Appendix K:
Facilities Time Agreement

~~July~~December 2026

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1. Introduction

1.1 This agreement, between Bury Council and the Bury Branch of Unison, sets out the facilities time arrangements for trade union representatives who are employed by the Council. It also acts as a guide for managing arrangements for time off for trade union duties and activities.

1.2 It aims to support effective industrial relations by enabling trade union representatives to carry out their duties efficiently while balancing the operational needs of the Council.

~~1.2~~1.3 This agreement should be read in conjunction with the Trade Union and Labour Relations (Consolidation) Act 1992, the Employment Rights Act 2025 and any associated regulations or Codes of Practice.

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2. Definitions

2.1 The agreement relates to trade union representatives and union learning representatives who can be accredited or unaccredited. Accredited Representatives can be:

- A member of the Unison Executive Council or National/Regional Body of Unison or Annual Conference delegate for the period of the Conference
- Elected officers of the Branch, departmental representatives, shop stewards and appointed Safety representatives.

2.2 Trade Union Representative: An employee who has been elected or appointed, in accordance with the rules of an independent trade union (Unison), to represent all or some of the members within the workplace where the trade union is recognised for collective bargaining purposes.

2.3 Union Learning Representative: An employee who has been elected or appointed, in accordance with the rules of an independent trade union (Unison) to be a learning representative of the union in the workplace where the trade union is recognised.

~~2.3~~2.4 Union Equality Representative: An employee who has been elected or appointed in accordance with the rules of a recognised independent trade union to undertake equality-related duties within the workplace.

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~~2.4~~2.5 Facilities Time: Paid or unpaid time off during working hours granted by the employer to trade union representatives to carry out trade union duties or activities. This includes time for negotiations, representation, consultation, and training.

~~2.5~~2.6 Trade Union Duties: Duties carried out by trade union representatives that relate to industrial relations between the employer and employees. These are set out in detail in the ACAS Code of Practice for Trade Union Duties and Activities and include, but are not limited to:

- Negotiating, providing advice and accompanying/representing employees, in matters relating to terms and conditions of employment/policies/procedures, including:
  - disciplinary, capability, grievance, redeployment, managing attendance issues
  - allocation of work or duties
  - flexible working arrangements, hours/rotas and work-life balance issues
  - job evaluation and pay and grading
  - physical conditions in the workplace
- Consulting on organisational change/restructures and redundancies (as identified under s.188 of TULR(C)A) or TUPE transfers (Transfer of Undertakings (Protection of Employment) Regulations 2006)
- Attending meetings with management
- Preparing for and attending joint consultative committees
- Safety representatives carrying out their functions under Health and Safety Regulations
- Training to enable trade union duties to be carried out

~~2.6~~2.7 Trade Union Activities: Activities that trade union members or representatives may undertake to support the functioning of the union. These are generally unpaid unless otherwise agreed and include:

- Attending workplace meetings to discuss union matters e.g. Monthly meetings of the Unison Branch Executive
- Voting in union elections
- Participating in union conferences

3. Facilities to be provided

3.1 Whilst on secondment, Unison officers will be located at the Bury Branch of Unison, 17 Knowsley Street, Bury, which is wholly owned by Unison. Unison will ensure that the premises and ancillary equipment including desks, chairs, filing cabinets, telephones, photocopier, PC's etc. are maintained in a manner that provides a safe working environment. All of the above items are purchased by and maintained by the Branch except for the telephony system and any laptops already allocated to staff which ~~is~~ are provided by the Council.

3.2 Workplace stewards and representatives will be granted reasonable access to external telephones for the purpose of carrying out their duties.

3.3 Should accommodation be required in Council buildings, this will be provided subject to Unison giving adequate notice to enable rooms to be booked etc.

3.4 Free use of the Council's internal mail systems is permitted with any external post and use of the Council's photocopiers being chargeable to Unison.

3.5 Notice boards to display Unison information/notices can be erected in admin buildings by agreement.

3.6 Reasonable access will be given to the physical workplace, digital communication facilities and intranet systems, as appropriate and in accordance with statutory trade union access rights.

4. Trade Union information rights

4.1 The Council will provide workers with information regarding their right to join a trade union in accordance with statutory requirements and any Government guidance in force. This information will be provided to new starters and existing employees as required by legislation.

~~4.~~5. Union subscriptions – deductions of contributions at source (DOCAS)

~~5~~4.1 Unison subscriptions can be deducted from employees' salaries and paid to the trade union as an alternative to employees paying by direct debit in accordance with the jointly developed, agreed and signed service level agreement.

