

## **Trade Unions Facilities, Duties, Activities and Time Off Arrangements**

### **1. Introduction**

This document sets out Council agreed procedures for trade union facilities, duties, activities and time off arrangements.

### **2. Scope**

The arrangements contained in this document cover trade union matters relating to all staff (subject to the Education Act 2002 and associated legislation regarding locally managed schools and establishments).

### **3. General Statement of Policy**

The purpose of this policy is to aid and improve the effectiveness of relationships between the council and trade unions. Regard has been taken of the ACAS Code of Practice on Time Off for trade union duties and activities. The Council provides generous time off provisions and in return expects the following principles to be complied with.

- Time off, with or without pay, must be sought and agreed in advance in accordance with the requirements of this policy. Requests for time off must be made as far in advance as possible in the circumstances
- Requests for time off have to be balanced with the requirement placed on the Council to provide a properly staffed service. The maintenance of service provision remains paramount.
- The election of accredited Trade Union representatives from employees of the Council and maintained schools in Haringey (including union learning reps and safety reps) will be in accordance with the rules of the Union.
- The Union will notify the Head of Human Resources of all properly appointed Trade Union representatives. Only representatives notified in this way will be recognised by the Council as accredited Trade Union representatives.
- Time off for representatives will be considered subject to the needs of the Council service and schools provision.
- The Union will notify the Head of Human Resources of any alteration or amendment to its Trade Union representatives.
- An annual report will be produced by the Branch Secretary of each union and provided to the Head of Human Resources stating how the time off facility by their union was utilised in the furtherance of representation, employee relations, etc.
- For its part, the Council recognises that trade unions need to represent and communicate with their members and will respond to requests for time off positively subject to the exigencies of the service and the consideration of safety problems which may be caused by their absence(s).
- These provisions will be reviewed annually by the Head of Human Resources and reported to General Purposes Committee (or alternative) if any changes are proposed.

## **4. Time off for trade union duties and activities**

### **4.1 Time off for trade union duties**

This section sets out the level of paid time off which the Council considers reasonable to grant accredited trade union and safety representatives in accordance with the statutory frameworks and the ACAS Code of Practice.

### **4.2 Branch Officers**

In order to support good industrial relations the Council has agreed that the Branch Officers of Unions can be seconded from their normal duties to undertake trade union duties. Paid time off will only be granted for employees of the council, however, specific arrangements for external employees may be granted exceptionally by the Head of Human Resources.

The Branch Officers are awarded paid time off for trade union duties subject to the following conditions:

- The Head of Human Resources has the delegated authority to agree the actual maximum amount of time off that may be taken by each branch officer
- Proper advance notification of time off being given;
- In addition to the above, Branch Officers will be allowed reasonable time off to attend:
  - approved training courses
  - official trade union annual conferences as approved delegates (within their agreed release time)

The Head of Human Resources will allocate reasonable time off to all the trade unions taking into account the following criteria:

- a) Union membership numbers
- b) The volume and complexities of Corporate Industrial Relations issues taking place in the organisation.
- c) The volume and complexities of Local Industrial Relations issues taking place in the organisation.
- d) A minimum of 0.1 facility time will be granted to each recognised trade union.

Based on current levels of Corporate and Local Industrial Relation issues within the Council and current union membership the following levels of time off for branch officers would be granted (For unions where the time off is 0.1 or 0.2 reasonable additional time off will be granted in recognition of casework preparation and representation at meetings):

<b>UNION</b>	<b>Membership</b>	<b>Branch Officer time off - FTE</b>
Unison	3777	5.0
NUT	1748	1.0
GMB	266	0.2
Unite	67	0.1
ASCL	53	0.1
ATL	130	0.1
NAHT	96 (tbc)	0.1
NASUWT	423 (tbc)	0.2
<b>TOTAL</b>	<b>6560</b>	<b>6.8</b>

#### **4.3 Employee Side**

The role of the Employee Side Secretary is to co-ordinate responses from all the trade unions they represent and to convey them to the Council. The Employee Side Secretary for the Teacher unions would be representing the NUT/ASCL/ATL/NAHT & NASUWT unions and for the non teacher unions Unison/GMB and Unite. The holders of the posts are entitled to sign agreements with the Council on behalf of the joint trade unions. Since the Council is obliged to consult all unions on proposals, it is convenient and more effective for the employer to have just two people on the trade union side through whom corporate industrial relations matters can be channelled than to have to liaise with Branch Secretaries from all the unions separately.

The following levels of time off for Employee Side Secretary duties is as detailed in the table below. There is a separate allocation for Teaching and Non-Teaching unions.

<b>UNION</b>	<b>Membership</b>	<b>Employee Side time off - FTE</b>
Non Teaching (Unison, Unite & GMB)	4110	0.5
Teachers (NUT, ASCL, ATL, NAHT, NASUWT)	2450	0.2
Total	6560	0.7

Following the annual elections of each union, the Head of Human Resources shall confirm time off for Branch Officers and Employee Side Secretary's subject to the needs of the Council's services.

