



**GIG
CYMRU
NHS
WALES**

Ymddiriedolaeth GIG
Prifysgol Felindre
Velindre University
NHS Trust



Gwasanaeth Gwaed Cymru
Welsh Blood Service

Pencadlys Ymddiriedolaeth GIG Prifysgol Felindre
Velindre University NHS Trust Headquarters
2 Cwrt Charnwood
Heol Billingsley
Parc Nantgarw
Caerdydd/Cardiff
CF15 7QZ



Canolfan Ganser Felindre
Velindre Cancer Centre

Ffôn/Phone : (029) 20196161

<https://velindre.nhs.wales>

Date: 21st August 2023

Ref: CORP 2023 - 119

Dear *****,

Freedom of Information request : Trade Union Agreements (CORP 2023 – 119)

Thank you for your request for information which the Trust received on 24th July 2023.

Your request:

I am writing to request the following information under the provisions of the freedom of information act.

1. Names of any trade unions you hold recognition agreements with.
2. A copy of your policy for time off for trade union representatives.
3. The total number of trade union representatives that have been given full time paid release from their substantive posts to undertake trade union duties.
4. The total number of staff that pay union subscriptions via payroll (known as DOCAS/ Check-off) broken down by trade union.

The Trust has reviewed your request which is correctly formatted and complies with Section 8 of the Freedom of Information Act.

The Information you have requested is below:

1. Names of any trade unions you hold recognition agreements with.

RCN, RCM, TGMU, UNISON, UNITE, UCATT, USDAW, AEEU, AMICUS, GMBATU

2. A copy of your policy for time off for trade union representatives

Appendices 1 and 2 are the Trust Policy for time off for Trust representatives.

Mae Ymddiriedolaeth GIG Prifysgol Felindre yn hapus i dderbyn gohebiaeth yn y Gymraeg neu'r Saesneg.
Velindre University NHS Trust is happy to receive communication in Welsh or English.





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3. The total number of trade union representatives that have been given full time paid release from their substantive posts to undertake trade union duties.

The Trust does not employ any full-time paid Trade Union Representatives

4. The total number of staff that pay union subscriptions via payroll (known as DOCAS/ Check-off) broken down by trade union.

During the previous month, 149 members of Staff paid union contributions though their salary. The break down were as follows:

Unison:	128
GMB:	10
Amicus:	11
Total:	149

I trust this answers your request for information, however, should you not be satisfied with the information supplied or the process of supplying it, you have a right to complain and request a review. Please note that you must submit a request for a review within 40 days of the date of this letter.

You should forward your complaint to:-

Mr Ian Bevan via FOI.VUNHST@wales.nhs.uk
Head of Information Governance
Velindre University NHS Trust
2, Charnwood Court
Heol Billingsley
Parc Nantgarw
Cardiff / Caerdydd
CF15 7QZ
Tel / Ffon - 029 20196161

Should you wish to take your complaint further, if you are still unhappy with the decision after review, you can contact the:-

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Information Commissioner's Office - Wales

2nd Floor,
Churchill House,
Churchill Way,
Cardiff,
CF10 2HH
Telephone: 0330 414 6421
email: wales@ico.org.uk

Yours sincerely,

Lauren Fear
Director of Corporate Governance and Chief of Staff
Velindre University NHS Trust
2 Charnwood Court
Heol Billingsley
Parc Nantgarw
Cardiff
CF15 7QZ

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VELINDRE NHS TRUST

WELSH PARTNERSHIP FORUM

TIME OFF AND FACILITIES FOR TRADE UNION REPRESENTATIVES

KEY PRINCIPLES FRAMEWORK

November 2011

Adopted by Velindre NHS Trust board – June 2013

Introduction

1. The Welsh Partnership Forum is committed to the principles of partnership working and staff involvement. Partnership underpins and facilitates the development of sound and effective employee relations throughout the NHS. It also recognises that the participation of trade union representatives in the partnership process can contribute to delivering improved services to patients and users.
2. The Welsh Partnership Forum recognises the importance of ensuring that the representatives of trade unions recognised for purposes of collective bargaining at local level are released appropriately to participate in local partnership arrangements. The principles of partnership working are set out in the annex to this document.
3. It is for employers and representatives of locally recognised trade unions to agree in partnership local arrangements and procedures on time off and facilities that are appropriate to meet local circumstances. Local arrangements are expected to be consistent with the principles set out below.

