**LNCT**

Aberdeenshire Local Negotiating Committee for Teachers

Date: Aug. 2021

**LNCT/21/30**

**Partnership Learning Agreement**

This agreement has been subject to review in 2021 by the LNCT Joint Secretaries and HR as part of a review of current Aberdeenshire LNCT Agreements.

**LNCT Joint Secretaries**

Margaret Mackay (Education & Children’s Services) Margaret.MacKay@aberdeenshire.gov.uk

David Smith (LNCT Teachers’ Panel)

David.A.Smith@aberdeenshire.gov.uk aberdeenshire@eis.org.uk

**Aberdeenshire LNCT**

**Partnership Learning Agreement**

1. **Background and Introduction**

The Scottish Government is supportive of a lifelong learning policy for Scotland based on the principles of personal fulfilment and enterprise, employability and adaptability, active citizenship, and social inclusion. This promotes a culture in which education and training are available and accessible for everyone, with learning including a broader sense of gaining skills to develop the confidence to progress and participate in work and the wider community.

This initiative aims to encourage demand for learning from within the workplace itself and particularly aims to reach and engage with non-traditional learners who may have been away from education for a long time or who have had learning experiences or who lack the confidence to take up learning opportunities.

Aberdeenshire Council supports these principles and is committed to supporting them, and the aims of the Council, through the development of the skills and knowledge of its employees to ensure the continued delivery of high-quality services to the people of Aberdeenshire. This is in line with Aberdeenshire’s policy which sets out their aims, strategy and procedures for employee development and training. It also sits well with the principles around “One Aberdeenshire”.

The Employment Act 2002 extends the rights and recognition of Trade Union Representatives and Stewards to include Union appointed Learning Representatives and Learning Advisers. These rights include:

* Reasonable time off with pay to train for the role
* Reasonable time off with pay to perform their functions

The ACAS Code of Practice on time off for Trade Union duties and activities recognised the following activities as qualifying functions:

* Analysing learning or training needs
* Providing information and advice about learning or training matters
* Arranging learning or training
* Promoting the value of learning or training
* Consulting the employer about carrying on such activities
* Preparation to carry out any of the above activities
* Undergoing relevant training

The aims of both Aberdeenshire Council and Trade Union Learning Representatives are therefore compatible and will be realised when all parties communicate, co-operate, and share ideas, information, and resources. Both parties are committed to the implementation of this agreement and will work together to ensure its success.

1. **Purpose**

This agreement sets out to:

* Identify the roles of Learning Representatives within Education & Children’s Services
* Emphasise the continued importance for collegiate working
* Reiterate the roles of line managers and outline the linkages to existing processes and schemes for example the Professional Update Scheme/Employment Development and Review Scheme
* Clarify the relationship between the employer and Trade Union Learning Representatives and Advisers
* Set out arrangements for managing and maintaining relationships
* Prevent duplication of effort, confusion, or conflict

Aberdeenshire Council believes that having a clear workplace agreement will encourage:

* Dialogue between union and employer over learning matters
* A sharing of resources and expertise in the arena of learning
* Employees to feel confident in the learning opportunities they can access
* Line Managers to be clear about their roles
* Learning Representatives to work in partnership with the employer
1. **Principles**

In participating in this agreement, we commit to the following principles:

* Lifelong learning benefits our employees by providing the skills and confidence to progress and participate at the workplace and in the wider society
* We as an employer will encourage and enable our employees to learn and develop
* Line Managers and Trade Union colleagues will assist us in this
* Access to learning opportunities will be available on an equal basis to all our employees
* Equality of access to and support for learning opportunities will be subject to the conditions and guidelines as laid out in the Aberdeenshire Council Employee Development and Training Policy
* All our employees will be encouraged to have ownership of their own learning and development
* Participation by employees in any learning or educational initiative will be encouraged but will not normally be mandatory unless stated as such (Professional Update)
* The partners agree that all individual disputes or grievances arising from any learning or educational initiative shall be pursued through the existing grievance procedures
* The employer undertakes that this agreement will not be used as an alternative to collective bargaining with the Unions and agrees to maintain and use existing negotiating procedures and arrangements

