



Cleveland Police and Unison Facility Time Agreement

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Important notice: During times of national emergency or pandemic, the head of HR will approve relevant and necessary changes to policy and process to allow the spirit of the policy to be maintained whilst caring for and supporting our people.

Cleveland Police and Unison Facility Time Agreement

1. Policy statement

Trade Union representatives undertake a variety of roles in collective bargaining and in working with management, communicating with union members, liaising with their trade union, and in handling individual disciplinary and grievance matters on behalf of employees. There are positive benefits for Cleveland Police, employees, and for union members in encouraging the efficient performance of union representatives' work, for example in aiding the resolution of problems and conflicts at work. In order to perform effectively union representatives, need to have reasonable paid time off from their normal job in appropriate circumstances.

The procedures set out in this document apply to Police Staff (including those employed in the Office of the Police and Crime Commissioner for Cleveland) and reflects current ACAS guidelines.

This policy must be applied fairly, equally, and consistently to all employees irrespective of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation, or any other unjustifiable grounds.

2. Purpose

Cleveland Police and Trade Unions have a joint responsibility to ensure that agreed arrangements work to mutual advantage by specifying how reasonable time off for union duties/activities and for training will work.

For the purpose of the policy where it refers to employees the definition of an employee is an individual employed by either the Chief Constable of Cleveland or employed by the Police and Office of Police Crime Commissioner (OPCC) for Cleveland. Also, Cleveland Police is used as an umbrella term for both the Chief Constable and the OPCC for Cleveland.

This policy is made on the understanding that it may alter from time-to-time following consultation and agreement between the parties. It will be monitored from time to time to ensure that it continues to provide an effective system of good employment relations within Cleveland Police

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3. Underpinning procedures

This section contains general information, along with details of union representatives and their duties including time allowed to carry out duties.

3.1 General Information

This section provides general information between Cleveland Police/OPCC and the Trade Union.

3.1.1 Recognised trade union

Cleveland Police currently recognise the following Trade Union for the purpose of collective bargaining:

- Unison

In agreement with Unison the principal forum for the purposes of Police Staff consultation within Cleveland Police is the Police Staff Council (PSC) meeting.

The timing and frequency of the PSC is subject to agreement between the Head of HR and Unison.

3.1.2 Joint Consultation

Cleveland Police recognise the importance of joint consultation/working in achieving harmonious employment relations. Trade union representation will be in accordance with the terms of reference of each individual committee, board, working party, or other group. The Chief Constable's decision whether Unison attendance at the Chief Constable meeting's is required shall be final.

It is understood that the Unison full time official shall attend such meetings as:

- Joint Negotiation Consultative Committee (JNCC)
- Resource Management Group (RMG)
- Police Staff Council (PSC)
- Pay Appeals Meeting (PAM)
- People and Wellbeing Delivery Assurance Board (PWDA)
- Digital Services Board
- Strategic Performance Improvement Board (SPIB)
- Ethics and Standards Board
- Grading Panel Meetings
- Executive Management Board
- Change Board

They may also attend other meetings considered appropriate, in agreement with the Chief Constable and the OPCC for Cleveland.

3.1.3 Provision of facilities

Cleveland Police will seek to make the following facilities available wherever possible:

- Dedicated Office Accommodation - An office will be made available for use by UNISON. A telephone, computer with access to all force systems, internet, and printer, will also be provided.
- Other Accommodation - Conference and meeting rooms can be booked through the normal channels in operation at any given work site.
- Training Accommodation - Conference and meeting rooms may be used outside of normal office hours and at weekends when available. Rooms must be left clean and tidy after use.
- Communication - Reasonable use of the police ICT systems will be allowed for Trade Union representatives to conduct their Union duties.
- General Office Equipment - Such as photocopy machines, etc. may be used by Trade Union representatives in connection with their duties.
- Printing of Documents - May be undertaken by the Shared Services Printing Section by use of the normal ordering procedures. Accounts will be rendered to the Trade Union for such work.

- Notice Boards - May be used by recognised Trade Unions in order for them to display information relating to matters of general interest, recruitment, and facilities. Notice boards should also be regularly maintained by Unison.
- Office Furniture - Will be provided in the form of a desk, chair, and cabinet.

3.1.4 Unison check off arrangements

Cleveland Police will disclose to Unison the names, Command/Unit, and workplaces of all newly appointed employees and those leaving the organisation.

