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Bwrdd Iechyd Prifysgol
Cwm Taf Morgannwg
University Health Board

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Time Off and Facilities for Trade Unions and Professional Organisations Policy

Introduction

Cwm Taf Morgannwg University Health Board (CTMUHB) supports the system of partnership working and the principle of solving employee relations problems by discussion and agreement.

All parties recognise that it is vital to good employee relations for the workforce to be properly represented by the recognised Staff Organisations. Furthermore, all sides believe that a truly representative and effective Staff Organisation will enhance workforce employee relations.

The Trade Union and Labour Relations (Consolidation) Act 1992 sections 168 and 170 make provision for employees to be given the right for time off under various circumstances.

Objectives

CTMUHB and the Staff Organisations recognise that the employee relations functions of representatives and officials are important duties in addition to their duties as employees of Cwm Taf Morgannwg University Health Board.

Operational Date

00/00/0000

Expiry Date

Formal – three years
Informal – one year

Scope

This policy applies to all staff on all locations across CTMUHB.

Equality Impact Assessment

An Equality Impact Assessment has been undertaken.

Distribution

All staff via internet and team briefings.

To be read by

All staff will need to be aware of the policy.

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Documents to read alongside this Policy	Health and Safety Policy, Health and Safety at Work Act (1974), SRSC Regulations 1977, Trade Union and Labour Relations (Consolidation) Act 1992
Approved by	Workforce Policy Review Group, Local Partnership Forum, People and Culture Committee
Accountable Executive / Lead Director (responsible for formal review every three years)	Director of Workforce and Organisational Development
Author / Management Lead (carries out informal review annually)	Workforce Policy Review Group
Freedom of Information Status	Open
<p>If the review date of this policy has passed, please ensure that the version you are using is the most up to date either by contacting the document author or the Corporate Services Department.</p> <p>To avoid use of out of date policies please do not print and then store hard copy of this document.</p> <p>Out of date policies cannot be relied upon.</p>	

Max 2 pages to this point

Amendment Record

If a change has been made to the document, the changes must be noted and circulated to the appropriate colleagues.

Detail of change	Why change made?	Page number	Date of change	Version	Name of Policy Author
Terms of reference updated from WIPF and JAG to LPF and ILG LPF	In line with new operating model	14 and 22	17/08/20	3	Karen Wright, Assistant Director of WOD

	Policy Time Off and Facilities for Trade Unions and Professional Organisations	Page
1	Purpose	4
2	Policy Statement	4
3	Principles	5
4	Scope	5
5	Legislative and NHS Requirements	6
6	Procedure 6.1 Time Off for Branch Secretaries and Senior Representatives of the Trade Unions and Professional Organisations. 6.2 Time Off for Health and Safety Representatives. 6.3 Time Off for Equality Representatives. 6.4 Time Off for Union Learning Representatives. 6.5 Payment for Time Off. 6.6 Special Arrangements for Time Off. 6.7 Procedure. 6.8 Staff Organisation Facilitates.	7-11
7	Training	11
8	Disputes relating to Time Off and Facilities for Staff Organisations	12
9	Amendment or Termination of this Policy	12
10	Review, Monitoring and Audit Arrangements	12
11	Retention/Archiving	12
12	Non-Conformance	13
13	Equality Impact Assessment Statement	13
14	Privacy Impact Assessment Statement	13
15	References	13
	<u>Appendices</u> 1. Local Partnership Forum TOR. 2. Integrated Locality Group Local Partnership Forum TOR. 3. Code of Conduct for Meetings. 4. Time for Trade Union duties.	14 22 29 30

1. Purpose

- 1.1 Cwm Taf Morgannwg University Health Board (CTMUHB) supports the system of partnership working and the principle of solving employee relations problems by discussion and agreement.
- 1.2 All parties recognise that it is vital to good employee relations for the workforce to be properly represented by the recognised Staff Organisations. Furthermore, all sides believe that a truly representative and effective Staff Organisation will enhance workforce employee relations.
- 1.3 The Trade Union and Labour Relations (Consolidation) Act 1992 sections 168 and 170 make provision for employees to be given the right for time off under various circumstances.
- 1.4 The following sets out these provisions as agreed by the Unions, Staff Organisations and CTMUHB in this respect.
- 1.5 The Unions and Staff Organisations providing representation to staff will, hereafter, be referred to as the Staff Organisations.

2. Policy Statement

- 2.1 Cwm Taf Morgannwg University Health Board (CTMUHB) and the Staff Organisations recognise that the employee relations functions of representatives and officials are important duties in addition to their duties as employees of CTMUHB. Their functions and responsibilities are as follows:
 - To be responsible to and for a group of members;
 - To undertake employee relations duties operating within the policies of the Staff Organisation. Issues may include members' grievances, disciplinary issues, learning and development, health and safety, equal opportunities, service conditions, and any matter listed in [Section 5.2] of this policy;
 - To seek full Staff Organisation membership amongst all employees of Cwm Taf Morgannwg University Health Board;
 - To communicate with members and to communicate with Management, the Local Partnership Forum and Integrated Locality Group Local Partnership Forum and with the relevant Staff Organisation bodies;
 - To represent the Staff Organisation in the joint negotiating and joint consultative machinery at local, regional and national level;
 - To meet with other representatives, officials or full-time Staff Organisation officers on matters covered by this Agreement;
 - To attend meetings of the Staff Organisation of which the person is a representative or of which they are an official;

- To organise meetings of members during working hours in accordance with the ACAS Code of Practice and any prevailing local agreements.

