

Procedure for Recognition and Provision of Facilities for Trade Union Representatives of County Council Employees

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1 Welcome to the Procedure for Recognition and Provision of Facilities for Trade Union Representatives of County Council Employees

Surrey County Council and the various recognised Trades Unions that are referred to jointly as Surrey County Council Trades Unions (SCCTU) have agreed the way in which they can work together to best support the needs of employees.

This procedure sets out the basis on which the various constituent trade union officials employed by Surrey County Council carry out their duties, and the extent to

which the County Council will support these activities through the provision of facilities.

This procedure applies to the various officials and representatives of the individual trade unions that make up SCCTU, setting out the way in which they may carry out their duties within the County Council.

An Equality Impact Assessment has been carried out as part of the review process. The assessment found no evidence of an adverse effect on any equalities group caused by this policy. The full report is available [here](#)

This guide provides:

- Guidance for employees and managers
- Definition of terms
- A key facts summary
- Frequently asked questions
- The legal and contractual policy that applies to SCC and its employees
- Reference sources

An Equality Impact Assessment has been carried out as part of the review process. The assessment found evidence of an adverse impact on an equalities group and work to redress this has been scheduled in to the Human Resource's work programme for the next 12 months. The full report is available [here](#)

2 Definition of Terms

- **SCC:** Surrey County Council
- **SCCTU:** Surrey County Council Trade Unions
- Use of the word '**must**' refers to a statutory duty flowing from statute and regulations. This would also apply to SCC policy, which is made under statutory powers. There is no scope for considering an alternative course of action for any matter in this guidance where the term 'must' is used; this relates to a statutory requirement.
- Use of the word '**should**' indicates a recommended course that should be adopted. This would apply to any of our guidance i.e. where we are recommending a course of action as 'best practice' and anyone choosing to take an alternative path must expect to have to justify it. Where 'should' is used, it is intended that this is the course that is followed and any deviation should only be for a good reason.
- **Trade Union:** An organisation of workers created to protect and advance the interests of its members by negotiating agreements with employers on pay and conditions of work. Unions may also provide legal advice, financial assistance, sickness benefits and education facilities.
- **Trade Union representative:** A representative of a Trade Union who is duly accredited by a recognised Trade Union and accepted by the County Council
- **Shop steward:** A union official who represents a specific group of members and the union in union duties, grievance matters, and in complaints about

employment conditions. Stewards are usually part of the workforce they represent and handle their duties only on a part-time basis.

- **Credential card:** Form of identification showing the name of the Trade Union represented and the holder's status.

3 Key Facts

- It is the responsibility of the individual Unions to appoint their representatives. The number of Shop Stewards and Union Representatives as a whole has already been agreed under the Recognition and Facilities Agreement. The Unions, therefore, ask for nominations and fill the posts through election. Full-time representatives of a Trade Union may visit on Union related duties by appointment only.
- As the County Council grants the facilities to the Shop Stewards and other Union representatives, they are subject to the rules of the Recognition and Facilities Agreement.
- The County Council agrees to make reasonable facilities available in accordance with this agreement to enable Shop Stewards and other recognised Union Representatives employed by the County Council to fulfil their role in Employee Relations activities.
- The County Council also agrees to provide reasonable facilities for Shop Stewards and other Union representatives to carry out specific Trade Union activities.
- To support the agreed Employee Relations and Trade Union activities, the County Council will also provide the use of general facilities.
- Both parties support the process of consultation and agree that individual employees joining the appropriate Trade Union best serve the interests of local authorities and their employees.
- The County Council and the Trade Unions recognise their responsibilities in ensuring that employees are represented in a professional manner. Therefore, a range of training is offered to meet the needs of the Shop Stewards and Union representatives' duties.
- The elected Shop Stewards and other Union representatives provide a service for Surrey County Council employees. Training is provided at no cost to the Shop Stewards or Union representatives.

