



Union Learning Reps Guide: Bargaining for Staff Development

A practical guide

Revised Sept 22

Contents

Why professional development? Why now?	2
The Union Learning Representative (ULR)	3
Role	3
Election	4
Training	4
Integrating into your branch	5
Union learning committee	6
Time off and facilities for union learning reps	7
Time off	7
Amount of time off	8
Reasonable notice	8
Procedures for time off	8
Facilities	8
Union Learning Agreements (ULAs)	9
Benefits to employers from ULRs	9
Benefits to employers from a ULA	10
Content of a ULA	10
Recognition clause	11
Consultation	11
Facilities and time off	11
Dispute resolution procedures	12
Joint AoC agreement	12
Model ULA	13
Learning Needs Analysis (LNA)	13
Collective LNA	13
Members and non-members	14
Individual LNA	14
Equality issues and LNA	15
Dealing with management	15
Joint training and learning committees	15
Representing members	16
Other learning agreements	17
Information, advice and guidance	18
Appendix A: UCU model union learning agreement	17
A1 Role of a union learning representative	19
A2 Paid time off for UCU ULRs	21
A3 Procedures for accessing additional time off.....	22

Appendix B: UCU model learning needs survey23

Appendix C: Useful contacts and references 29

Why professional development? Why now?

As both recipients and deliverers of lifelong learning UCU members are in a unique position. We have an interest in ensuring that quality learning is delivered to the public in an effective and equitable manner, and we have an interest in ensuring that as citizens and workers we have equitable access to quality professional development and learning ourselves.

But while our work demands an understanding of the benefits to other citizens and workers of lifelong learning, and our professional focus is the delivery of quality education to others, who looks out for us?

It is a sad irony that we rarely consider how we can benefit from access or how we have suffered from lack of access to learning. UCU's Union Learning Representatives (ULRs) are an important part of addressing this.

The issues that face UCU members are not always as obvious as those facing workers in other unions. It is easy to surmise that UCU members have significantly higher levels of functional numeracy and literacy than the total national workforce and that UCU members have significantly better knowledge of the range of educational opportunities available and how to access them.

However it is wrong to infer that this means UCU members do not have important learning needs – they just may be different. It is because of our pivotal role in delivery of learning to the rest of the community that our training and development needs are so important.

How many times have you met colleagues who want further training in IT, marketing or report writing, or who, without re-skilling, have been moved to a different specialist area, or now work with students with different needs such as 14 – 16 year olds? How many lecturers are given management responsibilities but not management training? How many simply want training on how an appraisal or job evaluation scheme is going to work? How often are training courses arranged after work making it difficult for staff with family and caring responsibilities to attend? Are the particular staff development needs of members from black and ethnic minorities taken into account in your **institution's** programme? How many part timers and casual workers get overlooked for professional development?

For too many UCU members training and professional development has been overlooked. Increasing workloads, higher contact hours and more paperwork have increased the need for professional development and training but made it harder to access. Where management has provided training it is often to pursue its own agenda and restricted not by need but by cost. And it's getting worse. Government policy is increasingly linking cash to performance, forcing **institutions** to measure performance and justify funding.

UCU ULRs are at the front line of redressing this imbalance. For UCU members it's time to take control of professional development!

The Union Learning Representative (ULR)

UCU's workplace representatives are the backbone of the union; training and professional development are no different. ULRs are the centre of activity around your branch's agenda for learning. Establishing the role, integrating it into the branch and ensuring that you have adequate training and support is the first and most important step.

Role

The role of the ULR can be wide and varied so it is important that you establish what the role means in your workplace. Often the role will develop as you become more aware of the needs of your membership or as management tries to introduce change.

If you are the first ULR, or the role has not been well established, then your most important initial job will be to:

- elect ULRs
- train ULRs
- establish a union learning committee
- integrate the role into your UCU branch/LA.

Once the role has been established you will be in a better position to pursue the member's issues. It is important not to take short cuts in the initial establishment of the role; your ability to achieve results will depend almost entirely on how well organised you are in the earlier stages.

Once you have established the role in your branch you can:

- identify the collective learning needs of the membership
- establish support and resources for the position by approaching management for a union learning agreement.

Broadly speaking a union learning agreement will outline the level of commitment management gives to the agenda, the resources they will provide for you and the procedural arrangements that give you input into management decision making.

Establishing a good learning agreement is very important as it sets the basis for all further activity.

Identifying the collective learning needs of the membership is an important first step; the amount of support you get from the workforce will be directly related to the relevance of the issues you tackle. It is tempting to wait until your union learning agreement has been completed before you start this. However you will be better able to justify the need for the best possible agreement (especially in the face of a resistant management) with clear evidence of the issues needing to be addressed and proof of the need for union facilities to tackle the problem.

Once you have a learning agreement the role involves more ongoing work such as:

- maintaining the learning committee
- consulting with the branch committee and members
- working with management on training and development issues and/ or establishment of a union/management Joint Training and Learning Committee (JTLC) or professional development committee
- providing advice and guidance to members

The remainder of this guide expands on each of the separate roles outlined above and Appendix A contains a union learning agreement with a formal job description.

Election

ULRs should be elected from the membership at a full meeting, ideally at the same time as the other officers of the branch. Because the role is new many people may not be aware that the position exists or what it entails. You should circulate specific notification of the creation of the position and a brief description of the role well in advance of the meeting with an invitation to contact you for further details. There is no reason why the number of ULRs needs to be restricted to one. In fact the more ULRs you have when you approach management the stronger your position looks. People who express interest but do not want to become ULRs should be encouraged to join the union learning committee. UCU will notify your employer of your election, but you should also do so as a courtesy and precaution.

