

TIME OUT FOR TRADE UNION DUTIES & ACTIVITIES PROCEDURE

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PROCEDURE SUMMARY
<p>The policy sets out the framework, for Accredited Trade Union representatives, managers and employees representatives, for the Trust's approach to the provision for time out from work for Trade Union duties and activities. It also sets out the scope of the procedure and to whom it applies.</p> <p>The procedure should be read in conjunction with the Time Out for Trade Union Duties & Activities Policy.</p>
The Trust monitors the implementation of and compliance with this procedure in the following ways;
<p>This procedure will be subject to review as per the agreed review schedule of Trust HR policies and procedures and as agreed by the Trust's Partnership Committee.</p> <p>Compliance with this procedure will be against the Trust's agreed minimum requirements/standards as detailed within its Auditable Standards and Monitoring Arrangements, as well as the use of internal reporting and recording within the Human Resources Directorate.</p>

Services	Applicable	Comments
Trustwide	✓	

**The Director responsible for monitoring and reviewing this policy is
Executive Director of Corporate Governance and Strategy**

TIME OUT FOR TRADE UNION DUTIES & ACTIVITIES PRODECURE

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APPENDIX 1 Request for Time Out Form

TIME OUT FOR TRADE UNIONS DUTIES & ACTIVITIES PROCEDURE

1. ASSURANCE STATEMENT

- 1.1 Essex Partnership University NHS Foundation Trust (the 'Trust') is committed to following best practice in its approach to the provision of time out and facilities for representatives of Accredited Trade Unions and Professional Associations. The procedure also complies with legal requirements.
- 1.2 This procedure aims to establish a framework for a common understanding of the arrangements for management, employees and their representatives.
- 1.3 The management and the provision of these arrangements within the Trust will be built on and demonstrate the Trust's corporate values and behaviours. These values are in being:
- Compassionate
 - Empowering
 - Open

In demonstrating these behaviours and values, supporting the achievement of its strategic objectives:

- To continuously improve service user experience and outcomes through the delivery of high quality, safe and innovative services.
- To be a high performing health and care organisation and in the top 25% of community and mental health Foundation Trusts.
- To be a valued system leader focused on integrated solutions that are shaped by the communities we serve

2. SCOPE

- 2.1 This procedure applies only to employees who are Accredited Representatives of a trade union recognised by the Trust and should be read in conjunction with time off for Trade Union Duties & Activities Policy

3. DEFINITIONS

For the purposes of applying the provisions contained in this document a glossary of terms that are used within the policy are as follows:

Accredited Representatives	Employees who are elected or appointed in accordance with the union rules to represent union members in the Trust
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4 SCOPE FOR REQUESTING TIME OUT

- 4.1 Employees who are Accredited Representatives of a trade union recognised by the Trust are permitted time to carry out trade union duties which will not be unreasonably withheld.
- 4.2 Examples of such duties include a requirement to negotiate terms and conditions of employment, allocation of work or duties of employment (i.e. job evaluation), conduct and capability matters, and trade union membership/non-membership, (e.g. union involvement in induction of new workers), Policy Groups and Union Branch Meetings.

5 PAYMENT FOR TIME OUT

- 5.1 Accredited Representatives who take time out for trade union duties and activities will be paid for the time off taken, which will not cause detriment or financial disadvantage. Time out for trade union duties will be paid to accredited representatives as if they had worked their regular shifts where they have had to work outside their contracted hours.
- 5.2 In all cases the amount of time out and remuneration/time owing must be reasonable, the maximum should be the hours the staff member would have worked.

6 TIME OUT FOR ACCREDITED REPRESENTATIVES TO ATTEND RELEVANT TRAINING COURSES

- 6.1 Accredited Representatives are to be permitted reasonable paid time to undergo training relevant to the carrying out of their trade union duties and activities as listed above.

7 REQUESTING TIME OUT

- 7.1 Accredited Representatives requesting time to pursue their duties, activities or training should provide their manager with as much notice as possible and give details of:
- the purpose of such time
 - the intended location
 - the timing and duration of time out required.
- 7.2 Similarly, managers and unions should seek to agree a mutually convenient time which minimises the effect on the provision of the service. Any issues in requests for time out should be discussed with a senior HR member.
- 7.3 Where workplace meetings are requested, consideration should be given to holding them at the most convenient time, for example, towards the beginning / end of a shift.

8 INDUSTRIAL ACTION

- 8.1 The Trust and unions have a responsibility to seek agreed procedures to settle problems and avoid industrial action. Time should therefore be permitted for this purpose, particularly where there is a dispute.
- 8.2 There is no right to time off for trade union activities which themselves consist of industrial action.
- 8.3 Where an Accredited Representative is not taking part in industrial action but represents members involved, normal arrangements as described above for time off with pay for the Accredited Representative will apply.

9 MONITORING OF IMPLEMENTATION AND GOVERNANCE

- 9.1 The Director of Corporate Governance and Strategy is responsible for ensuring there is a system in place to monitor, record and report on outcomes from organisational change programmes that are implemented within the Trust.
- 9.2 This procedure is subject to review as per the Trust HR policy and procedure review schedule and as agreed by the Trust's Partnership Committee.
- 9.3 Compliance with this procedure will be against the Trust's agreed minimum requirements/standards as detailed within its Auditable Standards and Monitoring Arrangements.

10 POLICY REFERENCES /ASSOCIATED DOCUMENTATION

- Employment Rights Act 1996
- Trade Union & Labour Relations (Consolidation) Act 1992
- ACAS Code of Practice on Time Off for Trade Union Duties & Activities

11 REFERENCE TO OTHER TRUST POLICIES/PROCEDURES

This policy should be read in conjunction with other policies in place that may be relevant. These include:

- Time Out for Trade Union Duties & Activities Policy
- Trust Partnership Committee
- Recognition Agreement

END