



West Lothian
Council

**FACILITIES FOR TEACHERS' REPRESENTATIVES
OF RECOGNISED TRADE UNIONS AND ASSOCIATIONS**



Approved by Education Executive
Support Services Revised May 2009



FACILITIES FOR TEACHERS' REPRESENTATIVES OF RECOGNISED TRADE UNIONS AND ASSOCIATIONS

1. Introduction

- 1.1 West Lothian Council has a local agreement, which entitles recognised officials of the trade unions represented nationally on the Scottish Negotiating Committee for Teachers (SNCT) to certain facilities to allow them to perform their trade union duties.

The arrangements outlined below are intended to create a framework within which official representatives can make a positive contribution to relationships between the council and its teachers.

Only those representatives who have been formally recognised will have access to the facilities.

2. Recognition of Officials

- 2.1 Following appointment of officials covered by this agreement, the union/association concerned will advise Education Services, who will then confirm recognition of the official by writing to the secretary of that union/association.
- 2.2 Recognised officials include:
- School and Health and Safety at Work representatives who are members of a union recognised by the SNCT. They are responsible for representing teachers at the school in which they are employed.
 - Local and Regional lay officials of recognised unions whose duties are at a higher level than school representatives.
 - National representatives of a union recognised by SNCT.

In certain circumstances recognised officials may have responsibility in more than one of the capacities outlined above.

- 2.3 Education Services will advise Head Teachers of any change in union representation at their schools as soon as it is known.
- 2.4 Matters regarding staffing and organisational implications of operating the local agreement should be discussed with the appropriate Head of Service.
- 2.5 Disputes relating to recognition will be resolved in accordance with the Procedure for Hearing Employee Grievances.
- 2.6 Heads of Establishment who require clarification of matters regarding the agreement should contact their Human Resources Adviser.

5. Responsibilities of Recognised Officials

5.1 Responsibilities include industrial relations matters between the council and its teachers. For example:

- Discussions/negotiations with the appropriate level of management;
- Reporting outcome of discussions with management to interested members;
- Meeting with/on behalf of members on grievance and disciplinary matters;
- Advising new teachers of their union's role in the school/council industrial relations structure;
- Meetings with other lay officials/full time union officers regarding industrial relations matters between their employer/associated employer and their employees;
- Appearing before an outside official body on behalf of members (e.g. an industrial tribunal, dealing with an industrial relations matter concerning the employer);
- Matters regarding officials' membership of their organisation (e.g. attendance as a delegate at the national annual conference or as a member of the national executive);
- Training in industrial relations matters relevant to the duties of the post held (including attendance at recognised training courses).

The above list is not exhaustive.

5.2 Unions/associations will make sure that recognised officials understand the extent of their role, responsibilities, and functions.

6. Facilities For Recognised Officials

6.1 It is agreed that the following facilities will be granted:

- Paid time off to attend meetings with management;
- By arrangement, time off with pay to attend to issues being dealt with as part of agreed negotiation, consultation, grievance or disciplinary arrangements which cannot be adequately resolved without such time off.
- By arrangement, leave of absence, normally paid, to participate in union activities (except activities which in themselves consist of industrial action).
- Reasonable access to and use of a telephone with privacy. The council reserves the right to recover any costs incurred from the union concerned.
- By arrangement, facilities to meet members of the recognised unions/associations. Because of the nature of the Education Service it is agreed that, wherever possible, meetings will be held outside normal school hours. Where this is not possible, reasonable notice will be given so that adequate cover arrangements can be made.

- Reasonable use of school reprographics machinery on the basis of payment for materials used.
- Unions' local branch Secretaries will be provided with lists of permanent teachers newly recruited to the council and such other information, as the council is able to provide, for the effective performance of their duties. Subject to normal conditions, the council will deduct union subscriptions at source when requested to do so by individuals concerned.
- Reasonable use of the Service's internal mail distribution system for the purposes of official union communications with their members.
- The Service undertakes to allocate reasonable notice board space in each school for the purposes of union communications with their members.
- Subject to school operational requirements, storage space will be made available for correspondence, files, literature and equipment.

7. Time Off Allocations

7.1 **School Representatives** in every school will be allowed the following time off:

| Number of Members | Paid Time Off |
|--|---------------|
| 5 – 50 | 1 Period |
| 51 – 75 | 2 Periods |
| 76 and above | 3 Periods |
| The above is based on ONE representative per union per school. If a union has more than one representative in a school, the time must be apportioned between the representatives. | |

7.2 **School Health and Safety Representatives** - by arrangement with their Head Teacher, will be given reasonable time off to carry out duties as set in relevant safety regulations.

7.3 **Members of the Local Negotiating Committee for Teachers (LNCT)** will be granted paid leave for:

- Meetings of the LNCT;
- Pre-meetings of the staff side;
- Meetings of LNCT Working Groups; and
- Meetings of the JCG (Teachers).

Where required, cover will be provided. Such cover will be in addition to the entitlement prescribed in the Scheme for provision of cover for absent teachers.

7.4 Local Secretaries

External cover will normally be provided for each recognised local Secretary on the basis of 0.1 FTE per week for duties that need to be carried out during the school day. This does not rule out involvement in trade union duties beyond the stated limit, in which case normal cover arrangements would apply. Prior approval is required. A flexible distribution may be agreed for staff.

7.5 National Representatives

Reasonable time off with pay will be granted to members of staff elected to National positions.

8. General

8.1 Granting of time off in any instance is subject to the demands of the Service but will not normally be refused.

8.2 Any dispute pertaining to the application of this agreement will, in the first instance, be resolved by the Procedure for Hearing Employee Grievances. Where delay would render void, the initial request for time off facilities, the trade union may raise the matter with the Director of Education and Cultural Services who will review the position as a matter of urgency.

9. Review Arrangements

These arrangements have the status of a local agreement and are subject to review in the context of any agreement concluded nationally.