

## **Resource Sheet 3:** **Time Off and Facilities Agreements**

Most employers who recognise trade unions will have some form of Time Off and Facilities Agreement. This may be incorporated into a “Recognition” or “Partnership” agreement although it is often better if you can negotiate this as a stand-alone agreement as it recognises its status and importance.

The Advisory, Conciliation and Arbitration Service (Acas) identifies a number of benefits to establishing an effective agreement on time off. These include:

- Provide clear guidelines
- Establish realistic expectations on the part of union reps and managers
- Avoid misunderstanding
- Facilitate better planning
- Ensure fair and reasonable treatment

### ***(Acas Code of Practice 3 – time off for trade union duties and activities)***

It is important to become familiar with your local policy regarding time off. This should be available on the staff intranet, staff handbook or from your Human Resources department.

Agreements within the NHS should provide reps with at least the minimum outlined in the NHS Terms and Conditions Handbook. This is detailed in Section 25. The most up to date version can be accessed from the NHS Employers website or via a link on the National Stewards iCSP site.

### **Scotland**

All Health Boards should have a time off policy which is based on the Partnership Information Network (PIN) policy on facilities arrangements. This can be found on the Staff Governance website for NHS Scotland.

### **Northern Ireland**

The Acas code of practice does not apply in Northern Ireland. Minimum standards for time off arrangements are set out in the Labour Relations Agency (LRA) code of practice for time off for trade union duties and activities. This can be found on the LRA website under A-Z Employment then “C” for Codes.

## **Reviewing Time Off and Facilities Agreements**

Local Time Off and Facilities agreements should be subject to regular review and negotiation between staff side and management. It is essential to take this opportunity to work with staff side colleagues to gain any possible improvements to the agreement.

### **Key points to consider include:**

**Representation** – is it clear who is covered by the agreement? Make sure that the appointment of union reps is the responsibility of the union.

**Function of representatives** – is the role of the representative clear? Make sure this includes duties around recruitment of new members and organising the workplace.

**Trade union activities** – negotiate for the employer to provide reasonable paid time off during working hours for trade union activities such as annual conference or regional meetings

**Time off arrangements** – some of your staff side colleagues may want time off to be clearly defined in terms of hours or days. Try and encourage as much flexibility as possible bearing in mind the changing demands of the role. Ensure that arrangements are in place for staff who work part-time or on a shift pattern

**Training** – ensure that reasonable time off for training is specifically mentioned including the need for new reps to attend induction training

**Facilities** – is the agreement specific about what facilities should be provided for reps? This should include access to IT facilities and lockable storage for confidential notes. See Resource Sheet 1 for more detail about the facilities which should be available.

**Confidentiality** – agreements should include reference to the confidentiality of union communication and a commitment that management will not undertake to monitor union emails or communications

The TUC provide a model Time Off and Facilities Agreement and a checklist for negotiation.