TIME OFF FOR ACCREDITED TRADE UNION REPRESENTATIVES

Accredited Representatives

4. Local arrangements should apply to accredited representatives of trade unions recognised by local NHS organisations. Accreditation will only be given to employees of the organisation who have been duly elected or appointed in accordance with the rules of the respective trade unions.
5. Accredited representatives of trade unions will:
 - Abide by the rules of their trade union and the policies and procedures of the employing organisation.
 - Represent their members on matters that are of concern to the employing organisation and/or its employees.
6. It will be for the relevant trade unions to discuss and agree with the local employer an appropriate number of representatives. Local discussions should have regard to the size and location of the unions' membership and the expected workload associated with the role. The unions would be required to issue written credentials and notify the human resources department of the number and location of work groups for which each representative will be responsible.
7. 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:-

- Negotiation and/or consultation on matters relating to terms and conditions of employment or agreed partnership processes – examples include:
 - terms and conditions of employment;
 - engagement or termination of employment;
 - allocation of work;
 - matters of discipline;
 - grievances and disputes;
 - union membership or non-membership;
 - facilities for trade union representatives;
 - machinery for negotiation or consultation or other procedures.
 - Meetings with members;
 - Meetings with other lay officials or full time officers;
 - Appearing on behalf of members before internal or external bodies;
 - All joint policy implementation and partnership working;
 - Environmental issues linked to the Greenworkplaces projects;
 - Other matters relating to employee relations and partnership working.
8. The expectation is that it is good practice that staff 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. Wherever possible, the representatives should indicate the anticipated period of absence. The expectation is that requests for paid time off for trade union representatives will not be unreasonably refused.

Training

9. Accredited trade union representatives should be given adequate time off to allow them to attend trade union approved training courses or events. Time off should not be regarded as automatic, as employers have responsibilities to take account of the needs of service delivery. However, the expectation is that requests for paid time off to attend training courses should not be unreasonably refused as long as locally agreed processes are followed.
10. The expectation is that requests for release for training should be made with reasonable notice to the appropriate manager. Any training course should be relevant to their duties approved by their trade union. Local representatives should provide details of the course to local management.

Payment Arrangements

11. Where time with pay has been approved, the payment due will equate to the earnings the employee would otherwise have received had/she been at work.
12. Where meetings called by management are held on matters covered by paragraphs 7 where staff representatives have to attend outside their normal working hours, equivalent time off will be granted or appropriate payment should be made by local agreement.
13. There should be local agreement on when travelling and subsistence expenses will be reimbursed to accredited representatives who are

undertaking approved work in relation to the partnership process and/or joint policy implementations (as listed in paragraph7).

Trades Union Activities

14. It is the responsibility of the recognised local trade unions to ensure that the time and resources provided in this context are used appropriately.
15. NHS organisations are encouraged to support partnership working, by giving reasonable time off, during working hours to enable trade union members or representatives for:-
 - executive committee meetings or annual conference or regional union meetings;
 - voting in properly conducted ballots on industrial relations;
 - voting in union elections;
 - meetings to discuss urgent matters relating to the workplace;
 - recruitment and organisation of members.
16. Local arrangements should specify the circumstances when time off may be refused for either representatives or members. These may include:-
 - unreasonable notice periods on behalf of the representatives;
 - activities which do not fall within the any of the categories in paragraphs 7, 10 and 15;
 - activities are not authorised by the union;
 - service needs;
17. Locally, it may be agreed that it is appropriate in the interests of partnership working and good industrial relations for trade union representatives to be released from work for regular defined periods each week.

Trade Union Learning Representatives

18. Trade Union Learning representatives are accredited by their unions to support organisations in identifying training needs and ensuring staff access to training. Learning representatives also have the right to reasonable paid time off for undertaking these duties and for relevant training.