3. Principles

3.1 To ensure that workplace meetings are fully represented, paid time off for Staff Organisation representatives and members will be permitted for:

- Attending workplace meetings to discuss and vote on the outcome of negotiations;
- Meeting with all full-time Staff Organisation officials to discuss issues relevant to the workplace;
- Conducting Staff Organisation elections.

3.2 CTMUHB and the Unions also recognise that it is in the interests of effective and democratic operation of Staff Organisations that representatives or officials participate in other activities of the Staff Organisation. Reasonable paid time off during working hours will be granted for these purposes which may include:

- Participation, as a representative, in meetings of official policy making and consultative bodies of the Staff Organisation such as annual conferences or regional meetings;
- Representing the Staff Organisation on external bodies such as committees or working parties within the official Staff Organisation structure;
- Holding office on official bodies of the Staff Organisation;
- The Staff Organisation will notify the Director of Workforce and OD at the beginning of each year of the anticipated calendar of such events wherever possible and the likely number of representatives who will be required to attend.

4. Scope

4.1 The provisions of this agreement shall apply to accredited representatives of Staff Organisations recognised by NHS Wales. Accreditation will only be given to employees of CTMUHB who have been duly elected or appointed in accordance with the rules of their respective Staff Organisations. Refer to Appendix 1 Local Partnership Forum Terms of Reference' which contains a full list of accredited healthcare Staff Organisations.

4.2 The Unions will determine the appropriate number of representatives they wish to appoint, having regard for the size and location of its membership and the duties it deems necessary. This is to ensure the effective representation of member's interests.

4.3 The Unions agree to inform CTMUHB in writing of the names of all elected representatives at the earliest possible opportunity and to notify CTMUHB

of any subsequent changes. Persons whose names have been notified to CTMUHB shall then be recognised as representatives of the Staff Organisation.

5. Legislative and NHS Requirements

- 5.1 This agreement seeks to establish a formal policy and procedure on Staff Organisation duties and activities in accordance with the legislative framework. It is recognised that it is not possible to be prescriptive about all duties, activities and time required to carry them out. It is the responsibility of the Unions to ensure that time and resources are used appropriately.
- 5.2 Subject to the needs of the service and adequate notification, accredited representatives should be permitted paid time off, including time to prepare for meetings and disseminate information and outcomes to members, during working hours to carry out duties that are concerned with any aspect of:
- 5.2.1 Negotiation and/or consultation on matters relating to terms and conditions of employment or agreed partnership processes. Examples include:
- terms and conditions of employment including physical working conditions;
 - engagement, termination or suspension of employment and the duties of employment;
 - allocation of work or the duties of employment as between employees or groups of employees;
 - matters of discipline;
 - grievances and disputes;
 - activities associated with Staff Organisation membership;
 - facilities for Staff Organisation representatives;
 - machinery for negotiation or consultation and other procedures; procedures for collective bargaining, disputes, joint consultation, communicating with members and other trades union officers.
- 5.2.2 Meetings with members.
- 5.2.3 Meeting with other lay officials or full time officers.
- 5.2.4 Appearing on behalf of members before internal or external bodies.
- 5.2.5 Other matters relating to employee relations and partnership working.
- 5.3 Staff Organisation representatives should indicate the general nature of the business for which time off is required, where they can be contacted if required. Requests should be made as far in advance as

possible as is reasonable in the circumstances.

- 5.4 Wherever possible, the representatives should indicate the anticipated period of absence.
- 5.5 Requests for paid time off for Staff Organisation representatives should not be unreasonably refused. Circumstances when time off may be refused may include:
- Unreasonable notice periods on behalf of the Staff Organisation representatives;
 - Activities which do not fall within any of the categories defined in this Agreement;
 - Activities that are not authorised by the Staff Organisation;
 - Service needs (this cannot be used as a continual reason for refusal). Where there are exceptional circumstances time off may be refused due to service needs and details of the reasons for refusal must be given to the employee in writing.

6. Procedure

6.1 Time Off for Branch Secretaries and Senior Representatives of the Trade Unions and Professional Organisations

- 6.1.1 The nominated Senior Officials of the Staff Organisations will be allowed to spend their whole contractual employment time or the proportion agreed on Staff Organisation duties;
- 6.1.2 Facilities for other Staff Organisation Branch Officers (in addition to existing entitlement to time off where branch officers are also accredited representatives) will be subject to agreement between the Branch Secretary and the Director of Workforce and OD.
- 6.1.3 At the end of a period in office, the Branch Secretaries / Branch Chairperson/Senior Representatives shall:
- i. **EITHER:** return to their substantive posts subject to: some other arrangement agreed either prior to or during a term in office: and the availability of the post, e.g. in which circumstances where their work area has been restructured, in which case prior consultation will have taken place.
 - ii. **OR:** be redeployed to some other suitable post.
- 6.1.4 Representatives appointed as described in paragraph [2.1] will be given reasonable paid time off during normal working hours to carry out

functions related to their representational responsibilities.