4 Frequently Asked Questions

4.1 How do I join a Trade Union?

Names of new joiners to Surrey County Council are given to the relevant Trade Union who would represent the group of jobs your employment falls under. You may receive information from the Trade Union shortly afterwards.

If you do not receive any information, however, please look at the leaflets on the notice boards around your location. These will give you relevant information.

Alternatively, click on the Trade Union Information link on People@work on the S-Net.

4.2 How do I find out who would represent me in an employment relations matter?

After you make your initial request for assistance to your Trade Union, using the contact number you have been given, the representative allocated to your case will make contact with you. You may not be given her/his name when you first make contact because of the need to ensure an even allocation of cases between the representatives.

4.3 If I am absent through sickness, will my representative visit me at home?

That is a matter for you to discuss with your representative, but it has been possible in the past.

4.4 Do I have to pay anything to the Union representative if I ask to be represented in a case?

No, to be a member of a Trade Union, you pay a membership subscription. The subscription covers the cost of any casework.

4.5 Do I have to tell Surrey County Council if I become a member of a Trade Union?

Trade Union Membership subscriptions are collected at source (from your salary). Therefore, members of the payroll team will know, but no one else will unless you tell them.

5 Procedure for Recognition and Provision of Facilities for Representatives of County Council Employees

5.1 What is this procedure for?

Surrey County Council and the various recognised Trades Unions that are referred to jointly as Surrey County Council Trades Unions (SCCTU) have agreed the way in which they can work together to best support the needs of employees.

Both parties support the process of consultation and agree that the interests of local authorities and their employees are best served by the individual employees joining the appropriate Trade Union.

The objectives of both parties are to promote harmonious relations between management and employees and to create the atmosphere and procedure that will enable any grievance, differences or misunderstandings to be promptly and fairly resolved. This will be done more effectively if local management and Shop Stewards

or Union Representatives develop a good working relationship through mutual understanding of this procedure.

This procedure sets out the basis on which the various constituent Trade Union officials employed by Surrey County Council carry out their duties, and the extent to which the County Council will support these activities through the provision of facilities.

The Procedure for Recognition and Provision of Facilities for representatives of County Council Employees takes account of the Employment Relations Acts of 1999 and 2004, and the ACAS Code of Practice on time off for Trade Union activities, recognising the obligations of the County Council to maintain services and the needs of the relevant Trade Unions to represent and communicate effectively with their members, and with management.

5.2 Who agreed this procedure?

The parties to this agreement, namely: Surrey County Council and the various constituent Trade Unions that comprise SCCTU.

5.3 Who is this procedure for?

This procedure applies to the various officials and representative of the individual Trade Unions that make up SCCTU, setting out the way in which they may carry out their duties within the County Council.

Any difficulties concerning the application of this agreement should be referred to the full-time Trade Union Officer or other appropriate Union Officer and the Head of HR & OD for consideration.

5.4 How are the Shop Stewards and Union representatives appointed?

5.4.1 Appointment of Shop Stewards and other Union representatives

The appropriate Union Official shall notify the Head of HR & OD of the election of a Shop Steward or Union Representative by completing the Credential Card issued by the County Council giving details of the constituency or group of employees represented and the period of office. The Head of HR & OD will arrange for the Credential Card to be authorised by the Head of Service concerned and will then return the Card to the appropriate Union Official who will issue it to the Shop Steward or Union Representative. To ensure that the list of elected and authorised Shop Stewards or Union Representatives is accurate, the Head of HR & OD, together with the appropriate Union Officer, shall carry out an annual check of the list of Shop Stewards or Union Representatives.

The appropriate Union Official shall notify the Head of HR & OD of the resignation of any Shop Steward or Union Representative and the Head of HR & OD shall notify the Head of Service concerned.

