

**Learning agreement between the Northern Ireland Civil Service (NICS)
and the Northern Ireland Public Service Alliance (NIPSA)**

Joint statement on learning

The importance of learning in the civil and public services

The Northern Ireland Civil Service (NICS) and the Northern Ireland Public Service Alliance (NIPSA) welcome the Northern Ireland Executive's commitment to investing in the skills development of individuals across Northern Ireland, including its own employees, as articulated in the Northern Ireland Skills Strategy.

The NICS aims to demonstrate its employer commitment to the Northern Ireland Skills Strategy as well as to the UK-wide Skills Strategy for Government "Building Professional Skills for Government" by taking a strategic and structured approach to developing the competences of its staff within allocated budgets.

We, the NICS and NIPSA, recognise the key role that Government Skills, the Sector Skills Council for Central Government, can play in supporting implementation of the Building Professional Skills for Government skills strategy across the Service. The importance of investing in skills and learning and, in particular, ensuring that employees basic skills needs are met, is also a major part of the Investor's in People standard. The NICS strategic intent is set out in The NICS People Strategy 2009-2011 and subsequent departmental HR strategies.

This Learning Agreement sets out how we will work together to ensure that employees have the skills they need for their current role and for the future. The agreement recognises that all employees should have access to the services of a Union Learning Representative (ULR) and aims to maximise the benefits that can be achieved with the resources allocated to Union Learning.

We recognise the important contribution ULRs can make towards increasing employee engagement in learning; developing a workplace learning culture which helps departments and agencies meet their objectives and deliver improved services to the people of Northern Ireland. The commitment to develop NICS staff is evidenced through the continuing recognition of the lIP standard.

We will cooperate in implementing government policy on lifelong learning and continuous professional development and recognise that ULRs are an essential part of fulfilling this policy. The details which follow outline how we will work together to achieve this.

The importance of learning to the employer, the union and the individual

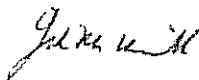
We recognise the benefits for the NICS, the individual and the union that come from lifelong learning. We are committed to working together to promote and support such learning and to ensure fair and equal access to learning opportunities inside and outside the workplace.

We will encourage staff to take up learning activities and share responsibility for developing and maintaining a learning culture within the organisation and will work to build upon departmental and Executive learning initiatives. The NICS recognises that ULRs are pivotal in developing the learning culture in the workplace.

This is a partnership approach and this agreement affirms our commitment to work together to deliver learning and development for the benefit of Northern Ireland, our employees and the general public.

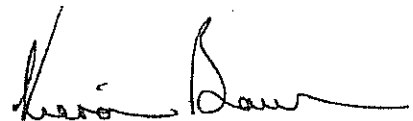
We undertake to review this agreement no later than 12 months after it is signed.

Signed



Date 31-12-09

NICS



Date 31/12/09.

NIPSA

1. Responsibilities

The employer's responsibilities

The NICS is responsible for ensuring that staff are provided with the necessary learning and development opportunities to support the organisation's business delivery objectives. The need and support for such training and learning will be identified through the Performance Management process, the Corporate Training Priorities assessment and training commissioning process, as well as through skills audits and other procedures which will assist in identification of development needs.

The NICS recognises its responsibility to encourage, support and facilitate lifelong learning that will in the long term benefit the organisation as well as the individual.

Managers have a key responsibility, amongst other things, for the training and development of the staff reporting to them and the NICS will ensure that managers are made aware of these responsibilities, the role of the learning representative and of the provisions of this Learning Agreement.

Union responsibilities

NIPSA will develop and support a network of ULRs, co-ordinated at branch level. The union will fulfil its legal requirements on the appointment and training of ULRs (see below) and ensure that these representatives are fully supported.

NIPSA will seek to make sure that the work of ULRs will be complementary to the work of the NICS training and development function and will seek to avoid any duplication or confusion of roles.

NIPSA, as in the case of all Trade Unions, has a particular interest in the lifelong learning agenda and the longer-term personal development of staff.

Joint responsibilities

Under this agreement the NICS and NIPSA will work together to encourage and support learning, especially lifelong learning, learning that is not necessarily related to immediate business objectives, learning for personal fulfilment and in retirement, in accordance with other relevant policies such as Assistance to Study – Adult Further Education. ULRs have a key role in helping members identify these learning needs.

These joint responsibilities will operate under the auspices of the CWC structures, primarily within the CWC's Selection and Development sub-committee.

This joint working will be put into effect largely through the union developing a network of ULRs and through the arrangements made for consultation and agreement on learning and development.

Effective working relationships with the Corporate and Departmental Human Resources, Training Commissioners and the Centre for Applied Learning will be essential to ensure that joint working arrangements are successful and there is no unnecessary duplication of responsibilities.

It is essential that there is clarity about the role of the ULR and to ensure that it is complementary to the role of the training and development function.

