



**the education union**

**A Guide to time off for Trade Union Duties and  
Training to Perform Duties for ATL Workplace,  
Health and Safety and Union Learning  
Representatives (VERSION 2)**



# Contents

1. [Introduction](#)
2. [Why do we need representatives?](#)
3. [The legislation](#)
4. [Training for performance of Trade Union Duties](#)
5. [The Management of Health and Safety under H&S legislation](#)
6. [Schools in the maintained sector](#)
7. [Non-maintained schools and FE colleges where ATL is Recognised](#)
8. [Non recognised workplaces](#)
9. [Summary of types of schools and colleges and ATL Recognition](#)
10. [Useful links](#)
11. [Appendix – Model Workplace Learning Agreement](#)

# 1. Introduction

This guide has been written to help clarify the statutory entitlements to time off for training and duties for all ATL representatives at school and college level. This guide is not aimed at Branch representatives or representatives who work across a Local Authority.

For the purpose of this guide the different types of ATL representatives are:

- School or College Reps who will be referred to in this document as Workplace Representatives
- Health and Safety Representatives working at school or college level (H&S Representatives)
- Union Learning Representatives working at school or college level (ULRs)

If during the guide, a point is relevant for all 3 types of representative, rather than list all 3 roles, they will be referred to as 'representatives' or 'reps'.

Section 3 on Legislation has been divided into several sub-sections because whilst legislation for workplace representatives (officials) and ULRs is found under the same Act, H&S Reps are dealt with under separate legislation. This section includes more explanation of the H&S and ULR roles as these are less common roles within ATL. This section and section 4 on training are very important because they clarify the conditions within which representatives are entitled to paid time off for training and duties.

Where appropriate we have taken into account further guidance on time off for trade union duties and activities for example, for those working in maintained sector schools (The Burgundy Book).

It is important to note that the majority of this document covers situations where ATL is recognised for collective bargaining purposes within a workplace. Section 8 covers non recognised workplaces. This guide along with other ATL publications such as the ATL Campaign Toolkit, which can be found on the ATL website [www.atl.org.uk](http://www.atl.org.uk) will provide information and links to support a campaign for recognition.

Support Staff members who are ATL representatives and who work in a school or college where ATL is recognised may experience some difficulties in obtaining time off. This is because ATL recognition may not cover staff who are not teachers or lecturers. In this instance please contact your Branch Secretary or the ATL London Office for further advice and support.

## 2. Why do we need representatives?

ATL representatives are the face of the union for members in their workplace and so your role in promoting the union, supporting members, recruiting new members, finding out issues and sharing information is absolutely invaluable.

Becoming an ATL representative in any role provides you with new opportunities to access accredited training and to develop transferable skills whilst networking with other ATL reps from around the UK.

Workplace reps:

- are the communications link on key issues in education between ATL and members in your school or college
- recruit new colleagues into ATL membership and build an ATL team of members in their workplace
- share information and support members to raise any problems or concerns

Health & Safety reps:

- help to educate members on issues of health & safety
- ensure staff health & safety is adequately considered in risk assessments
- promote good practice in relation to school policies on for example bullying & stress

Union Learning reps:

- advise and support members with their continuing personal and professional development
- identify learning and development needs of their members
- work with employers and providers to improve access to learning opportunities

ATL has over 1600 representatives in workplaces across the United Kingdom which means that we have a direct feed into these workplaces for information pertinent to members and have a greater opportunity to ensure that ATL responds to the issues that are most closely felt by them and remains a member led union.

ATL recognises the importance of all representative roles and provides accredited training and support. The contribution of representatives and members who get involved in ATL activity is valued by all members of the union.

### 3. Legislation

There is legislation in place to enable representatives of recognised unions to be able to carry out their role more effectively in schools and colleges. This legislation should be seen as a starting point for reps but you should not be limited by the minimum standards laid out.