Training

Receiving the appropriate training is very important for all union representatives. In recognition of this section 168A(7) of the *Trade Union and Labour Relations (Consolidation) Act 1992* states that you are only entitled to reasonable paid time off to undertake the duties of ULR if:

- UCU (i.e. your branch) has given the employer notice in writing that you are a learning representative, and
- you have undertaken a ULR course approved by UCU at the time of the notification or will undertake one within 6 months of the notification.

If the notification is given prior to you receiving the training then UCU must also notify the employer in writing that you will undertake the training and again when you have undertaken the training. Failure to undertake the training within the six-month period results in the loss of the right to paid time off.

UCU has developed its own one-day course that deals with a wide range of ULR issues as well as professional development issues specific to our sector. It is free to members and UCU provides expenses to cover your costs. For further information about training, or to enrol, please go to the UCU training section on the website

www.ucu.org.uk/training

If you need advice or assistance getting time off for training contact your regional office.

Integrating into your branch/LA

For ULRs to operate effectively they must have the full support of the UCU branch. It is critical that ULRs meet regularly with the branch committee and attend branch meetings to report back and listen to members concerns.

Regular consultation with the membership and their involvement in decision-making will increase the support you receive. Consultation will enhance your ability to identify issues of concern to them and involving them in decision-making will increase participation and ownership of the agenda. In the early stages when members may not be familiar with the union's learning agenda it is particularly important they are given lots of information about the role, the issues and your activity.

Gaining the support of UCU's branch committee is also critical. They will already have a relationship with management and members and will have useful information about both. They will be available to help you with your meetings with management and may, if you wish, even conduct them for you. Some branch committee members may be unfamiliar with the role or even initially sceptical. Explaining how you see your role and discussing how to work together is important if you are to gain their support.

Some committee members may be worried that paid facilities time for ULRs will come off their allocation (this may also be reinforced by management's attitude). It is important to reassure the committee that your facilities time comes under a separate part of the legislation that provides you with "reasonable time off" to undertake your specific duties and therefore it should only ever be in addition to theirs. Gaining their support (and indeed the membership's) for this position will be critical to your success with management.

Union learning committee

Establishing a union learning committee is a very important early step. The size and activity of the committee will determine both how much you can do and, in part, how

seriously management sees you. A large committee of active people lends weight to the arguments that staff are concerned about the issues and that they want to do something about them. It also adds to the argument for more facilities time as you can show a current productive use for more time off.

The committee is a union only committee and should not be confused with the union/management Joint Training and Learning Committee (JTLC). Ideally the committee would reflect the nature and composition of the workforce and in particular have representatives from each school or department. Members of the committee do not have to be accredited ULRs but all ULRs should be on the committee. It is essential that the union learning committee has at least one person on it that regularly attends the meetings of the UCU branch/LA committee. The learning committee should be open to all members of the branch committee who wish to attend.

Many union learning committees are joint union committees with other unions. UCU encourages joint committees or at least the establishment of strong links with other recognised unions such as the support staff unions. Often when issues arise that both the branch committee and the union learning committee wish to deal with (such as training linked to a pay offer or lack of training contributing to alleged poor performance etc) the two committees will meet together.

In some cases, especially in small institutions or where you are unable to attract anybody to assist, the branch committee will function as a substitute to the learning committee. However this should be viewed as a temporary situation as it can make committee meetings unnecessarily long and be a disincentive to attracting other learning activists if they have to sit through a whole committee meeting just for the learning committee parts.

The role of committee depends largely on the activity that it feels is necessary but could include the following:

- draft and develop learning needs analysis materials
- help distribute material to members
- provide practical support for the ULRs
- help, consult with members
- assist with advice, guidance and referrals
- make decisions to guide the ULRs or other UCU reps in discussions and negotiations with management on training and development issues
- make decisions about, and help implement, the branch's professional development strategy and policy
- arrange promotional events.

Time off and facilities for union learning reps

ULRs who have been duly trained are entitled by law to 'reasonable' paid time off and facilities to undertake their duties, in addition to any other facilities time that the branch may have.

You will only be entitled to the 'reasonable' paid time off if:

- management has been notified in writing by UCU (i.e. your local UCU branch) that you have been elected as a ULR, and
- you have undertaken a ULR training course approved by UCU (or have committed to undertaking the course within six months of becoming a ULR).

If a ULR gives an undertaking to the employer to do the training and does not do the training within six months of notifying the employer, the rights to paid time off and facilities cease.

Time Off

The ACAS code of conduct states that the duties for which statutory paid time off is allowed include:

- 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 out such activities
- preparation to carry out any of the above activities
- undergoing relevant training.

In addition members have a legal right to reasonable unpaid time off to access ULRs services.

However this list should be considered as a legal minimum for further expansion through negotiation of a Union Learning Agreement (ULA) (see below).

Amount of time off

The *Trade Union Labour Relations (Consolidation) Act 1992* states that the amount and frequency of paid, and unpaid, time off for ULR duties and activities must be reasonable in all the circumstances. The ACAS code of practice (available from www.acas.org.uk) goes on to provide examples of factors that should be taken into consideration when considering all the circumstances.

Reasonable notice

Additionally you are required to give "reasonable notice" of your intention to take time off. Note that your employer may refuse an otherwise reasonable request for time off if it considers the notice unreasonable. Again what is reasonable should take into consideration all the circumstances.