Unison will be afforded the use of the Oracle payroll system to collect subscriptions and provide information e.g., member deductions, so long as current statutory authorisation procedures are followed.

Any information should be utilised and stored in line with Data Protection Legislation, including GDPR requirements.

3.2 Union and Representative (officials)

This section confirms relevant information in relation to trade unions and their representatives (officials).

3.2.1 Nomination of elected representatives

Police staff representatives, who must be employees of Cleveland Police, will be elected or nominated in accordance with the rules of the particular Trade Union: Unison.

In order to operate an effective employment relations policy, Cleveland Police need to be informed of the names, locations, and responsibilities of Unison representatives or stewards who have been duly elected by their membership or appointed by Unison's normal practices and procedures.

Any changes must be communicated as soon as is reasonably possible to the Head of HR or a nominated deputy, which will normally be the HR Policy Advisor.

3.2.2 Representation arrangements

UNISON will have one full-time role and the nominated representative will:

- Be released from their substantive role and normal duties to serve as a full time representative for UNISON;
- Be paid their normal basic salary and any contractual allowances, which will be reviewed by UNISON Executive Officers (Chair, Secretary and Treasury) on an annual basis, following the Annual General Meeting (AGM) or any other time agreed by the aforementioned Officers;
- Will retain the right to return to their substantive post either on choosing not to seek re-election or failing to secure re-election.

The nominated representative will act on behalf of Cleveland Police Staff, OPCC and members employed by third party service providers (e.g., Mitie/Tascor)

3.2.3 Training of Trade Union officials

Trade Union representatives will be allowed time off work (subject to the service requirements) with pay in order to attend for training which has been approved by the Trade Union Congress (TUC) or by the Trade Union of which the employee is an elected representative.

The training must be in aspects of employment relations relevant to their duties as an elected representative. What is acceptable will depend upon:

- The collective bargaining arrangements at the place of work particularly the scope of the recognitions or other agreement;
- The structure of the union;
- The role of the representative.

Examples include:

- Grievance
- Discipline
- Employment law
- Health and safety
- Learning representative
- Legislative changes

Please note: This list is not exhaustive.

The procedure for the requesting of time off for Trade Union training is the same as for Trade Union duties, please see [section 3.3.4](#) for further details.

3.2.4 Travelling Expenses

Cleveland Police will reimburse Unison officials for travelling expenses incurred when attending meetings at the request of the Management for the purpose of consultation.

For all other duties' costs will be reimbursed by the Union.

3.3 Time Off for Trade Union Duties

Employees who are union representatives of an independent trade union recognised by Cleveland Police are to be permitted reasonable time off during working hours to carry out certain trade union duties.

An independent trade union is recognised by Cleveland Police when it is recognised to any extent for the purpose of collective bargaining. Where a trade union is not recognised by Cleveland Police, employees have no statutory right

to time off to undertake any duties except that of accompanying a worker at a disciplinary or grievance hearing.

This section provides clarification for representatives and members of a Trade Union, in relation to allowances for time off for Union duties and activities.

3.3.1 Representatives Allowances

The recognised Trade Union having the majority membership (UNISON) shall be allowed time off as follows:

- **Branch Secretary** – 1 x full time (normal contracted hours)
- **Assistant Branch Secretary** - receives protected time to undertake UNISON duties, the amount of time will vary from week to week
- **All other representatives** - up to ½ hour per working week

Please Note: In times of Branch Secretary annual leave, the Branch Secretary will provide relevant cover by either the representatives within the Force or regional representatives.

This **excludes** attendance at management meetings, disciplinary preparation, presentation, and representation at force committees and working groups.

Any internal Force meetings attended outside of an individual's normal working hours will be at the discretion of the individual representative and overtime will not be paid in these circumstances.

3.3.2 Time off for Trade Union duties (representatives)

Cleveland Police recognise the need and right of duly elected Trade Union representatives to have time off work to carry out duties on behalf of the organisation and its members.

Time off with pay will be allowed, subject to the service requirements, where these duties are connected with the following.

a. **Terms and Conditions of Employment**, examples include:

- Pay
- Hours of work
- Health and safety issues
- Pensions
- Equal opportunities
- Redundancy
- Job evaluation
- Job descriptions
- Induction programme

b. **Matters of Discipline and Grievances**, examples could include:

- Disciplinary/grievance procedures (to include preparation and hearing time)
- Sickness and Capability issues
- Representing members at interviews

Please Note: The above list is not exhaustive.