Using any legislation should be a means of last resort to reps as we want to encourage good working relationships between our members and management and take a proactive approach to building working networks with members, other unions and employers. By building relationships, reps are often given time to carry out the role even if ATL are not recognised in that particular school or college.

#### Workplace Representatives

##### **Time off for duties and training – Workplace Representatives**

This section does not cover all the relevant legislation which can be found in the Annex of the ACAS Code of Practice 'Time off for trade union duties and activities', but it does cover some of the essential paragraphs.

Section 168 of the Trade union and Labour Relations (Consolidation) Act 1992, states:

- (1) An employer shall permit an employee of his who is a union official of an independent trade union recognised by the employer to take time off during his working hours for the carrying out any duties of his, as such an official, concerned with
  - (a) negotiations with the employer related to or connected with matters falling within section 178(2) (collective bargaining) in relation to which the trade union is recognised, or*
  - (b) the performance on behalf of the employees of the employer of functions related to or connected with matters falling within that provision which the employer has agreed may be so performed by a trade union.**
  
- (2) He shall also permit such an employee to take time off during his working hours for the purpose of undergoing training in aspects of industrial relations –
  - (a) relevant to carrying out such duties as are mentioned in subsection (1), and*
  - (b) approved by the Trades Union Congress or by the independent trade union of which he is an official**

\*Note this covers all ATL reps training courses including specific training on negotiating skills, presentation skills, casework skills and other courses.

## **Payment for time off**

Section 169 of Trade Union and Labour Relations (Consolidation) Act 1992 states:

*(1) An employer who permits an employee to take time off under section 168 or 168A shall pay him for the time taken off pursuant to the permission.*

The ACAS Code of Practice states:

*18. An employer who permits union representatives time off for trade union duties must pay them for the time off taken. The employer must pay either the amount that the union representative would have earned had they worked during the time off taken or, where earnings vary with the work done, an amount calculated by reference to the average hourly earnings for the work they are employed to do.*

## **How Much Time off?**

Section 168 above makes clear that workplace representatives are entitled to time off which is 'reasonable in all the circumstances' (having regard to the ACAS Code of Practice). 'Reasonableness' here includes consideration of the purpose for which the time off is required, and the needs (and size) of the undertaking in question. Please be aware that the entitlement to time off relates only to duties related to collective bargaining with the employer (not with a different employer).

## **Description of an "official"**

Section 119 of the same act clarifies what is meant by the term "official":

*"official" means –*

- (a) an officer of the union or of a branch or section of the union, or*
- (b) a person elected or appointed in accordance with the rules of the union to be a representative of its members or some of them, and includes a person so elected or appointed who is an employee of the same employer as the members or one or more of the members he is to represent.*

\*This covers all ATL work place reps in recognised workplaces.

## **Trade Union Duties**

The ACAS Code of Practice (Paragraph 13) suggests various examples of potential trade union duties which include:

- a) terms and conditions of employment, or the physical conditions in which workers are required to work*
- b) engagement or non engagement, or termination or suspension of employment or the duties of employment, of one or more workers*
- c) allocation of work or the duties of employment as between workers or groups of workers*
- d) matters of discipline*

- e) *trade union membership or non membership*
- f) *facilities for trade union representatives*
- g) *machinery for negotiation or consultation and other procedures*

Examples of the types of activity covered by the above would be:

- speaking to new colleagues and asking them to join ATL
- updating your notice board with ATL materials
- preparation time for meetings or activity
- meeting members in your workplace to discuss issues

### **Health & Safety Representatives**

#### **Time off for duties and training – H&S Representatives**

ATL H&S Reps can make a very real difference to the health, safety and welfare of members and non members in schools and colleges. Evidence shows that workplaces with active union H&S Reps and joint union-management safety committees reduce the number of accidents in the workplace by nearly 50%. Health and safety is not only just about fixing faulty flooring, the modern day H&S rep must be able to adapt to new challenges such as tackling work place bullying and stress to fully represent the workforce and with this new role comes new and accredited ATL training and support. H&S Reps have certain rights enshrined in law which include:

- inspecting the workplace regularly to identify potential hazards and causes of accidents;
- investigating employee complaints concerning health and safety issues at work;
- making representations to the employer on matters arising out of health, safety, and welfare affecting employees at work;
- investigating accidents or dangerous occurrences;
- inspecting relevant health and safety documents; and
- establishing a joint union-management safety committee.