Health and Safety Representatives

19. The Safety Representatives and Safety Committee Regulations 1977 provides a legal entitlement for trade union appointed safety representatives to have paid time from their normal work to carry out their functions and undergo training.

FACILITIES FOR TRADES UNION REPRESENTATIVES

20. The local partnership should agree the facilities that are provided to representatives of recognised trade unions. It is recommended that local employers provide the following facilities:-

- Access to appropriate private accommodation, 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 & external mail systems.
- Appropriate access to the employer's intranet and email systems.
- Access to appropriate computer facilities
- Access to sufficient notice boards at all major locations for the display of trade union literature and information.
- Access for staff representatives to all joint documents relating to the local partnership process.
- Based on the geographical nature of the organisation consideration may need to be given to access to suitable transport facilities.
- Backfilling of posts where practical. The extent to which practical would inevitably be dependent on such factors as the numbers of representatives needing time off and the work areas that would need to be covered and the needs of the service.

Annex

Principles and Best Practice of Partnership Working [Taken from: Partnership Agreement. An agreement between Department of Health, NHS Employers and NHS Trade Unions.

To deliver partnership working successfully it is important to develop good formal and informal working relations that build trust and share responsibility, whilst respecting difference. To facilitate this, all parties commit to adopt the following principles in their dealings with each other:

- Building trust and a mutual respect for each other's roles and responsibilities;
- Openness, honesty and transparency in communications;
- Top level commitment;
- A positive and constructive approach;
- Commitment to work with and learn from each other;
- Early discussion of emerging issues and maintaining dialogue on policy and priorities;
- Commitment to ensuring high quality outcomes;
- Where appropriate, confidentiality and agreed external positions;
- Making the best use of resources;
- Ensuring a no surprise culture.



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Local Partnership Forum

Terms of Reference & Operating Arrangements

Reviewed:	September 2021
Next Review Due:	September 2022

1. INTRODUCTION

- 1.1 The Trust's standing orders provide for the establishment of a Local Partnership Forum (LPF) and that the Board must formally approve terms of reference and operating arrangements for the LPF.

The LPF will also operate in accordance with the Trade Union Congress (TUC) six principles of partnership working, namely;

- A shared commitment to the success of the organisation.
- A focus on quality of working life.
- Recognition of the legitimate roles of the employer and trade union.
- A commitment by the employer to employment security.
- Openness on both sides and willingness by the employer to share information and discuss future plans of the organisation.
- Adding value – a shared understanding that the partnership is delivering measurable improvements for the employer, the union and employees.

- 1.2 The detailed terms of reference and operating arrangements set by the Board in respect of this forum are set out below.

2. PURPOSE

- 2.1 The purpose of the Local Partnership Forum (LPF) is;

To provide a formal mechanism where the Trust, as employer and trade unions/professional bodies representing Trust employees (hereafter referred to as staff organisations) work together to improve health services for the citizens served by the Trust – achieved through a regular and timely process of consultation, negotiation and communication. In doing so, the LPF must effectively represent the views and interests of the Trust's workforce.

- 2.2 It is the forum where the Trust and staff organisations will engage with each other to inform, debate and seek to agree local priorities on workforce and health service issues; and inform thinking around national priorities on health matters.

- 2.3 The Trust may specifically request advice and feedback from the LPF on any aspect of its business and the LPF may also offer advice and feedback even if not specifically requested by the Trust. The LPF may provide advice to the Board:

- In written advice or
- In any other form specified by the Board.

3. MEMBERSHIP

Joint Chairs

- 3.1 The LPF shall have two Chairs on a rotational basis, one of whom shall be drawn from the management representative membership, and one from the staff representative membership.

The Chairs shall be jointly responsible for the effective operation of the LPF:

- Chairing meetings, rotated equally between the Staff Representative and Management Representative Chairs;
- Establishing and ensuring adherence to the standards of good governance set for the NHS in Wales, ensuring that all business is conducted in accordance with its agreed operating framework and
- Developing positive and professional relationships amongst the Forum's membership and between the Forum and the Board.

