**FACILITY TIME FOR TRADE UNION REPRESENTATIVES IN DCMS**

**Foreword**

DCMS is committed to maintaining good industrial relations and recognises the benefits to both staff and the organisation of ensuring that effective arrangements are in place for allocating facility time to trade union representatives.

DCMS is committed to the principle that in order to maintain good and effective industrial relations, the Trade Union Side (TUS) should have sufficient time to undertake their representative duties effectively and that the necessary amount of facility time should be allowed to accredited representatives to enable them to achieve this.

This agreement sets out the principles relating to facility time and the amount of time to be allocated to accredited representatives.

**1. INTRODUCTION**

1.1 This Agreement gives details of paid facility time for trade union duties in respect of trade union representatives within DCMS with effect from 1 April 2001.

1.2 A Partnership Agreement has been discussed with the Trade Union Side and this Facility Time Agreement has embraced the terms of the Partnership Agreement.

1.3 In accordance with the Partnership Agreement, members of staff who are accredited trade union representatives are entitled to facility time during working hours to carry out industrial relations duties and trade union activities. Examples of these duties are given at Annex A. Accredited officials are also entitled to facility time to undergo training relevant to these duties.

1.4 An accredited representative is an employee of DCMS who has been elected to hold office on the Trade Union Side (TUS) of the Departmental Whitley Council or who has been elected to a union executive committee.

1.5 Staff who are members of a recognised trade union may be allowed reasonable facility time during working hours to attend Whitley meetings, union meetings, pre-accreditation training courses or to act as delegates at union conferences. Further details are given in paragraph 6 of this agreement.

**2. THE AGREEMENT**

2.1 TUS will be allocated facility time as agreed with Management Side (MS) and as detailed in Annex B. Facility time for staff who are elected to national posts will be negotiated separately. Facility time allocations will be reviewed annually in January. The total award of facility time will be a matter for MS to decide in consultation with the unions and will take into account the needs of the business and the maintenance of good industrial relations. Awards will run from 1 April to 31 March.

2.2 If elected representatives change during this 12 month period, TUS should notify MS immediately. Accreditation will normally follow, subject to reasonable notice.

2.3 Where the working pattern of an accredited representative is for less than normal

conditioned hours there will be consultation between MS and the unions about the

facility time available.

2.4 MS will make every effort to provide office equipment, facilities and accommodation as necessary to enable elected representatives to carry out their duties. Rooms will be provided for meetings where appropriate, subject to availability. TUS may use the DCMS internal distribution system, including e-mail, to send official union correspondence to members. Notice boards will also be provided for trade union literature.

2.5 The TUS and accredited union representatives may have reasonable access to documents which set out the rules relating to pay, conditions and such other matters affecting employees. TUS may also use the official typing, duplicating and photocopying facilities, where available, for work in respect of their representational duties, provided that this does not interfere with official work. Although the TUS may use officially supplied photocopying paper, the cost will be re-imbursed by TUS.

2.6 The Agreement can be amended at any time with the agreement of both parties. Either party can withdraw from the Agreement on giving six months notice.

**3. TRADE UNION RESPONSIBILITIES**

3.1. TUS and constituent unions will inform MS of the names of representatives they wish to receive accreditation and their proposals for allocating facility time. The time accredited to each individual will be the amount of time he/she will be allowed to spend performing Trade Union duties. Each representative's allocation of facility time will cover the posts he/she holds within DCMS Trade Union Side or union branch.

3.2 Accredited representatives should work with line management to arrange mutually convenient times for performing their duties, taking into account the business needs of DCMS and the responsibilities of the TU representative. If necessary, applications for facility time should be made in advance, outlining the time to be taken and the nature of the activity. (In doing so, it is recognised that in some cases where an accredited representative is dealing with a personal case there will be a desire not to break confidentiality). Exceptionally, applications for facility time may be requested in writing by Line Managers.

3.3. Accredited representatives with a facility time allocation of more than 20% will complete a weekly diary sheet recording the amount of facility time taken. These will be passed to their line manager on a monthly basis. A diary sheet proforma is attached at Annex C.

3.4. Local representatives and accredited representatives with facility time allocations of less than 20% will be accountable to the PCS Chair for their facility time usage.

3.5. Branch Secretaries will write to MS to request facility time for members in the

circumstances described in paragraph 6.1.

**4. LINE MANAGEMENT RESPONSIBILITIES**

4.1. Accreditation letters will be issued by MS to all accredited representatives and copies sent to their line managers. The allocation shown on the letter will be the amount of paid facility time that the individual member of staff can take for union duties.

4.2. Line management should be notified, normally in advance, when facility time is to be taken. Any problems of conflict between TU duties and other work can be taken up with Personnel, in conjunction with the Chair of TUS. They will consider the needs of the business and applicants, where possible, should seek prior approval. All reasonable requests should be allowed. Where exceptionally a reasonable request made in good time cannot be allowed, eg for business reasons, a written explanation will be provided.