There are three main pieces of legislation to cover facilities, time off for carrying out the functions of a health and safety rep and training:

#### **Facilities – Safety Representatives and Safety Committees Regulations (SRSC) 1977**

Employers to provide such facilities and assistance as safety representatives reasonably require (SRSC Reg. 5(3); SRSC Reg. 6(2); SRSC Reg. 4A2) The facilities which are to be provided by the employer are not specified in the regulations but ATL would recommend access to office space and a secure filing cabinet, notice board and access to both a telephone and computer including email and internet.

#### **Time off for functions – Safety Representatives and Safety Committees Regulations 1977**

Employers to provide time off with pay during working hours to carry out functions (SRSC Reg. 4(2); Schedule to Reg. 4(2)) The SRSC Regulations do not give a specified amount of time to carry out their functions. The amount of time given will vary between each workplace and the amount of time you get will need to be negotiated with your Head Teacher. The facilities time you get should be used for carrying out your role and any meetings you attend should be in addition to the agreed time.

### **Time off for training – Safety Representatives and Safety Committee Regulations 1977**

- Employers to provide time off with pay during working hours that is *'reasonable in all circumstances'* (SRSC Reg. 4(2))
- Unions should give *'at least a few weeks notice'* (Code of Practice 5 (under SRSC Reg. 4(2)(b))
- Representatives should attend training *'as soon as possible after appointment'* (Code of Practice 3 (under Reg. 4 (2) (b))

\* Note this covers all ATL Health & Safety reps training courses.

## **Union Learning Representatives**

### **Time off for duties and training – Union Learning Representatives**

In recent years, a new workplace role for trade unions has been established; one which promotes both personal and professional development and which has had significant impact on increasing motivation and enthusiasm for learning amongst employees and employers. This new representative role is the Union Learning Representative (ULR).

ULRs have demonstrated that they can compliment and add value to employers' efforts to engage workers in learning and by promoting personal learning opportunities encourage a greater work life balance amongst colleagues.

ATL ULRs identify ways to support and improve learning and training opportunities for members in their workplace and link their activity to the government's initiatives in relation to learning and skills, such as performance management. They assess development areas for their members and organise learning events in their workplaces.

This role enjoys similar statutory entitlements to the Workplace or Health & Safety Representative because the Trade Union and Labour Relations (Consolidation) 1992 Act has been amended to include section 168(A) which gives rights to time off for training and duties to ULRs. The quote below from the legislation covers both the entitlement for time off and the duties a ULR may be expected to perform:

*(1) An employer shall permit an employee of his who is*

*(a) a member of an independent trade union recognised by the employer,*

*and*

*(b) a learning representative of the trade union,*

*to take time off during his working hours for any of the following purposes:*

*(2) The purposes are:*

*(a) carrying on any of the following activities in relation to qualifying members of the trade union-*

*(i) analysing learning or training needs,*

*(ii) providing information and advice about learning or training matters,*

*(iii) arranging learning or training, and*

*(iv) promoting the value of learning or training,*

*(b) consulting the employer about carrying on any such activities in relation to such members of the trade union,*

*(c) preparing for any of the things mentioned in the paragraphs (a) and (b).*

Sub-section 4 covers the training condition and the right for time off for training for the role, in particular:

*(7) If an employer is required to permit an employee to take time off under sub-section (1) he shall also permit the employee to take time off during his working hours for the following purposes :*

*(a) undergoing training which is relevant to his functions as a learning representative.....*

This means that ULRs are entitled to reasonable paid time off to undertake training and to carry out their duties. The act does require the union to notify the employer in writing that the employee is a ULR of the trade union and that the ULR is sufficiently trained to carry out their duties or will be within 6 months of the notification.