- 6.1.5 Requests for time off for Trade Union duties should be made as far in advance as possible as is reasonable in the circumstances. Requests should not be unreasonably refused.
- 6.1.6 Trade Union representatives should indicate the general nature of the business (activity/training/duty) for which time off is required, the anticipated period of absence and where they can be contacted if required.
- 6.1.7 Time used for Trade Union duties should be recorded either beforehand or retrospectively and maintained as an account of the duties undertaken (use Form at Appendix 4).

6.2 Time Off for Health and Safety Representatives

- 6.2.1 The Staff Organisations are individually responsible for the appointment of Health and Safety Representatives. CTMUHB has the duty to permit Health and Safety Representatives such time off with pay as necessary for the purposes of:
 - Performing their functions under health and safety legislation;
 - Undergoing such training as is required to fulfil their role in an effective manner- time off for training should include payment of any enhancements they would expect to receive;
 - Attending health and safety meetings at local, regional and national levels where appropriate;
 - Meeting with other reps and members to update them on health and safety legislation and the application of this within the workplace;
 - Attending meetings with representatives of CTMUHB should include payment of mileage.
- 6.2.2 The time allowed for this should be appropriate to the demands of this role and its importance to the strategic and operational function of the UHB, this shall not be artificially limited. It is not expected that H&S representatives will undertake this role in their own time.
- 6.2.3 The role of the H&S representative is enshrined in legislation (SRSC Regs 1977 and subsequent iterations). Managers and representatives will ensure that the rights of those undertaking this role are not infringed.

6.3 Time off for Equality Representatives

- 6.3.1 Accredited Union Equality Representatives are entitled to take reasonable paid time off for relevant training and undertaking the following duties:

- To attend and participate in Equality training;
- To contribute to planning meetings, attend and support Equality events;
- To attend network meetings e.g. LGBT;
- To attend the Equality and Welsh Language Forum and similar relevant meetings;
- To contribute to specific staff related Equality initiatives e.g. schemes and initiatives;
- To assist in Communications and awareness raising of Equality issues;
- Any other relevant Equality business, this list is not exhaustive as the agenda is constantly developing.

6.4 Time off for Union Learning Representatives

6.4.1 Accredited Union Learning Representatives are entitled to take reasonable paid time off for relevant training and undertaking the following duties:

- Identifying and analysing learning or training needs;
- Providing information and advice about learning or training matters;
- Arranging learning or training;
- Promoting the value of learning and training;
- Consulting CTMUHB's Management in relation to such activities;
- Preparation in relation to such activities;
- Undergoing training to carry out their duties and responsibilities.

6.5 Payment for Time Off

6.5.1 Where time with pay has been approved, the payment due will equate to the earnings the employee would otherwise have received had they been at work.

6.5.2 Senior Branch Officers who spend the whole of their contractual time on Staff Organisation duties will be entitled to the full package of pay and conditions, which they would normally have received had they been working, including all allowances and any rights to professional training or registration.

6.5.3 Where meetings are called by management that require Staff Organisation representatives to attend outside their normal working hours, equivalent time off will be granted in accordance with the NHS Terms and Conditions of Service Handbook Section 25: *Time Off for Accredited Trades Union Representatives*.

- 6.5.4 Travelling and subsistence costs will be reimbursed to accredited representatives who are undertaking approved work in relation to the partnership process and/or joint policy implementation.

6.6 Special Arrangements for Time Off

- 6.6.1 In the case of employees who work shifts or unsocial hours, CTMUHB will allow reasonable time off for Staff Organisation duties and will normally make arrangements when the duties fall outside their on-duty hours.
- 6.6.2 Where representatives attend meetings called by management, management will always try to ensure that the meetings take place while the appropriate representatives are on duty, either by adjusting dates of meetings and/or amending rotas where possible by agreement with the individual concerned.
- 6.6.3 When representatives, other than those with full-time secondment, attend meetings called by management during their normal working hours which extend beyond normal finishing time, they will be paid their normal hourly rate for the hours worked.
- 6.6.4 If a meeting is to take place on the representative's day off or while the representative is not on duty and [6.6.2] above is not possible then an equivalent amount of time off in lieu will be given at a time agreeable to both parties, subject to the contingencies of the service. If it is impossible to arrange time in lieu then payment for this time will be made.
- 6.6.5 In accordance with Agenda for Change, managers must enable employees who have accrued lieu time to take the time back as quickly as possible and within one month where possible. Where for service delivery reasons, it is not possible for the time to be taken back within one month, managers should work with their staff to plan when the lieu time can be taken within 3 months of its accrual. Payment in lieu of TOIL (normally made after 3 months in accordance with Agenda for Change) will not be made where CTMUHB has made a reasonable offer for the employee to take the time in lieu, which has been refused.
- 6.6.6 In the case of representatives who may have additional needs, and to comply with the Equality Act 2010, CTMUHB will allow additional time and facilities, if necessary, and make suitable arrangements to allow them to carry out their responsibilities.