It is recognised that Trade Union Learning Representatives will work both within this agreement and within their Trade Union’s protocol or standard

1. **The Role of Learning Representatives**

The role of the Lifelong Learning Representative will be flexible in order to support the learning needs of Aberdeenshire teaching workforce and in doing so will work with appropriate Council personnel to undertake the following:

* Raise awareness of and provide information on learning opportunities to members of the workforce
* Provide advice, support, and encouragement to learners within the workforce
* Raise awareness of education issues within the Union in line with members’ interests
* Participate in discussions between Union and the Employer on workplace learning issues
* Liaise with learning providers where appropriate
1. **The Rights of Learning Representatives**

Aberdeenshire Council agrees to support the recruitment and training of Learning Representatives through allowing agreed time off to attend training under the time off for Trade Union Business policy.

Aberdeenshire Council will, in partnership with Union Officers, promote the role of Lifelong Learning Representatives via a variety of appropriate means.

Aberdeenshire Council will, following appropriate agreement with line managers, authorise reasonable time off for Learning Representatives to fulfil their duties including time off for meetings between Learning Representatives and employees.

1. **The Responsibilities of the Trade Unions**

Trade Unions will give the Council, via the Learning and Development Manager, notice in writing of the names of appointed Learning Representatives.

Trade Unions will promote awareness of the role of the Lifelong Learning Representatives and Advisers within the Union. They will also facilitate the recruitment and subsequent training of Representatives and Advisers within the Union.

Trade Unions will support Learning Representatives in terms of ensuring access to appropriate resources to carry out tasks.

The Union will facilitate subsequent training, requiring reasonable time off, with pay, in agreement with the employer.

Once appointed and established, Learning Representatives will meet on a regular basis for support and updating on information, police developments, etc. The Union nationally will facilitate these meetings.

1. **The Responsibilities of the Employer**

Aberdeenshire Council will ensure line managers are aware of the learning agreement and will support those managers in facilitating reasonable time off to enable the Learning Representatives to fulfil their duties including attendance at training opportunities to support this work.

Aberdeenshire Council will allow Learning Representatives to use workplace facilities to support their role where possible. Access will be facilitated to use appropriate electronic resources including access to other facilities at the workplace in line with other elected Union Representatives.

Aberdeenshire Council will provide supplementary training for recognised Learning Representatives to ensure familiarity with existing Council policies and procedures in relation to development and learning as well as to establish close and effective working relationships.

1. **The Roles of Line Managers and Linkages to Existing Process and Schemes**

The role of Learning Representatives supplements and complements the normal line management responsibility in relation to developing employees. The first port of call for most employees in relation to their development and training will remain their line manager.

Aberdeenshire Council has several existing processes and mechanisms in place related to employee development. These include the Professional Update and Review, and Employee Annual Review Schemes. ALDO is another appropriate source of employee development to consider. It is recognised that the work of the Learning Representatives will work within these to support the promotion of learning.

Also, in line with the Council’s Employee Development Policy, it will be the role of line managers to authorise time off for Learning Representatives to fulfil their duties.

1. **Monitoring of the Learning Agreement**

The effectiveness of the Agreement will be monitored through existing mechanisms and include an annual review of progress, successes, challenges, and emerging issues.

LNCT will monitor implementation of the Agreement.

Nothing in this Agreement will take away or detract from the rights of Learning Representatives under the Employment Act 2002 and the ACAS Code of Practice. Nor does agreement prevent the Union from seeking remedy for any breach either of the Act of the Code of Practice.

**Review**

This agreement was reviewed in July 2021 and should be subject to further regular review as required going forward.

**A Partnership Agreement between:**

Aberdeenshire Council (Employer) and (Union)

Branch Employer Signatory