unite not submitting a collective/corporate grievance?

While the core issue at question is the Ways of Working changes that the FinCrime Hub leadership have announced, each individual is impacted in a unique way. By submitting a collective grievance (one grievance submitted by the trade union on behalf of a number of signatories) these individual circumstances are lost and the grievance issues are heard only at the most superficial level. While some issues are best served by a collective grievance, these tend to be situations where the impact on everyone is the same (for example, equal pay). Where the specific impact is unique to each individual, the most effective way for your own case to be considered in full is through an individual grievance with a qualified Unite representative supporting you.

22. What is the point of submitting a grievance – it will just be decided by FinCrime Hub leadership anyway and nothing will change?

The changes to Ways of Working have been made by the Director of Financial Crime and her leadership team and they have been very clear in stating that it was their decision. Since the decision has been made from the top, it is logical that no one within the FinCrime Hub is empowered to overturn this decision and it would not be acceptable for any of the leadership team to hear a grievance based upon their own original decision and which they and their peers are a subject of. Unite will therefore insist that each and every grievance is heard independently with no involvement by any member of staff, at any level, from within the FinCrime Hub.

23. I am not a member. Why should I join when Unite will win this for everyone anyway?

The business leaders have been crystal clear that they will not roll back their decision. They tell us that only a very small minority are against the changes and that the vast majority are in favour. We are told that many of you have approached leadership to thank them for making

these changes. We will leave you to judge from your own experience what the majority view is. But to be clear, we have spoken to over 1,000 workers since the change were announced and almost every one of them have held a negative opinion. Even those in favour personally, feel that the decision should be down to the individual since they have seen the real and negative impact it will have on some.

Given the current position of the leadership team, it remains unlikely that a u-turn will be made. The more likely outcome is that induvial exceptions will be made as grievance outcomes. Essentially, if you do not take part and make your true opinion known through a grievance, there is every chance that you will be forced to attend the extra office days and accept any negative impact this may have. The decision on whether to join and take part or not is your own, but Unite will fight to protect our members and, if need be, agree a solution that works for them alone. The choice is clear – be part of a collective action or attempt to fight this on your own. Or, of course, just quietly accept the changes. Hundreds of our members are making a stand and they do not stand alone.

24. Why has Unite not balloted for industrial action on this issue? Why are we not out on strike?

The approaches that Unite take are driven by the will of our members. While a growing minority are openly calling for industrial action, this remains the minority of members. We will continue to monitor this and review best options until we reach a satisfactory conclusion. Industrial action is, and should be, a tool of last resort. Our preference is for business leaders in the FinCrime Hub to either (a) reverse their decision to force everyone into the office two days per week and instead make it voluntary, or (b) to work with Unite to agree the exceptions process and definitions that we have presented. Either of these options is easy to agree and the right thing to do. A handful of business leaders made this decision, and the same small group of people can undo the harm they are causing. We do not believe that industrial action should be required to force them to do the right thing. However, all options remain available to us and nothing has been taken off the table.

25. Will Unite issue an indicative ballot on industrial action?

The actions that we take are driven by our members. While a growing number are in favour of an indicative ballot, for now, this remains a minority. Our preference is to attempt to work with the business to address the real-world, devastating impacts that the changes to Ways of Working are set to cause many of our members. Should this fail, we will utilise every tool at our disposal. We will continue to monitor the sentiment among our membership and take the appropriate levels of action that our members call for. All options remain available to us and nothing has been taken off the table.

26. I cannot access the grievance template.

The template is located on the HR intranet pages (navigate to Human Resources > Working Here > Resolving Issues at Work > Resolving Issues at Work Templates Checklists). To access the template you must use a Chromebook or other standard bank-issued computer. The

document does not open on mobile devices, even bank-issued ones. The template has a NatWest Group document classification so should not be sent to any external email address, even as a blank form.

27. How do I become a member of Unite?

Go to https://join.unitetheunion.org/

If you would like more information on joining, contact a Unite rep for a chat (details below).

28. What can I do to help?

First and foremost, if you are adversely impacted by these changes, please consider submitting a grievance to Unite. The more individual members who take part, the stronger our response is. The FinCrime Hub leadership have so far refused to acknowledge the scale of dissatisfaction and are convinced that ours is the minority view. Through sheer numbers we can force them to listen to us.

You can also help by sharing our newsletters and this document with your colleagues and encouraging others to take action. Our Ways of Working survey is still open – if you have not completed it please go to https://surveys.unitetheunion.org/FinanceCombine/way-of-working and give us your views. Finally, talk to workers in your team about the benefits of joining Unite. If you would like representatives from Unite in NatWest to speak to your team at a huddle or any other session, contact us to discuss (details below).

29. I would like to speak to someone in confidence about my specific circumstances. Is this possible?

We are happy to speak to groups or to individual members and can arrange phone calls or zoom sessions with a qualified Unite rep. We can arrange a zoom session for individuals or for groups of any size. To arrange, please contact us using the details below and indicating a suitable time. Please try to allow 48 hours' notice to arrange a zoom session, however, we can generally accommodate any request.

All communications with Unite are confidential. We never share anything that you discuss with us with the business without your express permission. We do not disclose the identity of our members for any reason and anonymise all survey data.

30. How do I get in touch with Unite in NatWest? I have a question that is not covered, who can I speak to?

Email us at: rbsinfo@unitetheunion.org
Leave a voicemail on our Unite in NatWest Group members' helpline at: **0207 611 2993**