6.7 Procedure

- 6.7.1 Before taking time off, the accredited representatives should seek

permission from their manager to take time off to undertake Staff Organisation duties. They should also provide their manager with reasonable notice and the general purpose of the time off.

6.7.2 The employer will ensure that management at all levels are familiar with agreements relating to this Policy.

6.8 Staff Organisation Facilities

6.8.1 CTMUHB and the Staff Organisations agree the following facilities that are provided to representatives of recognised Staff Organisations:

- Access to appropriate office space, with storage facilities for documentation, appropriate administrative facilities and access to meeting rooms;
- Access to internal and external telephones with due regard given for the need for privacy and confidentiality;
- Access to appropriate internal and external mail systems;
- Access to the intranet and email systems;
- Access to appropriate computer facilities;
- Access to sufficient notice boards at all major locations for the display of Staff Organisation literature and information;
- Access for Staff Organisation representatives to all joint documents relating to the local partnership process;
- Backfilling of posts where practical – based on factors such as the numbers of representatives needing time off and the work areas that would need to be covered and the needs of the service.

7. Training

7.1 Reasonable time off with pay should be granted to accredited Staff Organisation representatives to attend Staff Organisation or TUC approved training courses or events. CTMUHB supports the need for newly appointed Staff Organisation officials to be granted reasonable time off for initial training for ERA Accreditation as soon as possible after their appointment. Following this further reasonable time should be considered:

7.1.1 For further training, particularly where the official has special responsibilities.

7.1.2 To deal with changes in the structure or topic of negotiation, or where significant changes in CTMUHB are contemplated.

7.1.3 Where legislative changes affect the conduct of employee relations.

- 7.1.4 The Staff Organisation must give adequate advance notice of course dates in writing to relevant line-managers and co-operate in making arrangements to cover jobs during the absence of representatives on courses. Details of the courses should be provided, upon request including the course title, duration of the course and time off required.
- 7.1.5 Part-time employees who are required to attend recognised training courses as detailed above will be paid for the whole of their attendance time, even if it exceeds their normal working hours.
- 7.1.6 Requests for release for training should be made with reasonable notice to the appropriate manager. Any training course should be relevant to their duties and approved by their Staff Organisation. Requests for time off for training should not be unreasonably refused.

8. Disputes relating to time off and facilities for Staff Organisations

- 8.1 CTMUHB and the Unions agree to make every effort to resolve disputes in relation to time off for Staff Organisation duties and activities.
- 8.2 Where permission to take time off is withheld, an explanation for the reason(s) will be given by the appropriate representative of management in writing.
- 8.3 If the Staff Organisation official is dissatisfied with the decision, the matter may be referred to the Director for Workforce and OD.
- 8.4 If agreement cannot be reached, the matter will be referred to the Local Partnership Forum.
- 8.5 CTMUHB recognises that individual Staff Organisation representatives have the right to take a claim to an Employment Tribunal if internal procedures fail to resolve a dispute relating to time off for Staff Organisation duties.

9. Amendment or Termination of this Policy

- 9.1 Either side may submit proposals in order to amend this policy. Such proposals will be in writing to the sides concerned and will be the subject of joint negotiations.

10. Review, Monitoring and Audit Arrangements

This policy will be reviewed every 3 years, additional reviews may be required if any changes are made to Legislation or Terms and Conditions of Service apply.

11. Retention / Archiving

The Director of Workforce and Organisational Development will ensure that copies of this policy are archived and stored in line with CTMUHB records management policy, and are made available for reference purposes should any situation arise where they are required.

12. Non-Conformance

All employees are expected to comply with this policy, failure to comply with the policy is a serious offence and could result in disciplinary action.

13. Equality Impact Assessment Statement

This policy has been subject to a full Equality Impact Assessment and no implications found.

14. Privacy Impact Assessment Statement

A full Privacy Impact Assessment has been undertaken and no impact identified

15. References

- Trade Union and Labour Relations (Consolidation) Act 1992 sections 168 and 170.
- ACAS Code of Practice.
- SRSC Regs 1977 and subsequent iterations.
- Equality Act 2010.
- NHS Terms and Conditions of Service Handbook Section 25: Time Off for Accredited Trades Union Representatives.

APPENDIX 1

**Local Partnership Forum
Terms of Reference and Operating Arrangements**

**This Schedule forms part of, and shall have effect as if incorporated in the Cwm Taf
Morgannwg University Health Board (CTMUHB) Standing Orders**

Workforce and OD

**Terms of Reference & Operating
Arrangements**

INTRODUCTION

The Local Partnership Forum (LPF) is a sub group of the Cwm Taf Morgannwg University Health Board (hereafter referred to as the Health Board) and will operate in accordance with the following six Trade Union Congress (TUC) Principles of Partnership Working;

1. A shared commitment to the success of the organisation.
2. A focus on quality of working life.
3. Recognition of the legitimate roles of the employer and trade unions.
4. A commitment by the employer to employment security.
5. Openness by both parties and a willingness by the employer to share information and discuss future plans of the organisation.
6. Adding value via a shared understanding that the partnership is delivering measurable improvements for the employer, its employees and the trade unions.

