



Request

Since the 2022 financial year how many cases of misconduct have there been by trade union reps?

What is your policy in dealing with misconduct by trade union reps?

Is the data you are supplying for all misconduct cases or those which are formerly recorded?

Response

We have no cases of misconduct that have been investigated formally in relation to elected trade union representatives since the 2022 financial year.

The process for dealing with misconduct by trade union representatives is detailed within the Council's facilities time agreement which states that:

Managers/School Leaders are required to discuss any low level concerns about a union representative's behaviour and/or attitude in connection with them carrying out their union duties and activities with the Assistant Director of HR & OD Services.

It may be possible to resolve any such concerns by informal discussion between the relevant branch local representative and HR & OD Services or mediation between the union representative and the manager.

In any case, HR & OD Services will make the branch local representative aware of any minor concerns raised and any proposal to address them.

If the issue cannot be resolved, or is more serious, HR & OD Services will raise it with the relevant branch local representative or regional office as appropriate. Formal complaints concerning a union representative's conduct will be referred in writing to the Assistant Director of HR & OD Services and copied to the relevant branch local representative or regional office as appropriate. The complaint will be dealt with under the appropriate trade union's complaints procedure. An investigation into the alleged inappropriate conduct may be undertaken. If disciplinary action is contemplated the case will be discussed with the regional office of the trade union.

The information provided in relation to the number of cases relates only to those recorded i.e. if there was a minor case of misconduct that did not require any investigation in accordance with the disciplinary procedure, and which was resolved informally, this would not be recorded as a case.