ACAS Code of Practice

*16. Employees who are members of an independent trade union recognised by the employer can take reasonable time off to undertake the duties of a Union Learning Representative, provided that the union has given the employer notice in writing that the employee is a learning representative of the trade union*

*and the training condition is met. The functions for which time off as a Union Learning Representative is allowed are:*

- analysing learning or training needs*
- providing information and advice about learning or training matters*
- arranging learning or training*
- promoting the value of learning or training*
- consulting the employer about carrying on any such activities*
- preparation to carry out any of the above activities*
- undergoing relevant training.*

*28. Employees who are members of an independent trade union recognised by the employer are entitled to reasonable paid time off to undertake the functions of a Union Learning Representative. To qualify for paid time off the member must be sufficiently trained to carry out duties as a learning representative:*

- either at the time when their trade union gives notice to their employer in writing that they are a learning representative of the trade union*
- or within six months of that date.*

*29. In the latter case, the trade union is required to give the employer notice in writing that the employee will be undergoing such training and when the employee has done so to give the employer notice of that fact. During the six month period in which he or she is undergoing this training, the Union Learning Representative must be allowed time off to perform their duties. It should be confirmed by the union in a letter that the training undertaken is sufficient to allow the Learning Representative to undertake their role and it is good practice for the union to give details of the training which has been completed and any previous training that has been taken into account. In the interests of good practice, the six month qualifying period may be extended, with agreement, to take into account any significant unforeseen circumstances such as prolonged absence from work due to ill health, pregnancy, bereavement or unavoidable delays in arranging an appropriate training course.*

*30. To satisfy this training requirement an employee will need to be able to demonstrate to their trade union that they have received sufficient training to enable them to operate competently in one or more of the following areas of activity relevant to their duties as a Union Learning Representative:*

*analysing learning or training needs;*

- this could for example include understanding the different methods for identifying learning interests or needs, being able to effectively identify and record individual learning needs or being able to draw up a plan to meet identified learning requirements.*

*providing information and advice about learning or training matters;*

- including, for example, the development of communication and interviewing skills*
- knowledge of available opportunities, in order to be able to provide accurate information to members about learning opportunities within and outside the workplace*

- *the ability to signpost members to other sources of advice and guidance where additional support is needed, for example, basic skills tutors or fuller in depth professional career guidance.*

*arranging and supporting learning and training;*

- *for example, obtaining and providing information on learning opportunities including e-learning where available, supporting and encouraging members to access learning opportunities and helping to develop and improve local learning opportunities;*

*promoting the value of learning and training;*

- *some examples of this activity could be, understanding current initiatives for the development of learning and skills in the workplace, promoting the value of learning to members and within trade union networks and structures, working with employers to meet the learning and skill needs of both individuals and the organisation, and appreciating the value of learning agreements and how they may be developed.*

*31. An employee could demonstrate to their trade union that they have received sufficient training to enable them to operate competently in one or more of these areas of activity by:*

- *completing a training course approved by the Trades Union Congress or by the independent trade union of which the employee is a Union Learning Representative, or by*
- *showing that they have previously gained the relevant expertise and experience to operate effectively as a learning representative.*

*In the latter case, previous experience and expertise gained in areas such as teaching, training, counselling, providing careers advice and guidance or human resource development, may well be relevant, as may periods of extensive on-the-job training and experience gained in shadowing an experienced Union Learning Representative.*

*32. Reasonable time off should also be considered for further training to help Union Learning Representatives develop their skills and competencies.*

*33. Although not required by law it is recognised that there would be clear advantages both to the individual and the organisation if training undertaken leads to a recognised qualification standard.*

