Trade Union

Recognition Agreement
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Appendix 1: Summary of Recognised Trade Unions
1. **Purpose**  
The Trust is committed to the principle of collective bargaining and recognises the important role of Trade Unions in promoting and developing good employee relations and health and safety practices.

This Agreement provides a robust partnership framework between the parties which fosters and supports the effective involvement of managers, employees, and employee representatives, in influencing decisions and in joint information sharing, learning and problem solving. In so doing, it supports The Trust’s vision of high quality services to the community as well as attempting to improve the quality of working life for employees.

A list of Trade Unions recognised for collective bargaining purpose, is attached in Appendix 1.

In the event of an amalgamation or other organisational changes within or between unions, the list will be amended accordingly.

2. **General Principles**  
The Trust and the recognised Trade Unions have a common objective in ensuring the long term efficiency and success of the Trust and its employees.

Both parties recognise that the pursuit of this common objective under this Partnership/Agreement shall be by:

- **Union Co-operation:** the recognised Trade Unions, within their own regulations, agree to co-operate with each other in their approach to consultation and negotiation with the Trust in terms of this Agreement.

- **Discussion:** informal discussions between managers, employers or Trade Union Representatives in the early stages of proposals for change.

- **Exchange of Information:** between the Trust and the Trade Unions which will assist in the collective bargaining or consultation process.

- **Communication:** the parties agree that communications with employees and amongst the respective parties themselves will adopt a tone of professionalism, accuracy and reason.

- **Consultation:** the exchange of views based on the general principle that meaningful consultation involves the opportunity to influence decisions and their application.

- **Negotiation:** the process of collective bargaining that leads to reaching a collective agreement between the Trust and the recognised Trade Unions on working practices or on terms and conditions of employment. Once a collective agreement is signed it will automatically be included in the terms and conditions of employment of those employees covered by the agreement, in accordance with the Collective Agreements clause in the employees' Written Statement. Meaningful negotiations can only be held where both parties actively work towards reaching an agreement, which may require the need to compromise.
Commitment to Success: the parties agree to develop a shared understanding of, and commitment to, the business goals of the Trust and to its lasting success.

The Unions recognise and accept management’s responsibility to plan, organise and manage the activities of the Trust.

The Trust recognises and accepts the Unions’ responsibility to represent the interests of their members and to work towards improved conditions of employment and work, according to the Unions’ policies.

3. Representatives: Numbers and Constituencies
The Trust recognise the right of Trade Union members to elect representatives to act on their behalf and in accordance with the respective rules of the Unions.

The level of representation should be proportionate to Trade Union membership numbers and distribution.

On an annual basis, the Unions will agree with the Chief Executive of The Trust the number of accredited Representatives within The Trust who will have access to time-off and facilities. In support of this discussion, at the beginning of each cycle either at the end of April or October, depending on the election arrangements within the relevant Trade Union, all of the Trade Unions will be required to submit the following information:

- Membership numbers, broken down by recognised employee groups, and distribution across the Trust;

- Confirmation of representatives: Stewards, Health & Safety Representatives, Union Learning representatives – names, roles and workplace location;

- Dates for all national/regional Trade Union conferences, training events and all other known scheduled events; all time-off, where possible, must be agreed with the line manager in advance with the appropriate documentation.

This information will form the basis for discussions between each Trade Union and the Chief Executive of The Trust to agree appropriate numbers of Stewards, Safety Reps and ULRs for the Trust.

Reviews of agreed levels of representation and outwith the cycle may be undertaken by The Trust.

Should a Trade Union fail to supply membership information as required, reference will be made to the number of members whose Trade Union subscriptions are deducted from payroll. This figure will be used to estimate membership levels for the following year.

In arriving at a level of representation for each of the Trade Unions, The Trust will define the appropriate number of representatives.
Reference will be made to:

- membership numbers;
- the size of the workplace and the variety of workplace locations;
- the variety of different occupations;
- the operation of shift systems; and
- the national rules of the respective Trade Union.

In determining appropriate numbers of Safety Reps, reference will be made to the nature of the work and its inherent dangers, in addition to the above factors.

4. **Appointment of Representatives**

Throughout the course of the year, each Trade Union will be responsible for informing The Trust of changes in their elected representatives, including resignations and appointments. In relation to appointments, the Trade Union should forward confirmation of:

- The name of the Representative;
- Role, i.e. Steward, Safety Rep or ULR;
- Work area/employment group represented;
- Expected length of appointment;
- Name of Representative replaced;
- Confirmation that membership levels support either the provision of a replacement or additional Representative.

Accreditation will be confirmed by The Trust to the relevant Trade Union and the line manager of the elected Representative.

In order to qualify for paid time off any Union Learning Representatives elected must be sufficiently trained to carry out their duties as a learning representative. At the point of accreditation, the Trade Union will therefore be required to confirm details of training received or provide notice to The Trust of the date by which the employee will complete training. This must be within the six months following their date of election.

A central database of all representatives will be maintained for reference purposes.