The Chairs shall work in partnership with each other and, as appropriate, with the Chairs of the Trust's other advisory groups. Chairs shall ensure that key and appropriate issues are discussed by the Forum in a timely manner with all the necessary information and advice being made available to members to inform the debate and ultimate resolutions.

The Chairs are accountable to the Board for the conduct of business in accordance with the governance and operating framework set by the Trust.

Joint Vice Chairs

- 3.2 The LPF shall have two Vice Chairs, one of whom shall be drawn from the Management Representative membership, and one from the staff representative membership.

Each Vice Chair shall deputise for their Chair in that Chair's absence for any reason, and will do so until either the existing Chair resumes their duties or a new Chair is appointed.

The Vice Chair is accountable to their Chair for their performance as Vice Chair.

Members

- 3.3 Membership of the LPF comprises;

	Staff Representative	Management Representative
Joint Chair	UNISON Staff Rep	Executive Director of Workforce & Organisational Development (WF&OD)
Joint Vice Chair	TBC Staff Rep	Chief Executive
	All accredited staff reps within the Trust	Executive Director of Workforce & OD
		Executive Director of Finance
		Executive Director of Nursing, Allied Health Professionals and Health Science
		Executive Medical Director
		Director VCC
		Director WBS

All members of the LPF are full and equal members and collectively share responsibility for its decisions.

All members must:

- Be prepared to engage with and contribute to the LPFs activities and in a manner that upholds the standards of good governance set for the NHS in Wales.
- Comply with their terms and conditions of appointment.
- Equip themselves to fulfil the breadth of their responsibilities by participating in appropriate personal and organisational development programmes and
- Promote the work of the LPF within the professional discipline they represent.

Members of the LPF who are unable to attend a meeting may send a deputy, providing such deputies are eligible for appointment to the LPF and their attendance has been agreed by the Joint Chairs/Vice Chairs prior to the meeting.

Appointment and Terms of Office

3.4 Management representative members shall be determined by the Board.

Staff representatives shall be determined by the staff organisations recognised by the Trust, subject to the following conditions:

- Staff representatives must be employed by the Trust and accredited by their respective trade union and
- A member's tenure of appointment will cease in the event that they are no longer employed by the Trust or cease to be a member of their nominating trade union.

The Management Representative Chair shall be appointed by the Board.

The Staff Representative Chair shall be elected from within the staff representative membership of the LPF, by staff representative members, in a manner determined by the staff representative members. The Staff Representative Chair's term of office shall be for one (1) year.

The Management Representative Vice Chair shall be appointed from within the management representative membership of the LPF by the Management Representative Chair.

The Staff Representative Vice Chair shall be elected from within the staff representative membership of the LPF, by staff representative members, in a manner determined by the staff representative members. The Staff Representative Vice Chair's term of office shall be for one (1) year.

A member's tenure of appointment will cease in the event that they no longer meet any of the eligibility requirements determined for the position. A member must inform their respective LPF Chair as soon as is reasonably practicable to do so in respect of any issue which may impact on the conduct of their role.

Removal, suspension and replacement of members

3.5 If an LPF member fails to attend three (3) consecutive meetings, the next meeting of the LPF shall consider what action should be taken. This may include removal of that person from officer unless they are satisfied that:

- (a) The absence was due to a reasonable cause and
- (b) The person will be able to attend such meetings within such period as the LPF considers

reasonable.

If the LPF considers that it is not conducive to its effective operation that a person should continue to hold office as a member, it may remove that person from office by giving immediate notice in writing to the person and the relevant nominating body.

- 3.6 Before making a decision to remove a person from office, the LPF may suspend the tenure of office of that person for a limited period (as determined by the LPF) to enable it to carry out a proper investigation of the circumstances leading to the consideration of removal. Where the LPF suspends any member, that member shall be advised immediately in writing of the reasons for their suspension. Any such member shall not perform any of the functions of membership during a period of suspension.
- 3.7 A nominating body may remove and, where appropriate, replace a member appointed to the LPF to represent their interests by giving immediate notice in writing to the LPF.

4. SUB FORA

- 4.1 The LPF may establish sub-fora to assist it in the conduct of its work, to facilitate:
- Ongoing dialogue, communication and consultation on service and operational management issues specific to Divisions/Directorates/Service areas: and or
 - Detailed discussion in relation to a specific issue(s).