The LPF will also actively role model the Health Board's values and behaviours:

Value	Behaviours
1. We listen, learn and improve	<ul style="list-style-type: none"> • We take time to ask and listen carefully to people's worries, views and ideas — then actively do something to make a difference. • We make it safe and easy for people to speak up - as well as being open to giving and receiving feedback as a chance to learn. • We welcome change, bring a positive, 'will do' attitude and find ways to actively improve the way we do things.
2. We treat everyone with respect	<ul style="list-style-type: none"> • To show that we value other people and see them as equals, we treat everybody with kindness and fairness. • We go out of our way to be supportive, helpful and friendly. • We recognise what people do every day to make a difference, and say 'thank you'.
3. We all work together as one team	<ul style="list-style-type: none"> • We bring people together and build strong, trusting relationships by including others in decisions and activities. • We look out for people's wellbeing and safety — both physical and psychological — and support them if these are at risk. • We are open, clear and honest in the way we communicate, and — if we need to — change the way we explain something to help people understand. • When we learn something useful and inspiring, we share it with others.

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CONSTITUTION & PURPOSE

All LPF management and trade union organisation representative members are full and equal members and share responsibility for the decisions.

In consultation with the recognised trade union organisations and professional organisations (hereafter referred to as trade Union organisations) the Health Board shall agree the overall size and composition of the LPF.

The Health Board's Independent Member with responsibility for staff will attend the LPF in an ex-officio capacity.

The Health Board's LPF is the formal mechanism where the Health Board and trade union organisations work together in partnership, to improve health services for the people of Cwm Taf Morgannwg. It is the forum where key Health Board stakeholders will engage with each other to inform, debate and seek to agree workforce and health service delivery priorities.

At the earliest opportunity the Health Board will engage with trade union organisations in key discussions that may have an impact on the workforce. These discussions may take place at the Integrated Locality Group (ILG) LPFs, Health Board LPF or Board, as appropriate.

SCOPE AND DUTIES

The LPF will provide the formal mechanism for consultation, negotiation and communication between the trade union organisations and Health Board management.

The role of the Health Board LPF is to:

- Establish a regular and formal dialogue between the Executive Directors and trade union organisations, on matters relating to the workforce and Health Board service delivery issues.
- Enable the Health Board and trade union organisations to present and discuss issues affecting the workforce.
- Provide opportunities for trade union organisations and Health Board senior managers to input into the organisation's service development plans, at an early stage.
- Consider the workforce implications in respect of service reviews and identify and seek to agree new ways of working.
- Appraise and discuss in partnership the workforce and financial performance of the Health Board, on a regular basis.

- Appraise and discuss in partnership the Health Board's services and activity and the workforce implications.
- Provide opportunities to identify and seek to agree quality issues, including clinical governance, particularly where such issues have implications for the workforce.
- Communicate to the trade union organisations the key decisions taken by the Board and senior management.
- Consider national NHS Wales developments, Workforce and Organisational Strategy and the implications for the Health Board, including matters of service re-profiling, re-organisation etc.
- Negotiate on limited matters that fall outside of national terms and conditions of service that are subject to local determination.
- Ensure trade union organisation representatives are afforded reasonable paid time off to undertake their trade union duties within the Health Board.
- Regularly review trade union organisation facilities arrangements with reference to the minimum standards set out in the National Terms and Conditions of Service Facilities Agreement arrangements.
- Consider the implications for staff of NHS reorganisations at a national or local level and to work in partnership to achieve mutually successful implementation.

DELEGATED POWERS

The Health Board LPF will establish three Integrated Locality Group (ILG) LPF sub-groups, to establish ongoing dialogue, communication and consultation on service and operational management issues, specific to their operational areas. The ILG LPFs will report directly to the Health Board LPF.

AUTHORITY

All LPF management and trade union organisation representatives are full and equal members and collectively share responsibility for the decisions made in partnership.

ACCESS

The Joint Chairs of the LPF shall have reasonable access to Executive Directors and other relevant senior staff.

MEMBERSHIP

The Health Board's Independent Member with responsibility for staff will attend the LPF in an ex-officio capacity.

As a minimum, the membership of the LPF shall comprise:

Management Representatives

As a minimum, the membership of the Health Board LPF shall comprise of the following management representatives:

- Chief Executive;
- Finance Director;
- Director of Nursing, Midwifery and Patient Care;
- Director of Workforce and OD;
- Senior Management representation for each of the ILGs (identified locally).

Trade Union Representatives

The Health Board recognises those trade union organisations listed below to represent their members employed by the organisation.