Procedures for time off

Unfortunately what you and your employer consider to be “reasonable time off” and “reasonable notice” is likely to differ at any given time. Clarifying these ambiguities and establishing clear procedures for requesting time off is one of the major reasons why UCU and ACAS strongly recommend that you negotiate a Union Learning Agreement (ULA).

The next section provides more information about Union Learning Agreements and UCU’s website provides a comprehensive guide to negotiating facilities agreements of all types www.ucu.org.uk/article/4903/Facilities-and-time-off-for-UCU-reps Additionally you can obtain a copy of the ACAS code of practice direct from ACAS via their website on www.acas.org.uk

Facilities

The ACAS code of practice also suggests that employers provide ULRs with other facilities such as:

- accommodation for meetings
- access to a telephone and other office equipment
- use of notice boards which could include other forms of electronic communications such a email, intranet and internet
- use of dedicated office space.

UCU regards this list as an absolute minimum and recommends that every branch has a formal agreement that also provides guaranteed access to specific facilities such as:

- a computer with appropriate software
- free photocopying
- access to all staff pigeon holes
- use of internal post
- a lockable filing cabinet
- web access

For a fuller discussion of the legal position and ACAS code of practice regarding facilities and time off see UCU’s website www.ucu.org.uk/article/4903/Facilities-and-time-off-for-UCU-reps

Union Learning Agreements (ULAs)

As in any area of union activity the law provides a minimum to be improved upon by negotiations. UCU highly recommends that ULRs negotiate Union Learning Agreements (ULAs) to obtain commitments to the learning agenda from management, clarify the ambiguities in ULRs’ rights, agree joint procedures for implementing them and improve

upon the legal minimum where possible. ACAS also notes the many positive advantages of formal agreements.

Employers are less likely to be hostile to the learning agenda than other union activity and many employers are very supportive. None-the-less it is useful to be familiar with the arguments in favour of union learning reps as well as in favour of having a ULA. The following lists are not exhaustive and you can probably think of additional reasons specific to your local circumstances.

Benefits to employers from ULRs

All organisations benefit from having a skilled, trained and efficient workforce. But some people may lack the confidence or knowledge to get involved and for many reasons, including experience with a previous employer, may not want to talk about their learning or professional development needs with their employer. Both employee and employer need a trusted intermediary. The ULR provides information, support and encouragement to enable employees to update and acquire new skills necessary in the world of work and beyond. They can get employees on board in situations where employers might struggle.

The role of the ULR helps organisations to:

- promote positive attitudes to learning, skills and professional development amongst employees
- improve the skills and employability of the workforce, helping them to adapt positively to change
- unlock unused potential within individuals and groups
- Increase participation in workplace learning and professional development
- maintain staff morale by identifying opportunities for personal and professional development in individual staff members
- identify real opportunities for training and professional development that may have been overlooked without genuine staff involvement
- increase quality and breadth of education provision to students
- demonstrate the **institution's** commitment to life long learning and the union learning agenda to other unions and employers who may be interested in sending members or employees to the **instiution** for courses in these areas.

Benefits to employers from a ULA

A ULA helps the employer because it:

- facilitates agreement between staff and employer on the importance of learning and professional development in the workplace
- provides clear understanding of the role of the ULR in the workplace

- provides clear procedures that reduce uncertainty regarding access to current legal rights to time off and facilities
- avoids conflict by reaching agreement in advance of potentially difficult issues arising
- provides procedures for dealing constructively with matters in dispute
- creates a forum that brings together staff and management to discuss important learning and professional development issues.

Content of a ULA

While your ULA should reflect your local circumstances it is important that it contains the following elements:

- commitment to support life-long learning
- commitment to full and early consultation
- recognition of union for collective bargaining on training and professional development issues
- establishment of a union/ management Joint Training and Learning Committee (JTLC)
- commitment to paid time off for ULRs
- procedure for accessing time off for ULRs
- commitment to facilities for the ULRs
- procedure for dealing with unresolved issues.

Recognition clause

In particular it is important to try to get recognition for collective bargaining on training and professional development issues into your agreement. Professional development is rarely written into employment contracts making it hard to deal with as a contractual issue, nor do you have any legal rights to collective bargaining on these issues under the governments' recognition laws. Obtaining recognition on these issues in your agreement may not seem crucial right now, but it provides you with the important right to negotiate on these issues should a dispute arise in the future.

Consultation

Similarly, obtaining the commitment to full and early consultation will help you discover important management issues well in advance of final decisions being made. This will allow you to make the most of any negotiation or consultation rights you have. Conversely, if management then ignores your rights to consultation it will have broken the agreement as well as failed to consult.

Facilities and time off

The number of ULRs and the amount of time off is likely to be a contentious issue. In general you should not set a limit on the number of ULRs although in reality

management will want to set an effective limit on the total number of hours they can collectively have off.

When dealing with paid time off specify carefully how much of the time off is remission from classroom teaching duties. In effect roughly every hour of time off should be matched by an hour off remission from classroom duties, otherwise ULRs will simply be teaching the same number of hours with less time to prepare.

A fully functioning committee should have ULRs in each department and each campus of your institution. Each ULR should have access to regular paid time to attend the Union Learning Committee, to provide advice and information to individual members in their department and to consult and communicate with these members.

In addition to this, lead ULRs such as the chair and secretary of the Union Learning Committee should have extra time to service the committee, and those members who sit on the JTLC or meet with management need additional paid time off to meet management and prepare for those meetings.