2. Scope of the agreement

Coverage

This agreement covers all employees of the organisation.

Nothing in this agreement shall augment or detract from the rights of ULRs under the Employment Rights Order 1996 (as amended) or the Facility Time arrangements

Nor does this agreement prevent the union from seeking remedy through agreed disagreement procedures or ultimately an Industrial Tribunal application where it is believed that the NICS is in breach of its statutory duty under the above Order.

Relationship to existing agreements and procedures

The NICS undertakes to ensure that this agreement will not be used as an alternative to collective bargaining with NIPSA and agrees to maintain and use existing negotiating procedures and arrangements other than those specified in this agreement.

The NICS and NIPSA agree that any learning needs analysis carried out by ULRs with individual members of staff are intended for learning and developmental purposes. The analysis will not be used in any detrimental way in relation to other issues such as pay, performance appraisal, redundancy, disciplinary procedures etc.

Union structures on learning

The NICS recognises not only the role of the ULR but also that their work takes place within effective and appropriate NIPSA Branch structures.

Changes to the agreement

Any changes to this agreement that are deemed necessary may be made through the normal joint consultative arrangements that exist between the

NICS and NIPSA. This agreement will be reviewed 1 year after it is signed and then at least every 3 years.

A minimum of three months notice will be given for proposed changes to this agreement, unless both parties agree to a lesser notice period. Agreed changes will be implemented within five months of original notification unless both parties agree to an extension.

3. Consultation on learning

NIPSA and the NICS will agree clear arrangements for consultation and negotiation on learning which will involve existing machinery such as Whitley Committees or the creation of a Joint Learning Committee or Forum where parties can discuss learning issues of common concern – for example the planning and promotion of activities for "Learning at Work Day" or access to training courses.

The NICS and NIPSA will use their own methods of evaluating respective learning activities. In addition there may be a need for local steering groups or joint committees to deal with particular projects. These developments will be reported within the CWC structures (i.e. Selection and development sub-Committee).

4. Role of Union Learning Representatives

The NICS recognises the value of ULRs in encouraging and supporting learning and in creating a learning culture within the organisation.

Functions of a union learning representative

The NICS recognises and supports the role and functions of ULRs as:

- analysing learning or training needs
- providing information or 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 ULRs will be required to provide information and statistics to NIPSA on a quarterly basis for the purpose of collating and identifying centrally, learning needs and key themes and trends of ULR work and future

ULR development needs. They will also need to work effectively with the NICS human resource and training functions.

From time to time, ULRs may need to carry out other union functions; in cases where these functions are local, this will normally be a matter for discussion between local management and Local Trade Union Side; in the case of departmental or agency, discussions will be at that level and where there is a corporate impact, discussion will be between central TUS and Corporate Human Resources.

5. Facilities for learning representatives

Time off with pay for union learning representatives

In accordance with the Employment Rights Order 1996 (as amended by the Employment (Northern Ireland) Order 2003) (The Act), the NICS will give reasonable time off with pay to ULRs to perform their role and functions, provided that NIPSA has given notice in writing, through the relevant Departmental Human Resources, that the employee is a ULR and that the training conditions, as set out below will be/have been met.

Any such time off is additional to the Facility Time arrangements for time off with pay for other union duties or other union positions held. Paid time off does not include time that the employee would not otherwise have been at work.

There is no statutory limitation on time spent by ULRs, and if refused reasonable time off, an individual ULR may seek recourse through the agreed procedures or ultimately to an Industrial Tribunal. It is intended that all parties will approach this issue within the spirit of this agreement and in order to avoid the necessity for such action, the NICS and NIPSA agree the following principles for time off for ULRs:

- All employees should have access to the services of a ULR. ULRs should be workplace based, with due regard to staff numbers, staff location and working patterns.
- The number and location of ULRs should be based on maximising accessibility and avoiding the need for staff and/or ULRs to be involved in significant amounts of travel. Precise numbers will reflect the size, location and working arrangements of the employing body and the unions' organisational requirements.
- ULRs work at different levels and the time off they require will reflect their responsibility and the volume of work.

- There may be a minimum time requirement for ULRs to carry out their core ULR duties – such as signposting and administrative work.
- ULRs will require time over and above this for specific projects, activities or events. This will vary from ULR to ULR and will vary over time - e.g. 'Learning at Work' events, liP initiatives etc.

Management of time off for Union Learning Representatives

ULRs will seek to give management as much notice as possible of intended time off on learning activities. To facilitate this, ULRs should consider planning regular activities.

Performance Management for Union Learning Representatives

The activities of the ULR are managed by the union who are responsible for ensuring that:

- The necessary training is provided
- They are properly accredited
- They are using no more than the agreed time available to them
- They are fulfilling their agreed role
- They are maintaining the quality of their performance

The union and the ULR's line manager will ensure that ULR activities and outcomes are reflected within the Performance Management system and in any development planning discussions between the line manager and the ULR.