4.3 When Line Managers have staff who are trade union representatives they must ensure that jobs are designed taking account of their facility time allocation. Therefore, a member of staff whose union responsibilities attract 10% facility time will be expected to have a 90% job description.

**5. MANAGEMENT SIDE'S RESPONSIBILITIES**

5.1. PCSD will notify line managers of an individual's allocation of facility time for TU duties. (Examples of accreditation letters and guidance notes for TU Representatives and line managers are set out in Annexes D-G).

5.2. PCSD will receive the TU Representatives' diary sheets from the respective line managers monthly and maintain a record of the amount of facility time used.

5.3. PCSD will collate the information received and, if required, advise HM Treasury of the amount of paid facility time used by the TU Representatives on an annual basis.

5.4. PCSD will notify managers of the amount of facility time granted to members in order that they may attend union meetings and the purpose of those meetings.

**6. UNION MEMBERS**

6.1. Union members who are not necessarily accredited representatives may be allowed, subject to business requirements, facility time (which will include reasonable travelling time) for various purposes eg:

• the election of union officials;

• the proposal or consideration of resolutions for union conferences;

• general meetings;

• meetings called to discuss matters of immediate concern;

• pay meetings;

• pre accreditation courses;

• acting as a delegate at union conferences.

**Annex A**

**EXAMPLES OF ACTIVITIES FOR WHICH TRADE UNION REPRESENTATIVES CAN TAKE FACILITY TIME:**

1. Attendance at all joint meetings between TUS and MS.

2. Consultation or negotiation with the appropriate level of management on matters of joint concern, eg conditions of service.

3. Preparation, including consideration of papers and proposals, for joint meetings,

consultation, and negotiation.

4. Consulting and informing members through, for example, circulars, journals, newsletters, meetings with individual members and through meetings (as specified at para 6.1) about negotiations and discussions with management.

5. Meetings with other accredited representatives of the same union, prior to and after a joint meeting to consider matters relating to that meeting.

6. Meetings of TUS or union representatives prior to and after a joint meeting to consider matters relating to that meeting.

7. Conducting interviews with members, on behalf of members or attending interviews in support of members, on grievance and discipline matters concerning them and DCMS.

8. Appearing on behalf of members before the Civil Service Appeal Board, a Medical Appeal Board, or an outside official body, eg an Employment Tribunal dealing with an industrial relations matter concerning the Civil Service as an employer.

9. Explanation about the role of the trade unions in the Civil Service to groups of new

employees.

10. Taking part as a representative in meetings of union official policy making bodies (such as National Executive Committees), meetings of the TUS, or meetings of Branch Executive Committees.

11. Attendance at a conference of a recognised trade union in the Civil Service, whether as a delegate, or a trainee delegate, and for National, Group or Section Conferences as an Executive Council Member.

12. Representing the union on external bodies relevant to employment in the Civil Service, eg. Trade Union Congress meetings.

13. TU representative's training and Branch Officer Posts, eg. Chair, Secretary, Organiser and Treasurer.

14. Attendance at meetings or conferences of the Culture, Media and Sport Occupational Association (CMSOA).

**Annex B**

**Accredited Representatives - Facility Time Allocations**

**PCS Branch Chair up to 100%**

The Branch Chair will usually call BEC meetings and set the basic agenda for discussion, although this responsibility can be designated to the Vice-Chair (see below). He/she will determine how the Branch Constitution applies to the Branch, and has the final word on disputed procedural matters.

The Chair will usually play a leading role in negotiations with Management Side at the Quarterly Whitley meetings and in other formal and ad hoc negotiating. He/she is usually, although not always and necessarily, centrally involved with pay negotiations, and may also represent the Branch at external meetings of the National Union. The Chair will also handle personal cases for individual members. The post has, in the past, attracted 50% facility time, although final allocation of facility time to specific posts rests with the BEC.

**PCS Branch Vice-Chair up to 10%**

Vice-Chair is a new post, created in the merger to form the PCS Branch of DCMS. The

responsibilities of the post broadly follow that of the Chair (with the exception of being final arbiter on constitutional and procedural matters, which remains with the Chair), and the Vice-Chair will deputise or substitute for the Chair in many negotiating fora. Depending on the level of responsibility allocated to Vice-Chair, the post may attract the 50% facility time that has previously gone to the Chair. If this is the case, the Vice-Chair will assume many of the negotiating responsibilities of the Chair, and represent the Branch at external meetings of the National Union.