As a minimum, the membership of the Health Board LPF shall comprise of the following trade union organisations:

- British Medical Association (BMA)
- Royal College of Nursing (RCN)
- Royal College of Midwives (RCM)
- UNISON
- UNITE
- GMB
- British Orthoptic Society
- Society of Radiographers
- British Dental Association
- Society of Chiropodists and Podiatrists
- Federation of Clinical Scientists
- Chartered Society of Physiotherapy (CSP)
- British Dietetic Association
- British Association of Occupational Therapists (BAOT)
- Managers in Partnership (MIP)

Membership

Consistent attendance and commitment of the membership to participate in LPF meetings is essential. Where a member of the LPF does not attend on three consecutive occasions, the joint chairs will write to the member and bring the

response to the next meeting for further consideration. This could result in the removal of the member from the LPF.

Attendees

Where a management/trade union organisation representatives is or are unable to attend a meeting they may send a deputy, providing their deputy is eligible to attend.

By Invitation

Other Executive Directors and senior managers may be co-opted to attend the LPF, should they be required to speak to an agenda item.

Full time officers of the recognised trade union organisations may attend LPF meetings, subject to prior notification and agreement by the joint chairs.

Secretariat

The Health Board will provide the LPF secretariat. The secretariat will be responsible for working in partnership with the Joint Chairs to agree and prepare the LPF agenda, take and prepare the meeting minutes and obtaining agreed sign off by the Joint Chair, prior to distribution to the LPF membership.

The Workforce and OD function will provide the LPF secretariat service and will be responsible for the maintenance of the constitution of the LPF membership, the circulation of agenda and minutes as well as the planning and notification of meetings.

Member Appointments

Both management and the local trade union organisations will appoint a Chair who will undertake the role of Joint Chairs of the LPF.

Management members of the Health Board LPF will be either members of the Executive Team or a nominated deputy.

Trade union organisation representatives must be employed by the Health Board and accredited by their respective trade union for the purposes of negotiating and bargaining. If a trade union representative ceases to be employed by the Health Board or ceases to be a member of a nominating trade union organisation they will automatically cease to be a member of the Health Board's LPF.

Support to LPF Members

The Health Board will provide, as appropriate personal and organisational development programmes to ensure that members have the knowledge and skills to enable them to effectively fulfil the breadth of their LPF responsibilities.

LPF MEETINGS

Quorum

Every effort will be made by management and trade union representatives to maintain a stable LPF membership. There should be 50% attendance of both parties for the meeting to be quorate.

Where a LPF meeting is not quorate no decisions can be made but information may be exchanged. In such situations, the joint chairs may agree that an urgent extraordinary LFP meeting is required. Such meetings would be scheduled with 7 calendar days' notice.

Frequency of Meetings

Meetings will initially be held on a monthly basis but this will be reviewed regularly. Therefore, meeting frequency may change to reflect trade union and organisational need.

Circulation of Papers

The appointed LPF Secretary will be responsible for circulating the LPF agenda and minutes of the previous meeting at least 7 calendar days prior to the meeting date. The Secretary will also be responsible for the maintenance of the constitution of the LPF membership, as well as the planning and notification of meetings.

Withdrawal of individuals in attendance

The Joint Chairs of the LPF may ask any member or individual who is normally in attendance but who is not a member of the LPF to withdraw to facilitate open and frank discussion of any particular matter.

REPORTING AND ASSURANCE ARRANGEMENTS

Then LPF shall provide a written, annual report to the CTMUHB Board on its work in support of the Annual Governance Statement, specifically commenting on the adequacy of the assurance arrangement, the extent to which risk management is comprehensively embedded throughout the organisation, the integration of governance arrangements and the appropriateness of self-assessment activity against relevant standards. The report will also record the results of the Committees self-assessment and evaluation.

The Executive Director of Workforce and OD, on behalf of the Board, shall oversee a process of regular and rigorous self-assessment and evaluation of the LPF's performance and operation.

The LPF will report to CTMUHB Board via a highlight report following each meeting.

RELATIONSHIP WITH THE BOARD AND ITS COMMITTEES/GROUPS

The LPF is a sub group of the CTMUHB Board.

APPLICABILITY OF STANDING ORDERS TO COMMITTEE BUSINESS

The requirements for the conduct of business as set out in the CTMUHB Standing Orders are equally applicable to the operation of the LPF, except in the area relating to the Quorum.

The Health Board's standing orders provide for the establishment of a Local Partnership Forum (LPF). The terms of reference and operating arrangements for the LPF must be formally approved by the CTMUHB Board.

CHAIR'S ACTION ON URGENT MATTERS

There may, occasionally, be circumstances where decisions which normally be made by the LPF need to be taken between scheduled meetings. In these circumstances, the Joint Chairs, supported by the Director of Corporate Governance as appropriate, may deal with the matter on behalf of the LPF, after first consulting with one other Independent Members of the LPF. The Director of Corporate Governance must ensure that any such action is formally recorded and reported to the next meeting of the LPF for consideration and ratification.

Chair's urgent action may not be taken where the Chair has a personal or business interest in the urgent matter requiring decision.