The Shop Stewards or Union Representatives shall be:

- Appointed and accredited in accordance with the rules of the union

- Employees of Surrey County Council normally employed in the same group, section or department and general geographical areas as the employees they represent
- By prior arrangement with, and after reporting to a senior representative of management, full-time Trade Union Officers shall be permitted to visit the office, depot, site or other work place of their members in the performance of their Trade Union duties

5.4.2 What happens if the Shop Stewards or Union Representatives do not comply with the procedure?

If, in the opinion of management, the Shop Stewards or Union Representatives at any time misuse facilities granted to them, the County Council shall bring the matter before the Union concerned for discussion. In extreme circumstances, and following consultation with the appropriate Union Official, the County Council also reserve the right to withdraw the credentials referred to in this document.

5.5 Facilities for Employee Relations Activities

5.5.1 What are the facilities for employee relations activities?

Shop Stewards or Union Representatives shall be granted leave of absence from their jobs to the extent reasonably required and as made possible by the nature of their jobs for them to carry out their Employee Relations functions which are defined as follows:

- i) To represent the members of their Unions who are employees of the County Council, within their agreed constituency. This may also apply to members of the Union employed by Surrey County Council who are working in Partnership or joint-working organisations, e.g. NHS Trusts
- ii) To investigate any grievance or dispute relating to their employment, raised by members of their Unions within their constituency
- iii) To co-operate with management and take all reasonable steps to ensure that those whom they represent observe the local and, where appropriate, national and provincial agreements and procedures to which their unions are a party
- iv) To carry out the functions assigned to them in a grievance, disciplinary or other procedure that may be agreed between management and their Unions, and which may involve representing members of their Unions within their constituency
- v) To take part in joint consultations with management and, where appropriate, to act as representatives on internal and external forums
- vi) To inform members of their Unions within their constituency about negotiations or consultations with management
- vii) To explain to new employees within their constituency the role of the Union in the Employee Relations structure of the County Council

Requests for time off shall be made to the Shop Stewards or Union Representatives' line manager or other designated officer, giving as much notice as is reasonable in

the circumstances. An indication should be given of the nature of the business for which time off is required, the intended location and the expected period of absence. Permission will not be unreasonably requested or refused.

The Shop Stewards or Union Representatives shall not suffer loss of earnings during such agreed periods of time off from their jobs. (Earnings mean the normal payment that would have been made had the employees been at work.)

The County Council shall provide facilities for the Shop Stewards or Union Representatives to interview, in private if possible, individual Union members within their constituency on Employee Relations matters.

The Shop Stewards or Union Representatives shall be granted reasonable access to departmental management to make representations on behalf of their members and to discuss Employee Relations matters that are properly dealt with at departmental level.

The Shop Stewards or Union Representatives shall, wherever possible, be allowed to use without charge, and in private if possible, the official internal and external telephone for genuine and urgent business of the type defined in points i) to vii) above.

With the prior approval of management and according to availability, the Shop Stewards or Union Representatives shall be allowed the use of the office facilities (for example photocopying and typing) but not paper, envelopes and other materials for the conduct of agreed Employee Relations functions as defined in points i) to vii) above. Departmental requirements will, however, take priority.

Management and the Trade Unions should seek to agree arrangements, where necessary, to cover the work of the Shop Stewards or Union Representatives, taking time off for Employee Relations functions as defined under points (i) to (vii) above of the agreement.

a) Facilities for Trade Union activities:

For the purpose of this agreement, the Trade Union functions of the Shop Stewards or Union Representatives can be defined as follows:

- Recruitment and maintenance of membership
- Communication with members through meetings, notice boards, Union circulars or journals, etc
- Attendance at Union meetings; e.g. branch executives, etc

The Shop Stewards or Union Representatives shall be allowed facilities for meeting with Union members and other Union Stewards with the prior permission of management, giving as much notice as possible of the meeting. This may include the use of a committee room, canteen, rest room or other suitable accommodation, normally outside working hours, although permission may be given to hold meetings during working hours to discuss urgent matters of importance to both Union members and the County Council.

