



Workforce

**Facilities Arrangements for Trade
Unions and Professional
Organisations Policy: guide for
managers**

This guide will help managers understand the Facilities Arrangements for Trade Union and Professional Organisations Policy. This policy supports employees who are staff side representatives, fostering good industrial relations.

The following guide forms part of the standard for workforce policies. These policies apply to all eligible staff within NHS Scotland, regardless of the board they are employed by.

Consideration will be given to all employees who are undertaking duties on behalf of their trade union or professional organisation. The guide covers:

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What is the purpose of the Facilities Arrangements for Trade Unions and Professional Organisations Policy?

The Facilities Arrangements for Trade Unions and Professional Organisations Policy supports accredited representatives who request release from their jobs to undertake partnership duties or trade union activities.

The policy provides a framework to support:

- Accredited representatives who are being released to undertake partnership and trade union activities.
- Practical facilities that are needed to carry out all trade union or professional organisation work.
- Partnership working in line with the [Staff Governance Standard](#).

Who is covered by this policy?

This policy applies to all accredited representatives of recognised trade unions and professional organisations.

Recognised trade unions and professional organisations are those listed in the NHS Board's partnership agreement.

Trade union duties and activities

A large part of an accredited representative's responsibility will be to represent staff who are members of their trade union or professional organisation, and to provide advice and guidance as required. An accredited representative may also require time off to undertake trade union activities, which may include national and local committees or programmes, recruitment, campaigning, or attending branch meetings.

Trade unions and professional organisations are independent bodies which represent the employment rights and interests of their members:

- A **trade union** is an organised association of workers in a trade, group of trades, or a profession formed to protect and further the rights and interests of its members.
- A **professional organisation** exists to advance a particular profession and support the interests of its members.

Partnership working

Partnership working is the approach to employee relations within NHS Scotland as outlined in the [Staff Governance Standard \[PDF\]](#).

NHS Scotland has taken significant steps to develop and embed the concept and practice of partnership working. This involves the Scottish Government, NHS employers, trade unions, and professional organisations working closely together to reach an agreement on issues affecting employees. It requires openness, honesty, and a commitment to sharing information transparently. Consensus is widely accepted as the best way to prioritise and secure commitment to long-term strategic change.

The Staff Governance Standard is a system of corporate accountability for the fair and effective management of all employees. This advocates the active participation of staff, directly or through their trade union or professional organisation, in issues that affect them. Discussions will normally take place at a partnership forum or a negotiation committee, where staff-side representatives will advocate for all employees, not just their own members.

Each board will have its own partnership agreement, which will be signed by recognised trade unions and professional organisations. This agreement details the arrangements for partnership working and the associated negotiation and consultation rights.

Representatives may be asked, as part of their duties, to participate in the partnership process by attending the local partnership forum or the local negotiation committee. These are made up of local trade union and professional organisation officials and management representatives, where discussions would take place about issues affecting staff. The local negotiation committee covers issues specific to medical and dental staff. In addition, they may be asked to undertake work on behalf of all employees and not just their own membership. For example, an organisational change process.

Representatives may be asked to sit on national partnership groups as part of their role and will need time off to attend.

Procedure for agreeing facility time

Employees who are accredited representatives of a trade union or professional organisation will require time away from their jobs to carry out their trade union and professional organisation duties.

They are legally entitled to paid time off during working hours, which should not be unreasonably refused, subject to negotiation with the service. While most activities are expected to be undertaken within the normal work pattern, there will be occasions when time off in lieu is required.

You should meet regularly with the employee to discuss facilities arrangements and what time out is required. During these meetings, any impact on the service should be highlighted. Consideration should be given to all requests, and you should endeavour to be flexible where possible, as some requests may potentially be at short notice.

The employee should submit any request on the Facility request and monitoring form, which will outline what they are requesting time out for. It could be for trade union activities, duties, or partnership working. Any time off you approve should be paid as if at work (PAIAW). This will make sure they are not disadvantaged in undertaking trade union activities.