REVIEW

The terms of reference and operating arrangements for the Local Partnership Forum will be reviewed and updated, as appropriately, annually by the group.

**The Integrated Locality Group Local Partnership Forum
Terms of Reference and Operating Arrangements**

**This Schedule forms part of and shall have effect as if incorporated in the Cwm Taf
Morgannwg University Health Board (CTMUHB) Standing Orders**

WORKFORCE AND OD

**Terms of Reference & Operating
Arrangements**

INTRODUCTION

The Integrated Locality Group (ILG) Local Partnership Forum (LPF) is a sub group of the Cwm Taf Morgannwg University Health Board Local Partnership Forum (LPF) and will operate in accordance with the following six Trade Union Congress (TUC) Principles of Partnership Working;

1. A shared commitment to the success of the organisation.
2. A focus on quality of working life.
3. Recognition of the legitimate roles of the employer and trade unions.
4. A commitment by the employer to employment security.
5. Openness by both parties and a willingness by the employer to share information and discuss future plans of the organisation.
6. Adding value via a shared understanding that the partnership is delivering measurable improvements for the employer, its employees and the trade unions.

and actively role model the Health Board's agreed values and behaviours:

- Working together as one;
- Listening and acting; and
- Respecting everyone.

CONSTITUTION & PURPOSE

All ILG LPF management and trade union organisation representative members are full and equal members and have shared responsibility for the decisions.

In consultation with the recognised trade union organisations and professional organisations (hereafter referred to as trade Union organisations) the CTMUHB LPF shall agree the overall size and composition of the ILG LPF.

The ILG LPF is the formal mechanism where the ILG Board and local trade union organisations work together in partnership, to improve health services for the people of Cwm Taf Morgannwg. It is the fora where key ILG stakeholders will engage with each other to inform, debate and seek to agree workforce and health service delivery priorities.

At the earliest opportunity the ILG will engage with local trade union organisations in key discussions that may have an impact on the workforce. Where issues cannot be resolved locally they may be escalated to the CTMUHB LPF.

SCOPE AND DUTIES

The ILG LPF will provide the formal mechanism for consultation and communication between the local trade union organisations and ILG management.

The role of the ILG LPF is to:

- Establish a regular and formal dialogue between the ILG Senior team and trade union organisations, on matters relating to the workforce and service delivery issues.
- Enable the ILG and trade union organisations to present and discuss local issues affecting the workforce.
- Provide opportunities for trade union organisations and the ILG Senior Team to input into the local service development plans, at an early stage.
- Consider the workforce implications in respect of service reviews and identify and seek to agree new ways of working.
- Identify in partnership, the learning and development needs of the workforce to maximise productivity and the provision of safe and effective services to our patients.
- Appraise and discuss in partnership the workforce and financial performance of the ILG on a regular basis.
- Appraise and discuss in partnership the ILG's services and activity and the workforce implications.
- Provide opportunities to identify and seek to agree quality issues, including clinical governance, particularly where such issues have implications for the local workforce.
- Communicate to the trade union organisations the key decisions taken by the CTMUHB LPF and Board that have implications for the local workforce.
- Negotiate on limited matters that fall outside of national terms and conditions of service that are subject to local determination.
- Ensure trade union organisation representatives are afforded reasonable paid time off to undertake their trade union duties within the ILG.
- To regularly review trade union organisation facilities arrangements with reference to the minimum standards set out in the National Terms and Conditions of Service Facilities Agreement arrangements.
- Consider the implications for the workforce at local level and to work in partnership to achieve mutually successful implementation.

DELEGATED POWERS

The ILG LPF will have no delegated powers.

AUTHORITY

All ILG LPF management and trade union organisation representatives are full and equal members and collectively share responsibility for the decisions made in partnership.

ACCESS

Consistent attendance and commitment of the membership to participate in ILG LPF meetings is essential. Where a member of the ILG LPF does not attend on three consecutive occasions, the joint chairs will write to the member and bring the response to the next meeting for further consideration. This could result in the removal of the member from the ILG LPF.

MEMBERSHIP

As a minimum, the membership of the ILG LPF shall comprise:

Management Representatives

As a minimum, the membership of the ILG Senior Team shall comprise of the following management representatives:

- ILG Director;
- ILG Director of Operations;
- ILG Head of Therapies;
- ILG Head of Workforce and Development;
- ILG Head of Finance;
- ILG Head of Planning.

Trade Union Representatives

The CTMUHB recognises those trade union organisations listed below to represent their members employed by the organisation.

As a minimum, the membership of the ILG LPF shall comprise of a representative from the following trade union organisations:

- British Medical Association (BMA)
- Royal College of Nursing (RCN)
- Royal College of Midwives (RCM)
- UNISON
- UNITE
- GMB
- British Orthoptic Society
- Society of Radiographers

- British Dental Association
- Society of Chiropodists and Podiatrists
- Federation of Clinical Scientists
- Chartered Society of Physiotherapy (CSP)
- British Dietetic Association
- British Association of Occupational Therapists (BAOT)
- Managers in Partnership (MIP)

Attendees

Where a management/trade union organisation representatives is are unable to attend a meeting they may send a deputy, providing their deputy is eligible to attend.