The NICS line manager retains responsibility for Performance Management and will consult with the nominated union official.

Other facilities

The employer will provide ULRs with the necessary accommodation and equipment/facilities to perform their duties. This will include:

- access to a telephone, desk and PC
- access to internal and external e-mail
- access to the NICS intranet and the internet
- secure filing facilities
- use of a noticeboard

- access to a room for private discussions with staff
- access to such other facilities as may be available to assist the work.

Number of union learning representatives

The number of ULRs will reflect the principle that every member of staff, whether a union member or not, should have access to the services of a ULR.

Appointment of ULRs should be made with due regard to organisational needs and employee numbers.

Therefore larger offices or sites, or staff on various working patterns, may require more ULRs.

Training of union learning representatives

NIPSA will ensure that ULRs are sufficiently trained to qualify for time off in line with the requirements of The Act. Such training must be completed within 6 months of their appointment although this may be extended if there are extenuating circumstances. NIPSA and the ULR will decide what training (in accordance with any statutory requirement) is required and will organise such training. The training programme may include follow-up and continuing development opportunities.

ULRs will be granted reasonable time off with pay to undertake the initial training and relevant follow on training in relation to specific aspects of their role.

NIPSA will give general information about the training to NICS Corporate HR. The ULR should give their manager information about the training and development that they are undertaking as part of being a ULR so that it can be reflected in the PDP.

The need for training will vary with the responsibilities, activities and projects of each ULR, the learning needs of the staff, and the circumstances of the workplace.

Learning Co-ordinators

Support will be given to the development of a network of union learning co-ordinators or learning champions. In larger departments and agencies there will be a more apparent need for such coordination.

The main aspects of the role will be, inter alia, to co-ordinate/support the work of ULRs, liaise with the employer on learning and ensure that the work of the ULRs is in accordance with the wider work of the union as determined by its conference policies and Constitution. These co-ordinators will require paid time off for training and to fulfil these duties and this will be facilitated under the existing Facility Time arrangements

Where these co-ordinators hold the role of ULR they will in addition require time off with pay for these duties in accordance with previous paragraphs. The total amount of time off with pay may be subject to negotiation and in any case should reflect the importance of their role both for NIPSA and the NICS and the volume of work that they undertake.

6. Access to learning for employees

Commitment to lifelong learning

The NICS and NIPSA agree to encourage and support staff to participate in learning, whether provided by the employer, the union, or by other means.

Time off for employees to have access to learning representatives

All staff will be encouraged to participate in learning and development and allowed reasonable time off during working hours to meet with ULRs. This will include time for undertaking a learning needs analysis as well as subsequent meetings for information and advice on learning. This is in addition to any time off with pay granted to staff to undergo training and learning opportunities.

Time off and other support for job related training

The NICS will provide time off and other support for job related training agreed through the Personal Development Plan process. Staff should use the existing process/forum to identify and apply for support for such learning. ULRs may assist staff to identify their learning needs.

Lifelong Learning

The NICS will also provide support for lifelong learning that benefits both the individual and the organisation by providing reasonable facilities, and time off with pay in accordance with other relevant policies such as Assistance to Study – Adult Further Education. ULRs have a key role in helping members identify these learning needs.

Promotional events

Staff will be encouraged and given reasonable paid time off to attend agreed events promoting learning such as 'learning at work day' events and taster learning sessions.

This is in addition to any time off with pay granted to staff to undergo training and learning opportunities.

Learning opportunities

Staff will be encouraged to participate in learning activities - not just training courses. Particular support will be given to ULRs to:

- arrange on-site learning sessions
- set up on-site learning centres (including, where appropriate, access to learndirect through the trade union hub)
- arrange on-site essential skills screening and assessment and, where appropriate, on-site learning opportunities.

The employer will provide appropriate resources (venues, access to computers and the internet etc.) to support the agreed activities.

Where activities are agreed between the NICS and NIPSA, the employer will provide appropriate resources (venues, access to computers and the internet, etc) to support these.

Learning priorities

NIPSA may, from time to time, agree with the employer to give particular emphasis to specific areas of learning and to provide support for staff such as literacy, numeracy, ICT skills and IIP.

7. Fair and appropriate access

The NICS and NIPSA will ensure that learning and development is provided to all employees.

The NICS will work to tackle barriers and ensure that all staff can access learning which meets their needs and the needs of the organisation. The NICS will work with NIPSA to help identify and address barriers to fair access to learning including accessible learning materials and flexible methods of delivery.

Although participation in learning by employees will usually be on a voluntary basis, NIPSA and the NICS recognise and agree that some learning will be mandatory. Both parties will encourage staff to fully participate in all learning initiatives and opportunities