During the discussion, you should cover:

- Arrangements for agreeing on time off and any other facilities needed.
- Any pre-planned regular commitments. For example, local partnership meetings.
- Completion of the Facility request and monitoring form.
- Access to other facilities and equipment. For example, office space and secure storage. This may be outside your day-to-day responsibilities.

Requests for time off may be required for:

- Monitoring of national policies and terms and conditions of employment by attendance at local negotiating committees or sub-committees.
- Participation in relevant national negotiation and consultation bodies.

- Supporting members with workforce policy issues, including time to prepare for meetings called under the relevant procedures.
- The physical conditions in which employees are required to work, including participation in risk assessment programmes and local Health and Safety Committees.
- Supporting members with learning and development, and participating in local learning and development groups.
- Recruitment of employees to trade union or professional organisation membership, including attendance at employee induction courses.
- Supporting organisational change processes as a partnership representative and supporting individual members in a trade union role.
- Participation in the area partnership forum or its sub-groups, including preparation time and time to disseminate information and outcomes to members.
- Participation in the job evaluation system as a partnership representative and supporting individual members with re-banding claims in a trade union role.
- Supporting the staff survey and local staff governance processes.

Time off for the above duties would include reasonable travel time. Where meetings called by management are outside normal working hours, appropriate payment should be made or equivalent time off granted to trade union and professional organisation representatives attending. This also applies to approved training courses that extend beyond contracted hours.

While the main discussions will focus on time off, there should also be a process for keeping in touch. This is to provide support and ensure the wellbeing of representatives.

Release agreements

Some accredited representatives may require more substantial facility time. This may result in release from some or all of their substantive post following a discussion between the trade union and the organisation.

Normally, an organisation will identify a specific management or HR representative to coordinate substantial agreements within the board. Any such agreement will include a discussion with you as the manager.

In such circumstances, the organisation should provide the representative with a formal release agreement.

Facility request and monitoring form

The Facility request and monitoring form serves 3 functions:

- It acts as a means of recording formal authorisation given by the manager.
- It requires the manager to record the reason if the request has been declined.
- It helps build an accurate picture of the time invested in trade union activities.

The form itself details the time, date, and amount of time required.

[Download the Facility request and monitoring form.](#)

Representatives will be able to submit prospective requests in certain circumstances, as these will be for dedicated committees with scheduled times throughout the year. However, retrospective requests may also be needed where ad hoc time off has been required. The representative should have obtained permission through the agreed-upon process.

Accredited representatives must submit requests for planned facilities time within the agreed timescales for your authorisation. At the end of each month, the representative must complete the form retrospectively, listing ad hoc or unplanned facility time engagements.

The facility request and monitoring form informs the monitoring return. It is important that this is fully completed and submitted in accordance with your organisation's procedure for monitoring and reporting facility time. For further information, contact your HR department.

Funding

The mechanism for any funding for facility time or release will be agreed upon by the area partnership forum.

Time off and pay for conferences and courses

Nominated delegates will normally be granted paid time off to attend trade union and professional organisation group meetings or conferences. Trade unions and professional organisations will cover the costs, such as travel and accommodation.

Reasonable time off with pay will be granted to attend training courses approved by the following:

- Trades Union Congress (TUC)
- Scottish Trades Union Congress (STUC)
- recognised trade unions or professional organisations

Requests should be made to you no later than four weeks before the start of the course. Details of the course should be provided. Trade union and professional organisation branches should undertake an annual training needs assessment of representatives and branch officers, and notify the service of the requirements. Training programmes may include joint courses with the organisation.

Where approved training courses extend beyond contracted hours, appropriate payment will be made, or equivalent time off will be granted to trade union and professional organisation representatives attending.

Representatives changing status

A representative's status may change, and they may no longer be in a position to carry out the accredited role. This decision may come from the representative or the accrediting organisation. The organisation that accredited them is responsible for notifying the NHS Board. This communication would be directed to the director of human resources or an equivalent, who will have a list of accredited representatives within the organisation. The former representative should also inform their local manager.

In some instances, representatives may join another trade union or professional organisation and be accredited as a representative. In such situations, the original organisation must still notify the NHS Board that the representative is no longer undertaking duties on their behalf. The new organisation will then inform the NHS Board that the representative will be acting on behalf of their membership.