By Invitation

Other Executive Directors and senior managers may be co-opted to attend the ILG LPF, should they be required to speak to an agenda item.

Full time officers of the recognised trade union organisations may attend ILG LPF meetings, subject to prior notification and agreement by the joint chairs.

Secretariat

The ILG Senior Team will provide the ILG LPF secretariat. The secretariat will be responsible for working in partnership with the Joint Chairs to agree and prepare the ILG LPF agenda, take and prepare the meeting minutes and obtaining agreed sign off by the Joint Chair, prior to distribution to the ILG LPF membership.

The ILG Personal Assistant will provide ILG LPF secretariat service and will be responsible for the maintenance of the constitution of the LPF's membership, the circulation of agenda and minutes as well as the planning and notification of meetings.

Member Appointments

Both the ILG Senior Team and the local trade union organisations will appoint a Chair who will undertake the role of Joint Chairs of the ILG LPF. The Management Chair role will be held jointly by the ILG Director and the Head of Workforce and OD.

Management members of the ILG LPF will be either members of the Senior Team or a nominated deputy.

Trade union organisation representatives must be employed by CTMUHB Board and accredited by their respective trade union for the purposes of negotiating and bargaining. If a trade union representative ceases to be employed by CTMUHB or

ceases to be a member of a nominating trade union organisation they will automatically cease to be a member of the ILG LPF.

Both the ILG Senior Team and the trade union representative will appoint a Chair who will act as the Joint Chairs of the ILG LPF.

Support to Committee Members

CTMUHB will provide, as appropriate personal and organisational development programmes to ensure that members have the knowledge and skills to enable them to effectively fulfil the breadth of their ILG LPF responsibilities.

COMMITTEE MEETINGS

Quorum

Every effort will be made by management and trade union representatives to maintain a stable ILG LPF membership. There should be 50% attendance of both parties for the meeting to be quorate.

Where an ILG LPF meeting is not quorate no decisions can be made but information may be exchanged. In such situations, the joint chairs may agree that an urgent extraordinary ILG LFP meeting is required. Such meetings would be scheduled with 7 calendar days' notice.

Frequency of Meetings

Meetings will be held on a monthly basis.

Circulation of Papers

The appointed ILG LPF Secretariat will be responsible for circulating the ILG LPF agenda and minutes of the previous meeting at least 7 calendar days prior to the meeting date. The Secretariat will also be responsible for the maintenance of the constitution of the ILG LPF membership, as well as the planning and notification of meetings.

REPORTING AND ASSURANCE ARRANGEMENTS

The ILG LPF will report to the CTMUHB LPF via a highlight report following each meeting. A representative of the ILG LPF will have a seat on the CTMUHB LPF to enable them to provide feedback on local issues, as appropriate.

The ILG LPF will be required to prepare and present an annual report to the CTMUHB UHB outlining their activities over the previous 12 months.

RELATIONSHIP WITH THE BOARD AND ITS COMMITTEES/GROUPS

The ILG LPF is a sub group of the CTMUHB LPF.

APPLICABILITY OF STANDING ORDERS TO COMMITTEE BUSINESS

The CTMUHB standing orders provide for the establishment of a LPF, which has the delegated authority to establish sub groups as appropriate. The LPF Terms of Reference and Operating Arrangements endorse the establishment of ILG LPFs will be subgroups of the LPF.

The terms of reference and operating arrangements for the ILG LPF must be formally approved by the LPF.

CHAIR'S ACTION ON URGENT MATTERS

The Joint Chairs have the authority to take Chair's action where an urgent matter requires a decision to be made outside of the LPF.

Where a Joint Chair or Joint Chairs has a personal or business interest in an **urgent** matter requiring a decision, their Vice Chair will make the decision in respect of the urgent matter.

REVIEW

The terms of reference and operating arrangements for the Local Partnership Forum will be reviewed and updated, as appropriately, annually by the group.

APPENDIX 3**Code of Conduct in Meetings**

A code of conduct for meetings sets ground rules for all participants:

- Respect the meeting start time and arrive punctually.
- Attend the meeting well-prepared, willing to contribute and with a positive attitude.
- Listen actively.
- Allow others to explain or clarify when necessary.
- Observe the requirement that only one person speaks at a time.
- Avoid 'put downs' of views or points made by colleagues.
- Respect a colleague's point of view.
- Avoid using negative behaviours e.g. sarcasm, point-scoring, personalization.
- Try not to react negatively to criticism or take as a personal slight.
- Put forward criticism in a positive way.
- Be mindful that decisions have to be made and it is not possible to accommodate all individual views.
- No 'side-meetings' to take place.
- Respect the Chair.
- Failure to adhere to the Code of Conduct may result in the suspension or removal of the member.

APPENDIX 4**Time for Trade Union Duties (see point 6.7)****NAME** :**UNION** :

DATE	TIME (from – to)	TOTAL AMOUNT OF TIME TAKEN	REASON FOR TIME TAKEN (please give brief overview of reason for time taken)