Finally, training, staff development days and new member inductions should be in addition to the above time off.

Ultimately the number of reps and the amount of time off will be linked. The more representatives you have the larger the total time will be, even though each individual representative may receive less.

Some agreements “front load” the time off in the first year so that the initial ULRs can have extra time in the first six months while they are establishing the Union Learning committee.

See UCU’s website for a fuller discussion on time off

www.ucu.org.uk/article/4903/Facilities-and-time-off-for-UCU-reps

Dispute resolution procedures

Where possible you should use your employer’s grievance procedure and the dispute resolution procedure from your recognition agreement.

All **institutions** should have a written grievance procedure. If you do not have a written recognition agreement you will need to take this issue up with your branch committee and they will need to use the opportunity to negotiate one.

Individuals who have concerns should use the grievance procedure. Where the issue is of a collective nature, or is an individual issue that concerns a number of staff or a general principle, the dispute resolution procedure is appropriate.

Most dispute resolution procedures will encourage the parties to resolve the dispute at the most local level possible. This usually means that you should try to resolve the issue at the local management level first, then middle management and then refer it to

the JTLC. Usually it is only if the JTLC can't resolve the issue that the more formal aspects of the dispute resolution procedure come into effect.

It is important that you consult with your branch committee on any area of possible dispute. They will be able to help you and provide important information about local custom and practice.

Joint Agreement on the Guidelines for the Training and Development of Employees in Further Education Colleges

UCU has negotiated the *Joint Agreement on the Guidelines for the Training and Development of Employees in Further Education Colleges* with the Association of Colleges (AoC) to deal with training and development in colleges. This agreement provides guidelines agreed by the AoC on a range of training and development issues.

The agreement was negotiated prior to the introduction of ULRs in higher and further education and UCU will be seeking to renegotiate the agreement to include these important advances. None-the-less it provides a range of clauses agreed to by the employers' association that you may find useful when negotiating your union learning agreement or other further agreements.

Model ULA

A model ULA is contained in Appendix A of this guide and there is extensive advice on negotiating facilities agreements (and agreements in general) in UCU's *Trade Union Facilities* guide, available from the UCU website (see Appendix C) or through your regional office. We strongly recommend that you familiarise yourself with both documents.

For further advice on agreements please speak to your regional office.

Learning Needs Analysis (LNA)

Identifying the learning needs of your membership is one of the most important tasks you will undertake as identifying the issues your members have determines the advice you give and the issues to be addressed with management.

Your success in identifying learning needs and addressing them with management (see next section) will depend largely on how well you have built the foundations described earlier. Attempting to race into learning needs analysis or approaching management without having the firm support of your branch or membership is potentially disastrous.

Undertaking LNA is a large topic and it is not possible here to provide a full outline. This is only possible as part of your training. However at this stage it is important that a few distinctions are made. The most important distinction is between undertaking a collective LNA and an individual LNA.

Collective LNA

Collective LNA is the process of identifying the learning needs of the entire workforce or particular sections of it. Collective LNA helps you to identify issues that affect groups of people and provides information about the type and extent of skills deficiencies in your workplace. This information can be used when approaching management to resolve the issue, or as the basis for facilitating workplace training to remedy it.

Collective learning needs analysis may also identify trends or sections of the workforce with previously unidentified needs. For example some ULRs have identified a lack of IT skills amongst certain departments and others have found that part timers do not get access to as much professional development. Having identified these trends you can seek out the groups affected, work with them and develop solutions tailored to their needs.

The model LNA survey in Appendix B is a collective survey that you can adapt for use in your branch.

Members and non-members

Many ULRs are confused about whether to restrict LNA to members or to widen it out to all staff. While this is an issue for your branch to determine there are some very good reasons for broadening out collective learning needs analysis to non-members.

Collective learning needs analysis is designed to help you identify issues in training and professional development. The identification of these issues does not bind you to taking them up if they affect only non-members. However if you do identify an issue of concern to a group of non-members you can use it to approach them, explain the benefits of joining and recruit them on the basis that if they join you will help them take up the issue collectively with management.

Often the groups with the biggest issues are the same groups that we have been unsuccessful in previously recruiting, such as part timers and young people. Ignoring them by not seeking out their training needs not only alienates them further, but potentially misses an opportunity to introduce them to the union by working with them on a union issue that is important to them.

The very process of conducting collective LNA can also provide opportunities to speak to non-members about issues of concern to them. Handing out and collecting surveys gives you an opportunity to speak about the union, and more importantly union business, to people who you otherwise would not. Some ULRs use a written introduction to the survey explaining what the survey is and why they want everybody to fill one out. The introduction goes on to explain that ULRs will only take up individual issues for members, and has a membership form attached.

Individual LNA

Individual learning needs analysis is the process of working with one member to identify and explore the areas where they have training and development needs. The process is usually conducted in a one to one interview format. Some ULRs develop their own questionnaire for members to fill out in advance of the interview or to provide structure to the interview.

Individual LNA tends to arise after the learning agenda has been established and promoted. It forms the basis for providing advice, guidance and referral to individuals (see below).

Individual LNA should only be carried out with members.

Equality issues and LNA

When undertaking learning needs analysis it is important to bear in mind that opportunities for training and development are often denied through either direct or indirect discrimination.

Some discrimination will be overt and can be easily identified through individual or collective responses to surveys, such as lack of physical access to training facilities for people with mobility impairment. Sometimes people may even raise these issues directly with you.