Employees who join Unison online by visiting Join UNISON | UNISON - the public service union will pay their subscription via direct debit, however, by emailing Unison@bury.gov.uk employees can join and arrange payment direct from their salary.

~~5.~~6. Time off for branch officers and trade union representatives

~~5~~6.1 The Council has agreed time off for unison branch officers equating to 2.5 full-time equivalent (fte) employees' working time. There is also an established post of Branch Secretary. The allocation and distribution of these hours will be wholly at the discretion of the Branch Secretary who will advise the Chief Executive annually of the names, designation, proportionate hours and the disbursement allocated to each branch officer.

~~5~~6.2 Time off for trade union duties: In addition to the above, reasonable time off during working hours will be granted to all branch officers and accredited trade union representatives to undertake their trade union duties. Where there is no option for the meeting to be held in normal working hours, or where it is in the benefit of the organisation that the meeting is carried out in the representative's normal non-working time, then TOIL may be granted with prior agreement.

~~5~~6.3 Both parties to this agreement accept the need to be flexible within this process and recognise their duties and obligations. The parties will seek to agree a mutually convenient time for the duties or activities, with minimum disruption to the service. If possible, the union will consider arranging workplace meetings towards the end of the working week or near break times.

~~5~~6.4 Time off for training: The Council will grant trade union representatives reasonable paid time-off during working hours to undertake training (including e-learning) relevant to the carrying out of their duties as a trade union representative as identified in this agreement.

~~5~~6.5 Time off for trade union activities: Reasonable time off during working hours for trade union activities will be granted to all branch officers and ~~accredited~~ trade union representatives, in accordance with statutory rights and the ACAS Code of Practice.

~~5~~6.6 Time off for union learning representatives: The Council will grant union learning representatives reasonable time off for training and to undertake their duties in relation to:

- analysing learning or training needs
- providing information, advice and guidance on learning and training
- preparing for and promoting learning and training
- consulting on activities or preparing to undertake activities

If a trade union representative or union learning representative undertakes training outside of his/her normal working hours, he/she will not be paid any additional hours.

6.7 Time off for union equality representatives: The Council will grant union equality representatives reasonable paid time off during working hours to undertake statutory equality representative duties and relevant training.

~~5~~6.~~7~~8 Reasonableness of requested time off: The determination of reasonableness will depend ultimately on the needs of the service at the time of the request and the union is aware that managers need to take this into account. Each application for time off will be assessed on its own merit; however, the Council will give consideration to:

- the nature and timing of the request
- the amount of time off previously granted or planned for the future
- the number of representatives or members seeking time off within a given period

~~5~~6.~~8~~ 9 Consideration will be given to the number of hours an employee is due to work in a week on both Council and trade union duties, e.g. training on trade union duties during normal working hours would be considered as part of the working week.

~~5~~6.~~9~~ 10 If reasonable time off cannot be agreed, this will be referred to the Branch Secretary and the Chief Executive for determination. If no decision is reached the matter shall be referred to the Joint Consultative Committee in the first instance.

~~5~~6.~~10~~11 Trade union representatives and union learning representatives must follow the procedure set out in Appendix 1 when informing their line manager

of their wish to take paid time off to carry out their duties away from their normal workplace.

~~6.~~7. Review

~~6~~7.1 The arrangements will be reviewed in 3 years' time in accordance with the usual policy review arrangements, or sooner if legislation changes.

Appendix 1: Process for requesting time off for trade union duties and activities

1. Day-to-day trade union activities should normally be agreed verbally or by email/in writing between the representative and their line manager as soon as practically possible. As much notice as possible should be given and representatives should state:
    - the reason for the request (while preserving personal confidentiality, for example for those individuals who are involved with discipline or grievance procedures)
    - the location of the activity and
    - the time and duration of the meeting or activity

2. The line manager will consider the request having due regard for the provisions of the Trade Union & Labour Relations Act and give a response as soon as possible to the employee. Time taken to respond may vary depending on the nature of the request and the demands of the service.

3. For more formal requests/requests for time off for training:
    - requests and responses should be sent by the employee to the Branch Secretary
    - the Branch Secretary will write to the People Policy and Organisational Development Manager formally asking for agreement

    Following liaison between HR and the service, the request will be formally agreed or any issues e.g. service capacity, will be discussed with the Branch Secretary.

4. Should it not be possible to resolve any issues, the request will be referred to the Chief Executive for consultation with the Branch Secretary for a decision.

5. The trade union representative will record their time off and send details to the Branch Secretary each month.

Bury Council