#### **4.4 Trade union representatives**

Notwithstanding the specified arrangements for the Branch Officers reasonable time off with pay (normally no more than 2 hours per week) will be granted to other elected

trade union representatives to undertake trade union duties and activities. This will include

- Reasonable time off to attend meetings called by management, including meetings to discuss terms and conditions, restructuring, meetings with employees that require a TU rep in attendance, etc.
- plus reasonable time off to prepare for meetings.
- Reasonable time off for attendance to attend Steward and Branch Committees

The number of union representatives granted time off for these purposes will be subject to reasonable limits and the proper authorisation arrangements.

Depending on service requirements and subject to management agreement it may be appropriate to allow the banking of the 2 hours to equate to one day per month or half day bi weekly in order, for instance, to represent an employee at a formal meeting or attend a conference.

Reasonable time off with pay will also be allowed to elected representatives of a recognised trade union to undergo training relevant to the carrying out of their trade union duties. The training should be in aspects of industrial relations relevant to the duties of a representative and must also be approved by the Trade Union Congress or by the independent trade union of which the employee is a representative.

#### ***4.5 Union Learning Representatives***

Reasonable time off with pay will be granted to properly elected Union Learning Representatives of non school staff. Reasonable time off should be allowed for the following activities

- Analysing learning or training needs
- Providing information and advice about learning or training matters
- Arranging and supporting learning or training e.g. encouraging union members to access learning opportunities.
- Promoting the value of learning or training
- Consulting the employer about carrying on any such activities
- Preparation time to carry out the above activities
- Undergo relevant training

The number of union learning representatives granted time off for these purposes will be subject to reasonable limits and the proper authorisation arrangements.

It is the responsibility of schools to make their own time off arrangements for union learning representatives for staff based in schools.

#### ***4.6 Time off for Safety Representatives***

The Council will allow Safety Representatives of non school staff to take such time off with pay during working hours as shall be necessary for the purpose of:-

- Performing their functions under the Health and Safety at Work Act.
- Undergoing such training in aspects of those functions as may be reasonable in all the circumstances.

The activities/ duties of a Safety rep cover the following

- Representing workers in consultations with employers
- Investigating potential hazards and dangerous occurrences
- Examining the causes of accidents, dangerous occurrences and diseases
- Investigating complaints by members
- Making representations to the employer
- Carrying out workplace inspections
- Representing employees in consultations with inspectors
- Receiving information from inspectors
- Attending joint health and safety committee meetings

In return for granting time off it will be expected that the Safety Representative will share with management reports/ findings concerning their duties and activities.

The number of union representatives granted time off for these purposes will be subject to reasonable limits and the proper authorisation arrangements.

It is the responsibility of schools to make their own time off arrangements for safety representatives for staff based in schools.

#### **4.7 Conferences**

Time off with pay will be granted to Branch Officers (within the above allocation in the table in 4.2) to enable attendance at accredited Trade Union conferences to consider pay and conditions matters. This is subject to employer approval arrangements set out previously for Branch Officers, reasonable numbers of delegates being nominated and service and work requirements permitting. Any other union representative that wishes to attend conferences or Branch Officers attending outside of the above allocation, can do so, but in their own time and subject to the normal arrangements for requesting leave (unless it has been agreed that a representative can bank their hours for this purpose).

#### **4.8 Payment for time off for trade union duties and approved training**

When a representative is allowed time off during normal working hours, they are entitled to payment for the time taken. The amount paid would be either the normal pay which the representative would otherwise be paid or a payment based on their average hourly earnings where the earnings vary with the work done.

There will be no requirement to pay for time off for trade union duties or training when such time is outside of the representative's normal working hours. The Council will not meet the travelling and subsistence costs of trade union representatives who attend courses or conferences.

### **5. Facilities**

Reasonable office and administrative facilities will be made available. Access to interview rooms will be provided subject to their availability at the time of need. Free

use of the internal postal service will be provided for correspondence relating to trade union duties.

The Council recognises that it is beneficial to provide the unions with reasonable facilities to further good industrial relations. It therefore intends to continue the provision of appropriate accommodation and facilities to allow trade union business to be conducted.

It will be the responsibility of the unions to provide their own information and communications technology. The Council will permit the unions access to Harinet, but not the email facility of the council. Representations for support and advice regarding IT may be granted to the smaller unions, at the discretion of the Head of Human Resources.

## **6. Check-Off arrangements**

The Council will continue to provide check off and related facilities subject to a reasonable percentage charge on the total membership deductions. The rate and arrangements for check-off may be varied by the Council subject to prior consultation with the representative union(s). Details of the check-off service are provided in a separate document.

## **7. Alteration or termination of the Agreement**

The Council may amend any of the provisions of this policy subject to six months' notice in writing. It is assumed that during the course of the notice period consultation will be had between the Head of Human Resources and the unions about the proposed changes with a view to reaching an understanding about the changes.

Should a trade union representative fail to adhere to these arrangements, they may be reviewed on an individual basis subject to consultation with the appropriate full time union officer.

No contractual status is attached to this policy and questions regarding its interpretation should be dealt with by the Head of Human Resources.