However other discrimination may be less obvious. For example, part timers and people with childcare responsibilities are often vulnerable to being denied training that is delivered outside working hours. Other groups may be denied access to training because of the perception that the value of the work they do is less or because the career route they took to arrive at lecturing was different to most. These issues can affect people differently and in particular may affect groups such as women, migrants, disabled people, black people and people returning to work.

Some of these issues can be easily overlooked. You will need to design your LNA in ways that enables these issues to be picked up. Where they are identified you will often need to seek the advice of your regional office or UCU's Equality Unit.

Dealing with management

At some point you will want to address union learning issues with management. This can be done by either regular meetings or by the establishment of a Joint Training and Learning Committee (JTLC). The JTLC should not be confused with the union learning committee that consists solely of ULRs, union members and activists.

Joint training and learning committees

Most union learning agreements contain clauses that establish a JTLC and outline their composition and function. They usually consist of roughly equal numbers of management and ULRs. If your agreement does not establish a JTLC you will need to write to management asking for a meeting to discuss union learning issues. Other UCU representatives from your branch committee will have experience in writing to, meeting with and negotiating with management. You should use their expertise to assist you in this process. You may also want to ask one to accompany you to the first few meetings. Whether you have established regular meetings or a JTLC, this is the opportunity for you to raise your concerns with management and jointly develop solutions for your members. The first meetings will often be to establish the terms of reference of the group. Subsequent meetings may deal with issues from your collective LNA, proposed changes by management or other issues that arise from time to time.

At times management may try to introduce changes that affect members learning and training. Where this is not done through the JTLC you will need to raise it at the JTLC and demand that in future consultation occurs before announcements are made.

It is important that you keep your membership, union learning representative committee and the branch /LA committee informed of what happens at these meetings. Where major changes are proposed or negotiated it is essential that you never make agreement with management before putting the agreement before members so that they may accept it or otherwise. Management may sometimes pressure you to accept things on behalf of the membership. It is important that you point out to them that you are merely the members' representative and that you can't make decisions on their behalf.

Representing members

Occasionally individuals or groups of members will have issues that need to be raised with management. How this is done depends largely on the issue. When a general issue arises that affects a large number of people, or is a matter of policy and procedure, then it would usually be appropriate to raise it at the JTLC.

Sometimes issues are of a personal nature, such as an individual who feels they are being discriminated against in access to training or even a person who does not feel they are being discriminated against but wants representation to management for access to learning or time off for learning. These cases are not usually taken to the JTLC but would be dealt with by requesting a meeting with the appropriate manager, or failing that by taking a grievance forward. ULRs with experience as a UCU representative may feel comfortable handling representational work such as this. Those who do not feel completely comfortable should seek the support of the union committee who can provide assistance or even take the case up.

Sometimes issues will not sit comfortably in either the individual or general examples given above. For example a group of people in a department may feel they have been

denied access to professional development. In this case a judgement call needs to be made as to which approach is taken. Often there will be separate representation that throws up a policy issue best dealt with at the JTLC; at other times issues at the JTLC may become sufficiently local or personal to be taken off the agenda and require a separate meeting. In these cases it is important that you discuss the issue with your branch or in their absence your regional official.

For those who feel comfortable taking up individual representations, or collective representations outside the JTLC, it is important to remember to get a firm idea of exactly what the members want and would be happy to accept before you enter the meeting. Similarly you must never make agreements on behalf of the members. Instead you should always put any position to the members for their acceptance or otherwise. You should never meet with management without the member, or a representative of the group of members, with you.

UCU provides training for representatives who would like to take up more individual, or collective, representation. Speak to your regional office about enrolling on one of these courses.

Other learning agreements

At some point you may want to negotiate other learning related agreements. The JTLC is the place to initiate this. The most important agreements are those that give you rights in the development of training and those that stipulate the rights of members to access training and development and in particular that give (paid) time off for members to access training.

UCU has negotiated the *Joint Agreement on the Guidelines for the Training and Development of Employees in Further Education Colleges* with the Association of Colleges (AoC) to deal with training and development in colleges. This agreement provides guidelines agreed by the AoC on a range of training and development issues.

The agreement was negotiated prior to the introduction of ULRs in higher and further education and UCU will be seeking to renegotiate the agreement to include these important advances. None-the-less the agreement provides a range of useful clauses agreed to by the employers' association that you may find useful when negotiating your union learning agreement or other further agreements. UCU recommends that you obtain a copy and familiarise yourself with it. Copies may be found on UCU's website www.ucu.org.uk

Information, advice and guidance

At some time it is likely you will be called upon to give information, advice and guidance to members on learning issues. It is important to acknowledge from the beginning that your role is not that of career guidance councillor or direct service provider. The largest part of your role will be to discuss the issues with the member, identify options for

them and help them take up those options. You should never make decisions for them or push them down any particular route.

Your level of experience will determine how much advice you can give at any one time. As you become used to the types of question you will be asked you will become more proficient in providing advice on the spot. But no matter how experienced you are you will always come across questions that you can't answer at the time. You should never feel embarrassed by this or give information or advice that you are not completely sure of. Simply acknowledge that you do not know the answer, take down the details and get back to the member as soon as you can.

A large part of the advice and guidance will be referrals. Members who need specialist advice, for example about teaching qualifications and how to obtain them, will often need to speak to another agency or institution. Your role here is to locate the appropriate contact and refer them to it. Appendix C provides a list of contacts and references. However some references and contacts you will have to establish yourself, such as the details of the closest provider of teaching qualifications or IT skills.

