

Recognition Procedure Agreement

Between

EMPLOYER

&

UNISON

Royal College of Nursing

UNITE

MiP

This agreement is made on 12 August 2014

Between SOUTHERN DERBYSHIRE CCG

(hereinafter known as "employer" - the term includes the employers, managers or their representatives as appropriate) and the above named Trade Unions, (TU's unless specifically names) representing members employed by the employer.

1. Purpose

The purpose of this agreement is to provide a framework for successful partnership arrangements between the Trade Unions and the employer in order to develop professional practice and foster good employment relations.

It provides methods whereby the employer will recognise the recognised Trade Unions to support, represent and bargain for its members.

2. Principles

The employer and the Trade Unions share a common objective – namely to ensure the efficiency and success of the employer for the benefit of all concerned.

2.1 Both the employer and the Trade Unions recognise the employer's right to plan, organise and manage the activities of their business according to their business objectives. In turn, the employer recognises the benefits and Trade Unions' right to recruit and represent the interests of their members and to work for improved professional practice and conditions of employment and work.

2.2 Both the employer and the Trade Unions agree that it is in their mutual interest to observe a procedure where any issues arising between them can be resolved. Both are committed to:

- maintaining the smooth operation of agreements;
- maintaining and improving employment relations, and resolving all issues as speedily as possible;
- the negotiation and consideration of any other matters that affect the employer and/or the employee;
- exchanging timely information to promote good working relations;
- the speedy implementation of agreements;
- developing a culture that is supportive to lifelong learning;

- developing best practice in commissioning processes;
- increasing employees' engagement in both employment relations and professional and educational matters.

3. Scope

For the purpose of this agreement, these are to be sole bargaining rights, meaning the recognised Trade Unions shall only bargain on behalf of its members.

3.1 The employer and the employee (through the Joint Partnership Working Committee) agree that their pursuit of these shared objectives under this Recognition Agreement shall be facilitated by:

3.1.1 Negotiation – to reach agreements and to help fulfil the employer's legal responsibilities in respect of relevant employment legislation.

3.1.2 Consultation - to exchange views with a view to reaching consensus.

3.1.3 Information – to keep each side fully informed of all relevant matters.

3.2 Matters that may be included in a recognition agreement by mutual agreement and the recognised Trade Unions consider examples of good practice essential to a partnership approach are:

- terms and conditions of employment;
- hours of Work;
- holiday and sickness arrangements;
- salary structures and pay and allowances;
- pensions;
- employment policies relating to the engagement or non-engagement, or termination or suspension of employment;
- discipline and grievance procedures;

- redundancy, redeployment and relocation policy and arrangements;
- the development of flexible working and working time policies;
- consultation with elected representatives on all matters affecting the health, safety and welfare of employees;
- facilities for Trade Union elected representatives;
- lifelong learning and continuing professional development;
- the negotiation process itself, comprising a committee with representatives of the employer and the employees;
- equal opportunities issues and equality improvements;
- other professional matters;
- other matters agreed between the recognised Trade Unions and the employer.

4 Representation

The employer and the Trade Unions recognise the employees' statutory right to be represented by a professional body, trade union or colleague of their choice for matters within the employer's disciplinary and grievance procedure, redundancy and business transfer legislation. To this end the employer promotes this agreement to all employees and encourages membership of the recognised Trade Unions and supports any Trade Union members in electing representatives and officials to act on their behalf in accordance with the terms of this agreement.

5 Functions of representatives

The professional, educational and employment relations duties of representatives and officials are important responsibilities performed in addition to their substantive duties. This is recognised by the employer and the recognised Trade Unions.

5.1 The duties of representatives and officials are as follows:

- to be responsible to and for a particular group of members in a particular work area;
- to undertake employment relations duties;
- to promote and implement a safety culture at work;
- to promote a learning culture;
- to promote professional standards and education relevant to the workplace;
- to be consulted on and to negotiate on behalf of members.

Duties may include:

(Employer and Trade Unions will discuss relevant matters and delete those not applicable)

- members' problems at work;
- grievances;
- matters of discipline;
- health and safety;
- equal opportunities;
- service conditions;
- work focussed training;
- continuing professional development opportunities for staff;
- Working Time Regulations;
- support professional developments;
- develop education and training opportunities;
- recruit new members to the Trade Unions from among all relevant employees in the employment area;
- communicate with members and with the union body;
- represent the Trade Unions in the employer's negotiating and consultative arrangements, at local, regional or national level;
- meet with other representatives or officials or full time officers and attend relevant Trade Union meetings;
- seek to provide consistency and ensure agreements are adhered to at local level;

- organise meetings of members during working hours with no loss of earnings.
- 5.2** The election of representatives shall be determined by the relevant Trade Union. The Trade Unions agree to notify employers with the names of elected officials, the area they represent and any change of representatives or officials. The Trade Unions shall provide their accredited representative with written credentials.
- 5.3** Time-off and facilities for representatives will be provided on an ad hoc basis as and when required by agreement with the organisation
- 5.4** Action taken by representatives in pursuit of their duties under this agreement – or their legal obligations, or their union rules – shall not in any way affect their employment with the employer
- 5.5** Disciplinary action should not be taken against elected representatives until the employer has discussed the matter with a full-time officer of the relevant Trade Union.

6. How negotiation takes place

Negotiation will take the form of regular joint meetings between the employer and employees' representatives.

The functions, scope and composition will be agreed with the full time union officials. It will be necessary to include provisions for the exchange of information. Time-off and facilities for representatives' functions will be provided for as detailed in annex to this agreement. Any agreement should provide clear guidance for when and how a dispute arising from the


negotiations may be referred to ACAS by one party for conciliation, or if both parties agree arbitration.

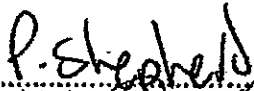
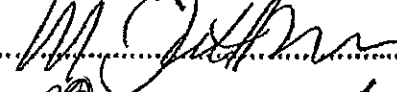
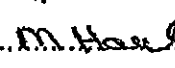
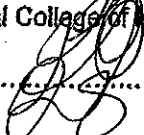
7. Variation

This agreement will not be varied without the agreement between the recognised Trade Unions and the employer.

Any disputes between any of the recognised Trade Union's and the employer about recognition that cannot be resolved may be referred by either party to the Central Arbitration Committee.

Signed by the Parties

Employer  date... 13/8/14.....

UNISON  date... 11/6/15.
UNITE  date... 18/6/15
Royal College of Nursing  date... 11/6/15
MiP  date... 6/8/15