*34. An employer who permits union representatives or Union Learning Representatives time off to attend relevant training, must pay them for the time off taken. The employer must pay either the amount that the union representative or the Union Learning Representative would have earned had they worked during the time off taken or, where earnings vary with the work done, an amount calculated by reference to the average hourly earnings for the work they are employed to do.*

*The calculation of pay for the time taken for training should be undertaken with due regard to the type of payment system applying to the union representative and Union Learning Representative including, as appropriate, shift premia,*

*performance related pay, bonuses and commission earnings. Where pay is linked to the achievement of performance targets it may be necessary to adjust such targets to take account of the reduced time the representative has to achieve the desired performance.*

*35. There is no statutory requirement to pay for time off where training is undertaken at a time when the union representative or Union Learning Representative would not otherwise have been at work unless the union representative or Union Learning Representative works flexible hours, such as night shift, but needs to undertake training during normal hours. Staff who work part time will be entitled to be paid if staff who work full time would be entitled to be paid. In all cases, the amount of time off must be reasonable.*

*\*Note this covers all ATL Union Learning reps training courses.*

### **The ACAS Code of Practice ‘Time off for trade union duties and activities’**

**The purpose of the Code is “to aid and improve the effectiveness of relationships between employers and trade unions’ through providing guidance on time off for training and duties of trade union officials (Workplace Reps) and ULRs. An example of this is the suggestions as to what activity ‘analysing learning or training needs’ may include. The ACAS Code only states that a ‘reasonable’ paid time is allocated to duties for officials and ULRs and therefore it is the responsibility for local and workplace agreements to try and establish what each side can agree to as a reasonable amount. The distinction between ‘duties’ and ‘activities’ is that whilst the employee is permitted to take time off during work there is no statutory entitlement for paid time off for undertaking an activity, one of the examples provided here is ‘voting in union elections’.**

## **4. Training for performance of Trade Union Duties**

Undertaking the training for your representative role is essential as it will provide you with the tools for the role, confidence in undertaking the duties and link you to areas of support within ATL. Training courses are also a great way to share experiences and network with reps from different workplaces and areas. ATL accredited training courses are available for all reps free of charge and travel expenses are reimbursed.

**ATL training courses for reps include:**

### **Workplace Reps**

**Being an ATL Representative** - *introduces reps to the key skills required to carry out the role effectively and to give them information about their rights and the support networks available.*

**Being an ATL Representative in FE** – presents the key skills and issues covered by the Being an ATL Rep course from an FE perspective.

**Being an ATL Independent School Representative** – presents the key skills and issues covered by the Being an ATL Rep course from an independent school's perspective.

### **Health & Safety Reps**

**Health & Safety I** – introduces reps to the role of a Health & Safety rep and functions including legal provisions, facilities and the ATL approach to Health & Safety.

**Health & Safety II** – Organise for Health & Safety in your workplace, identify legal responsibilities and apply law to problems and involve members.

**Health & Safety III** – learn how to carry out health & safety inspections and to identify hazards and prevent accidents and ill health in the workplace.

### **Union Learning Reps**

**Union Learning Representative** – introduces the role of the ULR, rights and responsibilities, principles of CPD, building partnerships and negotiating learning and training for members.

**Learning & Organising** – developed to assist ULRs to design and run meetings and learning events in schools and colleges including work shop and seminar preparation.

More information and further courses are included in the ATL Training Programme which is available on the ATL website [www.atl.org.uk](http://www.atl.org.uk) or email [training@atl.org.uk](mailto:training@atl.org.uk) to book yourself a place on a course.

The legislation makes it clear that the employer is to give paid time off to representatives for training to undertake their duties. Whilst there is no provision for paid time off if the individual would not have usually been expected to work, part time staff are to be paid if their full time equivalent would have been entitled to payment; for example payment may be applicable for training on a weekday for a part time member of staff but not on a Saturday if their full-time equivalent would not be expected to work at weekends.