Some of the advice and guidance will require you to understand or interpret your employers' policies, procedures or union agreements. It is best if you try to obtain copies of all these documents in advance and familiarise yourself with them. You may need to speak to your branch committee, or even management, about their interpretation.

Where members come to you with issues that extend beyond skills deficits and into workplace issues, such as people feeling that training is being denied to them because of discrimination or that training and skills are being used as part of a disciplinary process, it is important that you inform your UCU branch/LA. If you have the skills and previous experience as a UCU representative it may be decided that you continue handling the issue. If not, another member of the UCU committee will probably assist you or take the issue up.

Some advice and guidance will lead to a request for representation. It is entirely appropriate for a ULR to represent members to management on issues of training and learning if you feel comfortable doing this. If not then refer the member to somebody on the branch committee. If you do undertake the representation then you will need to inform the committee of the issue and broadly how it is progressing. See also the section above on representing members to management.

UCU's ULR training aims to develop the skills required for interviewing members and providing advice and guidance. If you require further assistance please contact your regional office.

Appendix A

UCU

Model union learning agreement

1. Name

- 1.1 This agreement is between (UCU) OR (THE RECOGNISED TRADE UNIONS) and (INSTITUTION NAME) and shall be known as the "Joint Union Learning Agreement" (JULA).

2. General Principles

- 2.1 Both (INSTITUTION NAME) and the recognised unions are committed to working in partnership to promote and support lifelong learning and ensure equal access to learning opportunities. All parties are committed to full and early consultation on matters covered by this agreement and (INSTITUTION NAME) recognises the unions for collective bargaining on matters relating to staff learning, training and professional development.
- 2.2 Both parties will encourage staff to take up learning activities.

3. Benefits

- 3.1 All parties recognise that joint work on personal and professional development, such as that contained in this agreement, bring positive benefits for unions and management. It helps to:
- Bring together the needs of the organisation with the individual
 - Promote a positive attitude to staff training and professional development
 - Improve the quality of education provided by the institution through positive promotion of professional development
 - Improve the skills and employability of members helping them to become more adaptable to change
 - Ensure equality of opportunity in the workplace

4. Joint Training and Learning Committee (JTLC)

- 4.1 A joint training and learning committee (JTLC) will be established by (MONTH) (YEAR).
- 4.2 The JTLC will comprise of equal numbers of union and employer representatives.
- 4.3 The JTLC will report progress to the Joint Consultative Committee.

- 4.4 The JTLC will be entitled to co-opt / invite person(s) to meetings when necessary.
- 4.5 In order to successfully and efficiently carry out its business the JTLC shall have timely access to all material and information regarding the institutions learning, training and professional development activities.
- 4.6 The responsibilities of the committee will be agreed at the inaugural meeting and will include dealing with any matters relating to staff learning, training and professional development.

5. Union Learning Representatives (ULR)

- 5.1 The duties of ULRs are listed in Appendix 1 of this document.

6. Facilities

- 6.1 The unions will be responsible for recruiting and electing ULRs and will inform management of the names and departments of the ULRs.
- 6.2 The college will make access available to the staff newsletter, intranet and annual staff development day to enable the unions to promote the learning agenda and the activities of ULRs.
- 6.3 Paid time off will be granted to ULRs to enable them to carry out their duties effectively. Details of the current allocations are shown in the attached Appendix 2 and will be subject to annual review.
- 6.4 Paid time off will also be granted to ULRs in order to undertake UCU approved initial training and reasonable further training and information seminars. Initial training will normally take place within 6 months of appointment.
- 6.5 Employees will be entitled to reasonable paid time off to participate in promotional events and to access their ULR.
- 6.6 Suitable facilities will be provided e.g. office space, filing cabinets, stationery, free photocopying, telephone, access to electronic equipment including e-mail, notice boards etc.
- 6.7 Procedures for ULR's and employees seeking time off under these provisions are contained in Appendix 3.

7. Procedure for dealing with unresolved issues

- 7.1 Where a dispute arises out of the application of this agreement, or the interpretation of this agreement, it shall be dealt with through:

- the agreed grievance procedure of the institution in the case of individual disputes
- the dispute resolution procedure in the recognition agreement in the case of collective disputes, or in the absence of a written recognition agreement, through the usual process for dealing with collective disputes.

Appendix A1

The role of the UCU learning representative

The role of a UCU Union Learning Rep is flexible and will depend on the branch/LA, the workplace and the individual's interest. The role may include the following but this is neither an exhaustive nor prescriptive list.

This list can help you to prioritise what things you might do within your College/University

- Raise awareness and promote the benefits of learning with the employer and employees
- Provide information, advice, individual learning needs analysis and referral to union members on professional development, training, vocational education and recreational courses which may include:
 - Advice and referrals regarding teaching qualifications
 - Facilitating provision of continuing professional development (CPD)
 - Facilitating provision of IT training opportunities
 - Identifying and facilitating access to recreational courses
- Identify, and respond to, the collective personal, training and professional development needs of the workforce, or parts of the workforce.
- Promote basic and key skills training.
- Act as the representative for members who have difficulty securing the release for the courses they consider necessary for CPD purposes.
- Act as the first point of contact for consultation on employer proposals that affect staff learning, training or professional development.
- Promote/develop/secure courses relevant to academic staff during staff development days/week in liaison with the college staff development officer where appropriate.
- Negotiate the provision of learning, staff development and training with the employer.
- Where appropriate broker the provision of learning with training providers, often the college itself.
- Assist union members in accessing funding for learning where appropriate
- Involvement in negotiating learning agreements with the employer