b) General facilities

To enable Employee Relations and Trade Union duties to be properly supported and carried out, and to enable Trade Union and Employee Relations responsibilities

to be exercised generally, Shop Stewards or Union Representatives shall, wherever possible:

- Be granted the use of notice boards within their constituency for the display of approved and official notices
- Be granted facilities for the distribution of appropriate papers, correspondence, circulars, etc., using the County Council's internal postal system. All external postal charges must, however, be met by the Union concerned

Also, following consultation with the full-time Union Officer or other appropriate Union Officer in each case, the County Council will provide:

- Facilities for the election of Shop Stewards or Union Representatives during working hours, including the use of ballot boxes and ballot papers
- A polling area or areas within the proposed constituency

5.5.2 How do the Trade Unions know about changes in Council employee details?

Wherever possible, and subject to the administrative details being agreed between the Head of HR & OD and the trade union concerned, the County Council may agree to provide the names of new employees eligible for membership of the Trade Union and the names of members of the Trade Union who have resigned from the County Council's service, upon request

5.6 Training of Trade Union Representatives

5.6.1 What training do the Shop Stewards and Union Representatives receive?

The County Council and the Trade Unions accept that each has a responsibility for the training of Shop Stewards or Union Representatives in their Employee Relations functions as defined above (section 5.5 Facilities for Employee Relations activities). The training may be through the medium of courses approved by the TUC or the Shop Stewards' or Union Representatives' own Trade Unions, or maybe through jointly agreed internal courses (i.e. courses organised by the County Council and the Trade Unions) or jointly agreed external courses, as agreed appropriate by both parties. All in-service training courses and programmes shall be agreed jointly between the County Council and the Trade Unions.

The Shop Stewards or Union Representatives shall be permitted to take reasonable time off with pay:

- To undertake initial basic training which should be arranged as soon as possible after the Shop Stewards or Union Representatives are elected
- To undertake further training relative to their Employee Relations duties where these entail special responsibilities.

When a Trade Union has identified a need for further training as defined above, which cannot be met by the normally agreed courses, it shall inform the Head of HR & OD of the training it has approved for the purpose and will supply a copy of the

course syllabus or prospectus to the Head of HR & OD, who will then consider whether time off should be permitted.

The number of Shop Stewards or Union Representatives released for training from any work place at any one time shall have regard to the responsibilities of management to maintain services and the availability of relevant courses.

The Head of HR & OD will maintain a register of courses approved by the County Council for Trade Unions, Shop Stewards and Safety Representatives training.

Requests for leave to attend approved courses shall be made in writing by the full-time Union Officer or other appropriate Union Officer to the employing Head of Service.

For all other courses the Union should apply to the Head of HR & OD giving the name(s) of the employee(s) concerned, together with a copy of the course syllabus or prospectus. The Head of HR & OD will consult employing Head of Service and notify the Union of the decision.

Requests for leave to attend training courses shall, wherever possible, be made at least one month prior to the commencement of the course. Permission will not be unreasonably withheld.

In addition to paid leave, the Shop Stewards or Union Representatives who attend a jointly agreed training course, as defined above, shall receive:

- Payment of course fees and, if appropriate, of accommodation charges
- Any additional travelling expenses necessarily incurred
- Any other allowances approved by the County Council from time to time for this purpose

Therefore, there is no financial burden on Shop Stewards or other Union Representatives when they take time off from their normal duties to attend training.

6 Reference

6.1 Related policies and legislation

- Procedural agreement for corporate consultation between SCC and SCCTU - SCCTU Facilities Protocol – addendum to the procedural agreement for corporate consultation between SCC and SCCTU
- Model arrangements for service-based consultation
- ACAS Code of Practice 3: Time off for Trade Union Duties and Activities
- The Employment Relations Acts 1999 and 2004

6.2 Useful information sources and websites

- For New Employees –Trade Union Information: People@Work/home
- Constituent Trade Union members of SCCTU