3.3.3 Time off for Trade Union activities (all members)

Members of recognised Trade Unions will be allowed reasonable time off with pay to participate in Trade Union activities subject to:

- The demands of the service
- With the explicit agreement of the Line Manager or Service Unit Manager

Examples of Trade Union activities include:

- Attending workplace meetings to discuss and vote on the outcome of negotiations with the employer;
- Meeting full-time officials to discuss issues relevant to the workplace;
- Voting in properly conducted ballots;
- Voting in union elections;
- Branch, area, or regional meetings of the union where the business of the union is under discussion;
- Meetings of Unison official policy making bodies such as the executive committee or annual conferences.

Executive meetings can take place during normal office hours, and they will be limited to twelve times per year.

3.3.4 Requesting of time off for Trade Union duties

Requests for all time off to carry out duties in accordance with this policy must be sought via line management.

Please Note: All requests will be subject to service demands/requirements.

As much notice as possible must be given by the representative so that the Command/Unit/Department can make any necessary alternative arrangements for the duties to be covered.

Representatives should not leave their place of work to carry out trade union duties, without prior permission from their Line Manager.

Formal consultation with other union members should not take place at the workplace area while the representative is carrying out their duties. The representative should arrange a meeting and request time off in the usual way.

3.3.5 Monitoring time off

Time off in accordance with this agreement shall be monitored on an ongoing basis. It is the responsibility of all Union representatives to ensure that this information is recorded accurately. Time off will be granted in accordance with this agreement.

Approved time off should be recorded and should include the following details:

- i) The purpose of the meeting e.g., grievance
- ii) The date and duration of the time off requested
- iii) The intended location

3.3.6 Public recording of Facility Time

On 1st April 2017 regulations came into effect in relation to the publication of facility time in the public sector which stated:

- All public sector organisations that employ more than 49 full time employees are required to submit data relating to the use of facility time in their organisation. The reporting period is 1st April to 31st March with submission due by 31st July.

Cleveland Police, in line with these regulations request information from UNISON and other staff associations for Officers and will publish the required information on an annual basis within the relevant timescales.

3.4 Records

Unison shall record and monitor the amount of facilities time taken by a Police Staff member and review on a regular basis at the Police Staff Council (PSC) meetings.

4. Appendices

There are no appendices associated with this policy.

5. Compliance and monitoring

The Head of HR is responsible for the accuracy and integrity of this document. This policy will be continuously monitored, and updated when appropriate, to ensure full compliance with legislation.

The Head of HR will review this process to ensure that all aspects are being adhered to in accordance with the framework of this policy.

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6. Version control

This agreement will be reviewed and updated at least every three years by the owner, and more frequently if necessary.

The Corporate Services Department will ensure this document is available on Cleveland Police intranet, including any interim updates.

The following identifies all version changes.

Version	Date	Reason for update	Author
0.1	01.10.10	New Policy	██████████
0.2	01.08.11	Updated Policy for consultation	██████████
1.0	13.09.11	Approved at SDG	██████████
1.1	Nov 2012	Policy amended to reflect introduction of PCC, statement only	██████████
1.2	01.04.14	Policy amended to include Office of the Police and Crime Commissioner	██████████
1.3	01.11.14	Policy review. No substantial changes to policy.	██████████
1.4	10.02.17	Policy review. No substantial changes to policy para 3.13 updated to reflect current meetings in the Force	██████████
1.5	18.04.17	Policy review. Changes required to Policy to reflect government regulations new paragraph 3.8.1 added and para 3.14 updated accordingly.	██████████
1.6	19.3.19	Review date extension.	██████████
1.7	15.05.19	Slight amendments and regular scheduled review	██████████
1.8	16.12.19	Slight amendment to para 3.6	██████████
1.9	Feb 2020	Change of owner dept. name	██████████
2.0	Apr 2020	Addition of COVID 19 message	██████████
2.1	Nov 2021	Review date extension	██████████
2.2	Oct 2022	Normal Review of agreement Reformatted with contents Changes made to the compliance and monitoring section in line with standard template for this section	██████████

		No significant changes	
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