No Representative will be entitled to access time off for duties and activities or facilities until confirmation of their accreditation by The Trust has been received by their Trade Union and line manager.

The Trust recognises the rights of members and local trade union representatives to have the assistance of Full Time Trade Union Officers who will be permitted to advise and assist members and Trade Unions representatives. All representatives must be employees of The Trust.

The Trust will not take disciplinary action against accredited Trade Union representatives concerning their roles and activities as a Trade Union representative without first discussing the matter with the Representative’s Full Time Trade Union Officer.
It is the responsibility of the Unions to ensure that their Representatives are appropriately briefed on and trained in their duties, the rules and practices of their Union, the appropriate agreements and procedures.

5. Definition of Representative Roles and Responsibilities
The Trust recognises that different terminology may be adopted by the Trade Unions to describe the different Trade Union roles. For the purposes of consistency and ease of understanding the following titles will be adopted by The Trust.

Full Time Trade Union Officer – a Trade Union Employed Officer providing support and guidance to Trade Union Elected Representatives within various organisations across a specified Region.

Trade Union Representatives – an employee of The Trust who has been elected or appointed in accordance with the rules of the Union to be a representative of all or some of the Union’s members.

Joint Trade Union Secretary – one of the Trade Union representatives, nominated by the Unions to represent the Joint Trade Unions. In circumstances where consensus between the Unions cannot be reached, it will be assumed the Joint Trade Union Secretary will be a Representative of the largest Trade Union.

Health & Safety Representative – an employee of The Trust who has been elected or appointed in accordance with the rules of the Union to be a representative of all or some of the Union’s members on health and safety issues. The responsibilities of this role may be combined with that of Trade Union Representative or Senior Trade Union Representative.

Union Learning Representative (ULR) – an employee of The Trust who has been elected or appointed in accordance with the rules of the Union to provide advice to Union members about their training, educational and developmental needs.

Responsibilities and Duties of the Joint Trade Union Secretary
The main responsibilities of the Joint Trade Union Secretary include the following activities:

- Represent and respond on behalf of the Joint Trade Unions on issues with company wide implications;
- To present the agreed trade union response to collective bargaining and consultation arrangements;
- Act as a communication channel using the representative system to update the Joint Trade Unions of management consultations and raise issues on their behalf with management; and
- To liaise with the Chief Executive Officer of The Trust on matters affecting the Trade Unions.

In recognition of the responsibilities and duties of the Joint Trade Union Secretary referred to above, The Trust may from time to time convene a Workforce Change Group for the purpose of liaising with the Joint Trade Union Secretary (and his/her nominated union representatives) on strategic HR matters affecting The Trust. Such Group shall:
• Report into The Trust Negotiation and Consultation Forum, which will remain the relevant forum for formal consultation with representatives of the recognised Trade Unions on relevant matters.
• Comprise of two directors of The Trust (the Chair of The Trust’s Consultation and Negotiation Forum and Cllr Mike Shirkie), the Chief Executive Officer and representatives of his or her Management Team, the Joint Trade Union Secretary and his/her nominated trade union representatives.

6. **Review**
This Agreement including its appendix will be reviewed annually.

There will only be variations to this Agreement, or its appendix, following consultation between The Trust and the Trade Unions.

7. **Legal Status**
This Agreement is binding in honour between the parties.

_________________________________  __________________________________
Chief Executive                      Secretary
Fife Cultural Trust                   Joint Trade Unions, Fife

_________________________________  __________________________________
Date                                 Date
Trust Negotiation and Consultation Forum

Membership

Fife Cultural Trust

- Chair of Human Resources Committee
- Cllr Mike Shirkie, FCT Board Member
- Chief Executive Officer
- Members of Executive Management Team
- Advisors (when required)

UNISON
2 Trade Union Representatives

GMB
1 Trade Union Representative

UNITE
1 Trade Union Representative

Joint Trade Unions Secretary or Nominee

NB The parties share the aspiration that, in the longer term, the recognised Trade Union Representatives for the purposes of The Trust Negotiation and Consultation Forum shall comprise of employees of The Trust and the recognised Trade Unions confirm their commitment to the provision of training to such future representatives to allow that aspiration to be realised.
APPENDIX 1: SUMMARY OF RECOGNISED TRADE UNIONS

<table>
<thead>
<tr>
<th>Trade Union</th>
<th>Extent of Recognition</th>
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<tbody>
<tr>
<td><strong>GMB</strong></td>
<td>Recognised for collective bargaining purposes for Trust employees (ex local government employees) covered by SJC National Agreement on Pay &amp; Conditions of Service.</td>
</tr>
<tr>
<td><strong>UNITE</strong></td>
<td>Recognised for collective bargaining purposes for FCT employees (ex local government employees) covered by SJC National Agreement on Pay &amp; conditions of Service and Craft employees covered by Craft Operatives Conditions of Service.</td>
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The collective bargaining rights outlined above are in additional to the rights of all Trade Unions to represent their individual members.