Training has to be accredited either through the TUC or the relevant independent union and it has to cover the duties that the official will then be expected to perform. The ACAS Code suggests that the employer is to be given as much notice as possible and that a copy of the syllabus is provided. Whilst the TUC and independent unions have a core programme of training for all representatives, it is recognised that follow up or specialised training may be required.

The ACAS Code refers to the amount of time off to be reasonable, however it has been established through Employment Tribunal that a core programme of 10 days is acceptable so by this definition, the ATL programme is excessively reasonable. The Code also gives examples of the types of appropriate training for Reps (Para 26) and the use of e-learning tools (Para 27).

## 5. The Management of Health and Safety under H&S legislation

The main elements of legislation affecting the management of health and safety in schools and colleges are the **Health and Safety at Work, etc Act 1974** (HSWA). This Act provides a framework for ensuring the health and safety of all employees in any work activity. It also provides for the health and safety of anyone who may be affected by work activities in schools and colleges. Consequently, all pupils, students and visitors to educational sites (including contractors and the self-employed) are covered by the Act. The Act requires employers and employees (as well as manufacturers, suppliers and the self-employed) to comply with health and safety requirements. These duties are detailed in the Act.

**The Management of Health and Safety at Work Regulations 1999** mirror the requirements of the HSWA, yet make more explicit what employers are required to do. The main requirement on employers is to carry out risk assessments to eliminate or reduce risks. Employers with five or more employees need to record the significant findings of a risk assessment, yet it is not necessary to record risk assessments for trivial or insignificant risks – that is, those which require common sense ‘on the spot’ decisions. Besides carrying out risk assessments, employers also need to:

- make arrangements for implementing the health and safety measures identified as necessary by risk assessments
- appoint people with sufficient knowledge, skills, experience and training to help them to implement arrangements of their policy
- set up emergency procedures and provide information about these procedures to employees
- provide clear information, supervision and training for employees and ensure that suitably competent people are appointed who are capable of carrying out relevant jobs safely
- work together with any other employer/s operating from the same workplace, sharing information on the risks that other staff may be exposed to – for example cleaning/ catering, or maintenance contractors.

## 6. Schools in the Maintained Sector

For those who work in the maintained sector the ‘official’ role is further clarified in the publication, *‘Conditions of Service for School Teachers in England and Wales (more commonly known as the Burgundy Book) appendix III – Agreement on Facilities for Representatives of Recognised Teachers’* Organisations which covers the role of the National Executive member, an officer representing a local

authority, a local officer whose duties are at a lower level than the whole authority and a school representative; this should be then adopted and adapted at local authority and possibly at workplace level.

Paragraph 10 covers the role of the workplace representative and states:

*The accredited school representatives of the recognised teachers' organisations should be permitted reasonable opportunities and given the necessary facilities to discharge their functions as provided for in the ACAS Code, namely:*

- (b) union matters such as recruitment, maintaining membership, collecting contributions and communicating with members;*
- (c) within the responsibilities conferred on them by their respective organisations, industrial relations matters within the individual school such as the handling of members' grievances.*

The Burgundy book goes on to cover physical facilities which accredited representatives should be entitled to.

***It is important to note that in order to become a fully accredited representative, members must undertake the appropriate ATL training. e.g. a health & safety rep or union learning rep and workplace reps who may represent members at grievance hearings.***

Other roles of a rep such as recruitment and member communication do not require ATL training and accreditation although all reps find training useful to help them be effective in their role.

This somewhat dated agreement does not cover the role of the Union Learning Representative however, local authorities were written to in 2002 by Ivan Lewis in advance of the new legislation in order to request that where possible they would consider requests for additional time for this role favourably. There is also scant reference to Health and Safety however the commentary (paragraph 6.) does state '*With the developments taking place in the field of industrial relations, health and safety at work...the teachers' associations are giving increased attention to training programmes for their accredited representatives... Authorities should therefore give encouragement and support to accredited union representatives wishing to attend courses for this purposes...*' This does not go far enough to encompass the role and entitlements but at least make some reference to health and safety.