**PCS Branch Secretary up to 20%**

**PCS Branch Organiser up to 10%**

**PCS Branch Treasurer up to 10%**

**PCS Equal Opportunities Officer up to 10%**

**Local representatives up to 15 days**

**FDA representatives up to 15 days**

**Local and FDA representatives should be allowed reasonable additional time for**

**consultation and communication with members.**

**All trade union representatives may be involved in the representation of members’ individual grievances. Reasonable facility time for these ‘personal cases’ should be allowed in addition to the allocations detailed above.**

**Health and Safety Representatives**

**PCS Branch H&Safety Representative up to 20%**

**Local H&S Representatives up to 15 days**

**Note: Time off for H&S duties is official duty.**

**Annex C**

**DIARY OF FACILITY TIME USED DURING PERIOD FROM TO**

Name Signature

Date

Line Manager Signature

Date

**WEEK ENDING DATE**

**TU DUTIES FOR WHICH FACILITY TIME IS BEING TAKEN TOTAL FACILITY TIME**

**USED (EXPRESSED AS**

**DAYS)**

**CUMULATIVE TOTAL**

**Annex D**

**NOTES ON PAID FACILITY TIME AWARDED TO TRADE UNION REPRESENTATIVES**

1. The annual award of facility time runs from April to March.

2. TU representatives are accredited from the date that management is notified of their election until the date of the next annual election or until the date of resignation from any union post.

4. Facility time for union representatives will normally be no more than 50% of their total working hours.

5. Union representatives with a facility time allocation greater than 20%:

• must complete a weekly diary.

• submit diaries to their line manager.

• notify line management in advance when applying for facility time, wherever

possible.

In addition:

Branch TU Officials:

• notify Personnel of the names of elected TU representatives and the amount of

facility time allotted to them. In the case of TU or Union officials, allowing one

months notice before the individual takes up duty.

• notify Personnel if any TU representatives resign.

• notify Personnel of any all members meetings.

• arrange all accommodation for BEC and all members meetings.

6. Line managers:

• approve requests for facility time.

• requests for facility time will only be refused in exceptional circumstances.

• where appropriate, forward completed diaries monthly to Personnel.

7. Personnel:

• notify line managers when members of their staff are awarded paid facility time

for TU duties.

• notify union representatives of the amount of facility time awarded to them.

• notify management of the amount of time allowed for members to attend union

meetings.

• maintain a record of TU representatives diaries.

• collate the annual usage of paid facility time and advise HM Treasury.

8. Facility time can be awarded to officials of the DCMS TUS, officers of the HQ branches of recognised unions and members of these unions' executive committees.

**Annex E**

**DIARY OF TIME USED BY ACCREDITED TU REPRESENTATIVES**

**NOTES FOR GUIDANCE**

1. The granting of facility time is governed by the Agreement on paid facility time for TU Representatives in DCMS.

2. An accredited representative is an employee of DCMS who has been duly appointed to hold office on the Trade Union Side of the Whitley Committee or to a union office within the agreed machinery of negotiation and consultation in DCMS.

3. Paid facility time is allowed for representatives to carry out trade union duties.

4. Examples of trade union duties are:

a) Whitley meetings and pre-Whitley preparation

b) Consultation or negotiation with management on matters of joint concern eg conditions of service.

c) Consulting and informing members through meetings/circulars about discussions with management.

d) Liaising with other accredited representatives, full facility timeicials and members to consider matters that concern both Management and Trade Union sides.

e) Participating in meetings of official policy making bodies of the Union, such as National Executive committees, meeting of the Trade Union side, or the Branch Executive.

f) Attendance at a conference of a recognised Trade Union in the Civil Service, as a delegate or NEC member.

g) Representing the Union on external bodies relevant to employment in the civil service eg TUC meetings.

h) Duty as Chair, Vice Chair, Secretary, Organiser, Treasurer or Equal Opportunities Officer for the Branch Executive Committee.

5. Union representatives with a facility time allocation in excess of 20% should complete diaries detailing their usage of the Facility time allocated to them. These should be forwarded to their line manager at the end of each four week period.

**ANNEX F**

Dear

**LETTER OF ACCREDITATION**

I am writing to tell you that paid facility time for trade union duties has been granted under the terms of the Agreement governing Facility Time for Trade Union Representatives in DCMS. This allocation will

be for the period [ ] as follows:

**Position Allocation**

You should notify your line-manager on each occasion you make use of your paid facility time allocation.

You should give as much notice as possible, stating the purpose and the location(s) at which you will be undertaking the activities.

You should advise me immediately if you leave the duties for which this paid facility time allocation has been made.

Attached are some guidance notes about facility time and the completion of the diary.

I am happy to help if you require any additional information.

Sue Wale

Employee Engagement Manager, HR

**ANNEX G**

From: David Sannachan

Date:

**PAID FACILITY TIME FOR TU REPRESENTATIVES - COMPLETION OF DIARY**

Name:

Post:

Paid facility time allocation:

Period of allocation:

I understand that the above-named person is a member of your staff and I am writing to let you know that from [ ], [he/she] has been elected to the above-mentioned position and has therefore been allocated facility time for trade union duties.

[ ] must notify to [his/her] line manager when taking facility time for trade union duties. Whenever possible they should agree in advance convenient times to use their allocation of paid facility time. Any reasonable requests must be granted.

Attached are some guidance notes about paid facility time.

Please let me know if you require any further information.

Sue Wale

Employee Engagement Manager, HR