- Secure equal opportunities in the learning agenda including promoting learning opportunities to all groups of staff. Staff may have difficulty accessing learning opportunities due to discrimination based on, for example, where they work; their contract type (part time/hourly paid, fixed term, agency staff); caring responsibilities; gender; ethnicity; disabilities; sexuality; age and length of service.
- Supporting innovative workplace developments
- Work with branch officers and members to organise campaigns around learning/CPD issues
- Consult and report back to members and relevant union committees on union learning activity and issues
- Identify, develop and support other UCU learning reps and ULRs from other recognised workplace unions.
- Establish and maintain support and consultation networks/ committees among members to assist in the above duties.
- Promote the work of UCU with members and non-members
- Recruit members to UCU

Appendix A2: Paid time off for UCU ULRs (with suggested hours)

Each UCU ULR shall be allocated four hours per week reduction in class contact time and the associated non-teaching time.

UCU Union Learning Committee members, or Department Union Learning Representatives shall be allocated two hours per week reduction in class contact time and the associated non-teaching time to attend the UCU (or joint unions) learning committee and to consult and report back to the members they represent.

Reasonable additional time off will be granted for one off events, representation of members, training and meeting with management where such time off cannot be accommodated within the usual scheduled hours and is to be accessed in accordance with the procedure set out in Appendix 3.

In recognition of the increased activity normally associated with the establishment of a new agreement, and the structures arising from the agreement, the ULR's will have an additional allocation of two hours reduction in class contact time and associated nonteaching time, for the first six months after the signing of this agreement.

There will be a review at the end of the first year of the operation of this agreement to review the allocation of paid time off with particular reference to assessing the workload and numbers of ULR's.

Appendix A3 Procedures for accessing additional time off

Where a ULR or Department ULR wishes to access paid time off due to a commitment that can't be accommodated within their usual scheduled hours the following procedure applies.

The ULR shall request the time off from their direct line manager and shall include:

- The purpose for the time off
- The intended location
- The timing and duration of the time off

The direct line manager shall not unreasonably refuse such requests.

If the request is refused the ULR may take the request to their senior manager. The senior manager shall not unreasonably refuse.

If the request is refused the ULR may take the request to the JTLC.

Where time off is required to attend a meeting requested by management, permission is deemed to be automatically granted upon notification of the time needed by the effected ULR to their line manager.

Appendix B UCU model learning needs survey: taking control of your professional development

Your answers to this survey are completely confidential and will not be shown to your employer under any circumstances. The overall results of this survey will be used to negotiate training and development opportunities for UCU members in a way that will not identify any individual.

Section 1 - Personal Details (Optional)

All answers in this section are optional but if you do not provide these details we will not be able to follow up any personal training and development needs that may arise.

Name Tel No.

Email address Are you a UCU member?

Section 2 - Employment Details

This information will not be used to identify individuals. It will be used to identify trends in the training and development needs amongst specific groups of UCU members.

Department Job title

Subject Specialisation

Contract type (e.g. Full Time permanent, Part Time hourly, Fixed Term fractional etc)

.....

Length of Service

Gender F/M/Other (please state) Age

Do you consider you belong to a group, which in your experience in your current employment, might be discriminated against in terms of training provision? (e.g. Black, Disabled, Part time, Lesbian or Gay. Migrant worker, Casual worker etc): **Yes/No**

If so, please specify

Section 3 – Professional Development and Training

Part A. Professional Qualifications

Please detail your professional qualifications?

i. Teaching Qualifications?

.....

ii. Specialist qualifications?

.....

iii. Academic Qualifications?

.....

Would you like to update teaching qualifications? **Yes/No**

Please provide full details....

Would you like to update your specialist qualifications? **Yes/No**

Please provide full details....

Would you like to update your academic qualifications? **Yes/No**

Please provide full details...

Part B. Training and Development

- i. Please outline what professional training and development opportunities you have been provided with over the last two years?

- ii. Please outline what professional training and development opportunities you want to help you in your professional role at work?

Part C. Barriers to Professional Development and Training

Please outline any barriers that you perceive you have had or may prevent you from accessing your professional training and development needs?

Childcare commitments

Travel/Location

Time

Workload and/or problems with release from work

Teaching Hours/Patterns
Lack of employer/line management support

Cost

Lack of information on availability

Lack of confidence

Other, please detail

.....

.....

Section 4 - Work related Skills and Training

Our jobs have changed over recent years, requiring skills not previously directly associated with classroom teaching. Often staff find that improved levels of work related skills and training in these new areas would allow them to devote more time and resources to teaching. This section deals with these skills issues.

Which of the following areas would you like to receive training in:

Project management skills	Yes <input type="radio"/>	No <input type="radio"/>
Marketing Skills	Yes <input type="radio"/>	No <input type="radio"/>
Classroom management skills	Yes <input type="radio"/>	No <input type="radio"/>
Assertiveness skills	Yes <input type="radio"/>	No <input type="radio"/>
Stress management	Yes <input type="radio"/>	No <input type="radio"/>
Conducting an interview	Yes <input type="radio"/>	No <input type="radio"/>
Practical writing skills	Yes <input type="radio"/>	No <input type="radio"/>
Report writing	Yes <input type="radio"/>	No <input type="radio"/>
Presentation skills	Yes <input type="radio"/>	No <input type="radio"/>
Managing staff	Yes <input type="radio"/>	No <input type="radio"/>
Negotiating/Communication/ Participating in Meetings Skills	Yes <input type="radio"/>	No <input type="radio"/>
Budgeting Skills	Yes <input type="radio"/>	No <input type="radio"/>
Other Numeracy Skills	Yes <input type="radio"/>	No <input type="radio"/>
Appraisal/Job Evaluation/Performance Management Awareness	Yes <input type="radio"/>	No <input type="radio"/>
Career Progression Skills (i.e. interview		

techniques, CV writing etc)