## **7. Non-maintained schools and FE colleges where ATL is Recognised**

In independent schools, Academies and FE colleges where ATL are recognised, there should be an agreement between ATL and the employer on facilities and which clarifies the roles. Given all of this though, it is important to note that the preamble to Section 5 of the ACAS Code which states:

***'... the absence of a formal agreement on time off, however, does not in itself deny an individual any statutory entitlement. Nor does any agreement supersede statutory entitlement to time off.'***

## 8. Non recognised workplaces

Time off for trade union duties and training to perform such duties is only an entitlement where ATL is recognised for collective bargaining purposes. Whilst members can be accompanied by a union official in workplaces where we are not recognised, ATL cannot represent its members in the same way, negotiate on behalf of its members nor can any representative claim a statutory entitlement within that workplace.

There are examples where a lack of recognition has not hindered consultation, negotiation and representation but this is not an entitlement which is why it is essential to campaign for recognition in workplaces where we are not recognised.

ATL has a range of information to support members who wish to campaign for recognition such as the Campaign Toolkit on the get active section of the ATL website and the Independent School Handbook publication.

The TUC also has a range of useful information including the book 'Your rights at Work' available to order from the TUC Work Smart website. This website also includes free information about rights at work.

## 9. Summary of types of schools and ATL Recognition

Type of school	Community	Foundation	Voluntary Aided	Voluntary Controlled	Trust	Academy, FE College and Independent Schools
<b>Employer</b>	LA	Governing Body	Governing Body	LA	Governing Body	Governing Body
<b>Recognition</b>	ATL recognised	ATL recognised	ATL recognised	ATL recognised	ATL recognition by local agreement may exist or may need to be sought contact your Branch Secretary	ATL recognition by local agreement may exist or may need to be sought contact your Branch Secretary

## 10. Useful Links

ATL website – [www.atl.org.uk](http://www.atl.org.uk)

ATL's *Guide to Union Learning* -

<http://www.atl.org.uk/Images/Guide%20to%20union%20learning.pdf>

ATL Training Courses - <http://www.atl.org.uk/training-and-events/learning-and-development/about-education-training.asp>

ACAS - <http://www.acas.gov.uk/index.aspx?articleid=1461>

Link to PDF copy of 'Time off for trade union duties and activities' -

<http://www.acas.org.uk/CHttpHandler.ashx?id=274>

Central Arbitration Committee - <http://www.cac.gov.uk/>

More information on Health and Safety legislation - [www.atl.org.uk/healthandsafety/](http://www.atl.org.uk/healthandsafety/)

More information on recognition - <http://www.atl.org.uk/help-and-advice/union-rights/union-recognition.asp>

*What does good CPD look like?* (TDA) – download at:

[www.tda.gov.uk/upload/resources/pdf/g/guidance\\_effective\\_cpd.pdf](http://www.tda.gov.uk/upload/resources/pdf/g/guidance_effective_cpd.pdf)

TUC 'Your Rights at Work' - [http://www.tuc.org.uk/tuc/rights\\_alone.cfm](http://www.tuc.org.uk/tuc/rights_alone.cfm) and

[http://www.tuc.org.uk/tuc/rights\\_main.cfm](http://www.tuc.org.uk/tuc/rights_main.cfm)

More information and advice on becoming an ATL rep or organising towards recognition in your school or college please email [organise@atl.org.uk](mailto:organise@atl.org.uk)

## 11. Appendix – Model Workplace Learning Agreement

### MODEL ATL SCHOOL LEARNING AGREEMENT

This Learning Agreement sets out the remit and scope of **[insert name of ULR]** to act as an ATL Union Learning Representatives (ULR) in the **[insert school name]**.

