



# Cleveland Police and Unison Facility Time Agreement

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<b>This document has been assessed for:</b>	
Compliance with Legislation	<input checked="" type="checkbox"/>
Equality Impact Assessment	<input checked="" type="checkbox"/>
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Health and Safety	<input checked="" type="checkbox"/>
Risk Management	<input checked="" type="checkbox"/>

**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

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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

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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 and 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 Crime Commissioner for Cleveland. Also, Cleveland Police is used as an umbrella term for both the Chief Constable and the PCC for Cleveland.

## 3. Underpinning procedures

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### 3.1 Time Off for Trade Union Duties

#### Entitlement

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 purposes of collective bargaining. Where a trade union is not so

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.

### **3.2 Recognised trade union**

The following Trade Union is currently recognised by Cleveland Police for the purposes 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.

### **3.3 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.

### **3.4 Representation arrangements**

UNISON will have one full-time role. The UNISON representative nominated for this role will be released from their normal duties and will serve as a full time representative. This representative will be paid their normal basic salary and any contractual allowances. To be reviewed by UNISON Executive Officers (Chair, Secretary, and Treasurer) on a yearly basis following the Annual General Meeting (AGM) or any other time as agreed by the aforementioned officers. The nominated representative will act in a force wide capacity.

The elected individual will retain the right to return to their substantive post either on choosing not to seek re-election or failing to secure re-election.

### **3.5 Time off for Trade Union duties**

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 exigencies of the service, 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.

The above list is not exhaustive

### **3.6 Time allowed for the undertaking of Trade Union duties (not mentioned above)**

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

- Branch Secretary - Full time 1 (normal contracted hours)
- Assistant branch secretary also receives protected time to undertake UNISON duties the amount of time will vary from week to week, however when the Branch Secretary is on leave full time release is afforded to cover the UNISON office
- All other representatives up to ½ hour per working week.

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. Any overtime will not be paid.

### **3.7 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. **All requests will be subject to the exigencies of the service.**

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.

### **3.8 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.

#### **3.8.1 Public recording of Facility Time**

In line with regulations laid before Parliament in March 2017, and effective from 1<sup>st</sup> April 2018 Cleveland Police must publish no later than 31<sup>st</sup> July 2018 and each year thereafter the amount of time and cost of the granting of facility time, the necessary information required to publish the report has been requested from UNISON and other staff associations for officers.

### **3.9 Training of Trade Union officials**

Trade Union representatives will be allowed time off work (subject to the exigencies of the service) 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, and legislative changes. This list is not exhaustive.

The procedure for the requesting of time off for Trade Union training shall be the same as that described above for Trade Union duties.

### **3.10 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 exigencies of the service;
- With the explicit agreement of the Line Manager or Service Unit Manager.

Examples of Trade Union activities are:

- Attending work place meetings to discuss and vote on the outcome of negotiations with the employer;
- Meeting full-time officials to discuss issues relevant to the work place;
- 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.

### **3.11 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;

Office Furniture - Will be provided in the form of a desk, chair and cabinet.

### **3.12 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.

### **3.13 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:

- JNCC – Joint Negotiation Consultative Committee;
- WTG – Workforce Transition Group
- PSC – Police Staff Council;
- PAM – Pay Appeals Meeting
- People Intelligence Board

Any other meetings considered appropriate, in agreement with the Chief Constable and the PCC for Cleveland.

### **3.14 Check off arrangements**

Cleveland Police will disclose to Unison the names, Command/Unit and work places 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.

Regulations laid before Parliament in March 2017 and effective from 18<sup>th</sup> March 2018 need to be discussed with UNISON fully as this could affect the present check off arrangement

### **3.15 General understanding**

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.

## **4. Records**

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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.

## **5. Appendices**

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There is no Appendix attached to this policy

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## 6. Compliance and monitoring

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Cleveland Police expects every individual to act within approved policies and take appropriate professional advice as necessary.

Both parties should seek to resolve any problems in respect of this policy in the first instance on an informal basis.

The Head of HR will monitor the implementation of and compliance with this policy on an ongoing basis.

## 7. Version control

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This policy 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	██████████