Yes

No

Trade Union Training

Yes

No

IT Skills (Please tick)

	Basic ☐☐	Intermediate ☐☐	Advanced ☐☐
Word Processing			
Spreadsheets			
Databases			
Email			
Using the Internet			
PowerPoint			
Desktop Publishing			
Web Design			

Recreational Training

The lifelong learning agenda is not restricted to work related training. Learning and education is part of everyone’s personal development and self-fulfilment. UCU believes everybody has a right to this, and encourages its members to pursue recreational opportunities.

Please indicate any recreational courses that may interest you such as, for example, in areas such as languages, lifestyle, sport & leisure etc.

.....

.....

Methods of Delivery

Courses are increasingly being delivered in flexible ways to encourage broader access to education. If you were to pursue a training or learning opportunity, which of the following methods would you prefer to use?

- | | | |
|--------------------------------|----------------------------------|---------------------------------|
| On line learning | Yes <input type="radio"/> | No <input type="radio"/> |
| Computer based Packages | Yes <input type="radio"/> | No <input type="radio"/> |
| Traditional Classroom Learning | Yes <input type="radio"/> | No <input type="radio"/> |
| Correspondence based Learning | Yes <input type="radio"/> | No <input type="radio"/> |
| Audio/Video | Yes <input type="radio"/> | No <input type="radio"/> |

Conclusion

Many UCU ULR’s who already had a commitment to education and learning have seen their involvement in the union’s lifelong learning agenda as a natural progression in their working life. This survey is part of UCU’s commitment to help members to take control of their professional development and other training needs. This can only be achieved with the involvement of members, activists and union reps.

Please tick the appropriate box below.

- I am interested helping UCU develop the staff training and learning agenda in my college
- I want more information about UCU Learning reps
- I am interested in becoming a UCU Learning rep
- I am interested in doing UCU Learning rep training

Appendix C Useful Contacts and References

Please consult websites for alternative contact details for the other nations

Campaign for Learning

A national charity that aims to create a passion for learning that sustains people for life. Organises Learning at Work Week (LaWW), during which ULRs run a wide range of learning activities including taster sessions, short workshops and engagement activities

www.campaign-for-learning.org.uk

City & Guilds

City and Guilds is the leading awarding body for vocational qualifications in the United Kingdom. It is the main provider of programmes leading to FE teaching qualifications. Many colleges part-time City and Guilds programmes leading to professional qualifications. It has a network of regional offices.

www.city-and-guilds.co.uk

Education and Funding Skills Agency (EFSA)

A single agency accountable for funding education and skills for children, young people and adults.

Combines the former responsibilities of the Education Funding Agency (EFA) and Skills Funding Agency (SFA)

www.gov.uk/government/organisations/education-and-skills-funding-agency

Learning and Work Institute

Learning and Work Institute is an independent policy, research and development organisation dedicated to lifelong learning, full employment and inclusion. They research what works, influence policy, develop new ways of thinking, and help implement new approaches. Formerly the National Institute of Adult Continuing Education (NIACE)

www.learningandwork.org.uk

Skills for Life Network

Skills for Life Network is the key news, information and signposting resource for teachers, managers, supporters and learners of functional skills and GCSE maths and English, digital skills, ESOL, employability and SEND

<https://www.skillsforlifenet.com/>

SKILL: National Bureau for Students with Disabilities

Skill: National Bureau for Students with Disabilities is an independent charity that promotes opportunities for people with any kind of disability in learning and employment. Since 1974 they have been helping young people and adults over 16 years of age with any kind of disability including physical and sensory disabilities, learning and mental health difficulties throughout the UK. Skill believes that for many disabled people education is the key to leading a fulfilling and independent life. It provides a free information and advice service for individual disabled people and the professionals who work with them, via a freephone helpline, email and the website. This information and advice helps disabled people to overcome financial and physical barriers, ignorance and discrimination so that they can study, train or find work. It informs and influences key policy makers to improve legal rights and support for disabled people in post-16 education and training. Skill works together with individual disabled people, professionals working in education, training and careers, employers and disability organisations to influence government.

www.skill.org.uk

Unionlearn

Unionlearn, previously referred to as the Union Academy, incorporates the TUC Learning Services. It aims to help unions spread the lifelong learning message to even more members.

www.unionlearn.org.uk

Universities

University education departments often organise full and part time courses for post-16 lecturers. These may be Post Graduate Certificates in Education and Certificates in Education. These may also be delivered by FE colleges as validated programmes. They may also offer a variety of staff development and in-service training programmes for post-16 lecturers. Check your local higher education institutions to see what they offer.



UCU - The University & College Union - is the largest trade union and professional association for academics, lecturers, trainers, researchers and academic-related staff working in further and higher education throughout the UK. We hope you find this publication useful; if you would like to know more about our commitment to winning a better deal for education and the people who work in it, contact us at the address below or visit our website at www.ucu.org.uk

Published by UCU Carlow Street London NW1 7LH

Tel 020 7756 2500 Fax 020 7756 2501 Email hq@ucu.org.uk