#### Aims and Objectives

This Learning Agreement reflects our shared aims and objectives, specifically:

- Our joint commitment to the continuing professional development (CPD) and lifelong learning of all school staff
- Our joint recognition of the significant role that the ATL ULR can play in facilitating access to CPD and lifelong learning, both in and outside the workplace
- Our agreement to work in partnership to maximise the availability of CPD and lifelong learning opportunities to all school staff

**An ATL ULR can be any member of staff, full- or part-time, who is an ATL member and has an interest in, and commitment to, training and development.**

In addition:

- There will not usually be more than one ATL ULR per school (exceptionally, split sites and membership size may make it appropriate to have more than one per workplace).
- All ULRs will be accredited by the ATL upon completion of training that will be provided by the ATL
- Reasonable time off work will be agreed for training and for undertaking duties.

**On behalf of ATL members and where appropriate all school staff, the remit of the ATL ULR will be to:**

- Promote a positive attitude to learning amongst employees
- Promote partnership working on training between the school and ATL
- Promote CPD opportunities to staff
- Promote a whole-school approach to lifelong learning
- Promote best practice to ensure learning opportunities are consistently available to the whole school staff
- Provide information and advice about learning opportunities
- Identify CPD and lifelong learning opportunities for ATL members, teachers and support staff to develop their role
- Foster an improved awareness and knowledge of learning opportunities
- Work with line managers and school CPD co-ordinator to identify learning needs
- Broker learning opportunities with local providers and colleges, creating mutually beneficial partnerships
- Signpost ATL members, and where appropriate all school staff, to sources of advice and guidance
- Link non-work related learning to a more rounded work/life balance

**The ATL ULR will work with the School CPD Co-ordinator, and line managers as appropriate, to:**

- help identify CPD and lifelong learning needs amongst staff and devise plans to meet those needs, including those identified through the performance management process and advising on the content of school INSET days
- provide advice and support to colleagues on personal development opportunities which do not impact on the school or the INSET budget
- help disseminate details of school and local authority training and development opportunities
- be a source of information on wider local learning providers and opportunities, for example the MA and Foundation Degree accreditation opportunities available to ATL members via the ATL Partnership Agreement with Edge Hill University
- help evaluate training and development outcomes

- reinforce a positive attitude to learning amongst staff, for example that learning does not always mean attending a course

As defined by the Training & Development Agency for Schools (TDA) examples of CPD activities include:

- ✓ professional development meetings and professional development items in staff and team meetings
- ✓ attending external conferences and courses
- ✓ attending internal conferences, courses and professional development events
- ✓ coaching and mentoring, shadowing and peer support
- ✓ participating in networks or projects providing opportunities for professional development
- ✓ lesson observations
- ✓ discussions with colleagues or pupils to reflect on working practices
- ✓ research and investigation

All individual requests for training and development to be met from school INSET budgets and/or requiring time off work will continue to be channeled through existing line managers and school CPD Co-ordinator as at present. The ULR should be able to help colleagues identify suitable ways of meeting identified training and development needs.

The ATL ULR will also work in partnership with Union Learning Representatives in the School accredited by any other recognised trade union.

**The School, through its Governing Body and any such delegated authority, including the Head and CPD Co-ordinator, will:**

- Consult the ULR on all school-wide CPD and lifelong learning needs, priorities and timescales.
- Invite the ULR to attend the Governing Body (or any other appropriate subcommittee or staff consultative committee) to observe and contribute to all discussions related to school-wide CPD or lifelong learning
- Provide the ULR with reasonable paid time-off to undertake the relevant duties outlined in the ACAS Code, namely to:
  - Analyze learning and training needs – the ULR will always consult the Head first before they conduct any associated surveys of staff
  - Provide information about learning and training matters
  - Promote the value of learning to ATL members
  - Consult with the school about such activities
  - Undergo accredited training

**The School and ULR will review this agreement after one year, on [insert date], and thereafter every two years.**

Signed on behalf of School: .....  
(Head Teacher)

Date: .....

Signed on behalf of ATL: ..... (ULR)

Date: .....