Sub fora that have been established;

- The LPF Policy Sub-Group.

5. MEETINGS

Quorum

- 5.1 At least two members must be present to ensure the quorum of the LPF, one of whom should be the Management Chair or Vice Chair, and one of whom should be the staff representative Chair or Vice Chair.

Frequency of Meetings

- 5.2 Meetings shall be held quarterly or otherwise as the Joint Chairs deem necessary. Where joint Chairs agree, an extraordinary meeting of the LPF may be scheduled with 7 calendar days notice.

6. RELATIONSHIP & ACCOUNTABILITIES WITH THE BOARD AND ITS COMMITTEES/GROUPS

- 6.1 The LPF's main link with the Board is through the Executive Members of the LPF.
- 6.2 The Board may determine that designated Trust Members or staff shall be in attendance at LPF meetings. The LPF's Chair may also request the attendance of Trust members or staff, subject to the agreement of the Trust Chair.
- 6.3 The Board shall determine the arrangements for any joint meetings between the Board and the LPF's staff representative members.

- 6.4 The Board's Chair shall put in place arrangements to meet with the LPF's Joint Chairs on a regular basis to discuss the LPF's activities and operation.
- 6.5 The LPF shall ensure effective links and relationships with other groups/fora at a local and, where appropriate, national level.

7. SUPPORT TO THE LPF

- 7.1 The LPF's work shall be supported by two designated Secretary's one of whom shall support the staff representative members and one shall support the management representative members.
- 7.2 The Director of Workforce and OD will act as Management Representative Secretary and will be responsible for the maintenance of the constitution of the membership, the circulation of agenda and minutes and notification of meetings.
- 7.3 The Staff Representative Secretary shall be elected from within the staff representative membership of the LPF, by staff representative members in a manner determined by the staff representatives.
- 7.4 Both Secretaries shall work closely with the Trust's Board Secretary who is responsible for the overall planning and co-ordination of the Trust's programme of Board business, including that of its Committees and Advisory Groups.

8. REPORTING AND ASSURANCE ARRANGEMENTS

- 8.1 The Joint Chairs shall:
- Report formally, regularly and on a timely basis to the Board and the Accountable Officer on the LPF's activities. This includes verbal updates on activity and the submission of written Highlight Reports.
 - The Committee shall provide a written, annual report to the Board on its work. The report will also record the results of the Committee's self-assessment and evaluation
 - bring to the Board and the Accountable Officer's specific attention any significant matters under consideration by the LPF;
 - ensure appropriate escalation arrangements are in place to alert the Trust Chair, Chief Executive (and Accountable Officer) or Chairs of other relevant Committees of any urgent/critical matters that may affect the operation and/or reputation of the Trust.
- 8.2 The Director of Corporate Governance, on behalf of the Board, shall oversee a process of regular and rigorous self-assessment and evaluation of the Committee's performance and operation including that of any Sub Committees established.

9. APPLICABILITY OF STANDING ORDERS TO COMMITTEE BUSINESS

- 9.1 The requirements for the conduct of business as set out in the Trust's Standing Orders are equally applicable to the operation of the LPF, except in the following areas:
- Quorum – as per section 5.1 above.

Cross reference with the Trust Standing Orders.

10. REVIEW

- 10.1 These terms of reference and operating arrangements shall be reviewed annually by the LPF with reference to the Board.

11. CHAIR'S ACTION ON URGENT MATTERS

- 11.1 There may, occasionally, be circumstances where decisions which normally be made by the Committee need to be taken between scheduled meetings. In these circumstances, the Committee Chair, supported by the Director of Corporate Governance as appropriate, may deal with the matter on behalf of the Board, after first consulting with two other Members of the Committee. The Director of Corporate Governance must ensure that any such action is formally recorded and reported to the next meeting of the Committee for consideration and ratification.
- 11.2 Chair's urgent action may not be taken where the Chair has a personal or business interest in the urgent matter requiring decision.

Date Terms of Reference Approved: 01.09.2021