

Facilities Time

Securing reasonable time off for your rep duties



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1. Understanding your rights as a rep

Facilities time is vital to protecting and furthering the interests of our members, the wider nursing workforce, and patients.

RCN representatives have a legal right to:

- reasonable paid time off for union duties and training
- reasonable facilities and accommodation, where requested.

This is not a favour or discretionary. It is a statutory obligation on the employer which is set out in the Trade Union and Labour Relations (Consolidation) Act 1992 – often shortened to TULRCA.

The Employment Rights Act 2025 means that the burden is now on the employer. If an employer rejects your facilities time request saying it is unreasonable, they must prove why.

The RCN recommends that hours spent on union duties and training should be backfilled whenever possible. Funding for this should be from central budgets.

2. What does ‘reasonable’ mean?

Because there is no amount of time set out in law, the time you need to request will depend on the nature of your role and duties and the time you estimate it takes to complete them, including preparation. It will also depend on what is set out in any recognition or facilities agreement with your employer (see section 5). Ask for a copy from either your RCN officer or your employer’s HR department.

The time off granted must demonstrate a release or reduction of work and not mask a condensing of work into the rest of that rep’s working time. This means that getting the right amount of time, at the time you need it, needs a practical and persuasive conversation with your line manager. But remember, the conversation is about how facility time will be provided, not whether it should be.

3. The rights of health and safety representatives

Health and safety representatives have more protected legal rights to time off, which is set out in the Safety Representatives and Safety Committees Regulations 1977/ Safety Representatives and Safety Committee Regulations (Northern Ireland) 1979.

Where there is no formal recognition of reps, the Health and Safety (Consultation with Employees) Regulations 1996 applies.

Rather than ‘reasonable’, the amount of time needed to do the job of a health and safety representative is described as ‘as shall be necessary’.

While forward planning is desirable, there will be occasions where health and safety representatives need immediate release to investigate accidents, dangerous occurrences, serious concerns raised by employees, or imminent risks to health and safety. In these circumstances release should not be unreasonably delayed.

For much of your work, you will have sufficient notice and can use the guidance below to help you to negotiate your time off, but make sure that your manager understands your enhanced rights.

4. Negotiating time off

Understanding your manager's perspective

Let's step into your manager's shoes for a while. They are balancing:

- safe staffing and patient care: 'If I release you, how do I safely cover the shift?'
- fairness across the team: 'If I say yes here, what happens next time?'

Managers are more likely to agree when they see that facility time:

- reduces risk, rather than creates it
- supports safe patient care
- prevents bigger problems later.

One-off requests v planned part of service delivery

Never shrink your needs down to something that you feel will cause the least amount of disruption. While this might feel more manageable in the moment, setting up structured facilities time is by far the least disruptive way of managing your time off.

There may be times when you need to ask for time off at short notice, but we want to move the conversation from 'asking for time' to establishing your rep role as a something that is built in to how your team operates.

There is no single "right way" to organise facilities time. However, there are some key principles that can help you have effective conversations with your manager and secure the time you need to fulfil your role.

Treat facilities time as a right, not a favour

It can feel uncomfortable to ask for time away from your clinical role, particularly when a team is under pressure. However, facilities time is a legal entitlement, not something granted at discretion and proper union representation is vital to a well functioning working environment.

In practice:

- be clear and direct about what you need
- avoid minimising your request
- use confident, professional language.

For example:

Rather than: 'Would it be possible to have some time?'

Say: 'I need time to carry out my union duties.'

Be specific and purposeful in your requests

Managers are more likely to agree when they understand:

- what the time is for
- why it matters
- when it is needed.



In practice:

- give clear details (time, duration, purpose)
- include preparation and follow-up time where needed
- avoid vague or open-ended requests
- follow up verbal requests in writing so both of you have a written record of what was discussed and agreed.

This helps your manager plan effectively and demonstrates that your role is structured and professional.

Link your role to service delivery and patient care

Facilities time should not be seen as separate from the core work of the organisation. Your role contributes to:

- earlier resolution of workplace issues
- improved staff wellbeing
- reduced escalation and risk
- safer patient care.

In practice:

- explain the impact of your work
- use examples where possible
- frame your role as supporting the service, not disrupting it.

Move conversations towards planning, not just reacting

Many requests for facilities time happen at short notice. While this is sometimes unavoidable, relying only on reactive requests can make your role feel disruptive.

In practice:

- give as much notice as possible
- highlight recurring or predictable aspects of your workload
- open conversations about how time could be planned in advance.

For example: 'I've got a number of regular commitments as a rep, could we look at how to manage this more predictably?'

Aim for consistency and structure

The most effective arrangements are those that move away from repeated one-off requests and towards a more agreed, consistent approach.

This might include:

- regular protected time
- agreed processes for additional time when needed
- your role being factored into team or service planning.

In practice:

- revisit conversations about how your time is organised
- build on what is already working
- involve HR or refer to local agreements where helpful.

Make your work visible

Managers may not always see the outcomes of your role unless you make them visible.

In practice:

- share examples of issues resolved or prevented
- highlight positive outcomes for staff and patients
- keep a simple record of your activity and impact.

This helps reinforce the value of facilities time and supports ongoing agreement.

Keep the conversation moving forward

Wherever you are starting from, the aim is to develop arrangements that are:

- workable for your team
- sustainable for you
- consistent over time.

A helpful way to frame this is shifting from 'I ask for time when something comes up' to 'Facilities time is a planned and recognised part of how my team operates.'

5. Tools to support your facilities time

1. RCN Facilities Time Policy Statement

The policy, which can be found on the Reps' Hub, sets out:

- the RCN's position on facilities time
- recommendations on accessing and managing facilities time, including:
 - the actions RCN as an organisation will take to ensure representatives have facilities time
 - the actions RCN representatives are responsible for taking to secure facilities time.

2. Letter to HR

The RCN writes to all employers when a rep is accredited stating their name, role and right to paid time off for union duties. You will have received a copy when you were accredited but can always request a copy if you need it.

3. Local policies and agreements

Recognition agreements are found in unionised workplaces and set out the relationship between the employer and all the trade unions that the employer recognises. These workplaces are known as 'unionised workplaces'.

As well as a recognition agreement, unionised workplaces will have a policy that will determine what 'facilities' (such as time off, office equipment etc) that the employer will provide the accredited trade union rep.

These may be set out in the recognition agreement or a separate facilities agreement. This will be an overarching document that does not go into specifics but is useful if you need to hold your employer to account.

Not all employers recognise trade unions. In non-unionised workplaces there may be other types of agreement, such as a learning agreement or staff committee that enables discussion of issues that affect everyone with management.

4. Leaflet for your line manager

There is a companion booklet specifically for line managers to guide them through the process. It covers much of the same principles but speaks to their perspective and the steps they should take to backfill.

5. Rep availability agreement

You may want to record the agreed arrangements in our template document. This records the agreed arrangements between you and your line manager and has space for review. This can be useful in the event of new incoming line managers as a way of evidencing that the arrangements are workable.

6. How to manage refusals

Get it in writing

Follow up all your requests with a written note, documenting the discussion and reasons for refusal. If your requests are repeatedly refused, write formally to your line manager expressing your hope to agree release arrangements. Send a copy to your supervising officer.

Remind them of their legal requirements and your local facilities agreements. Signpost them to HR for them to get support for release and information on backfill arrangements. Insist on a written response within a reasonable time frame.

Peer support

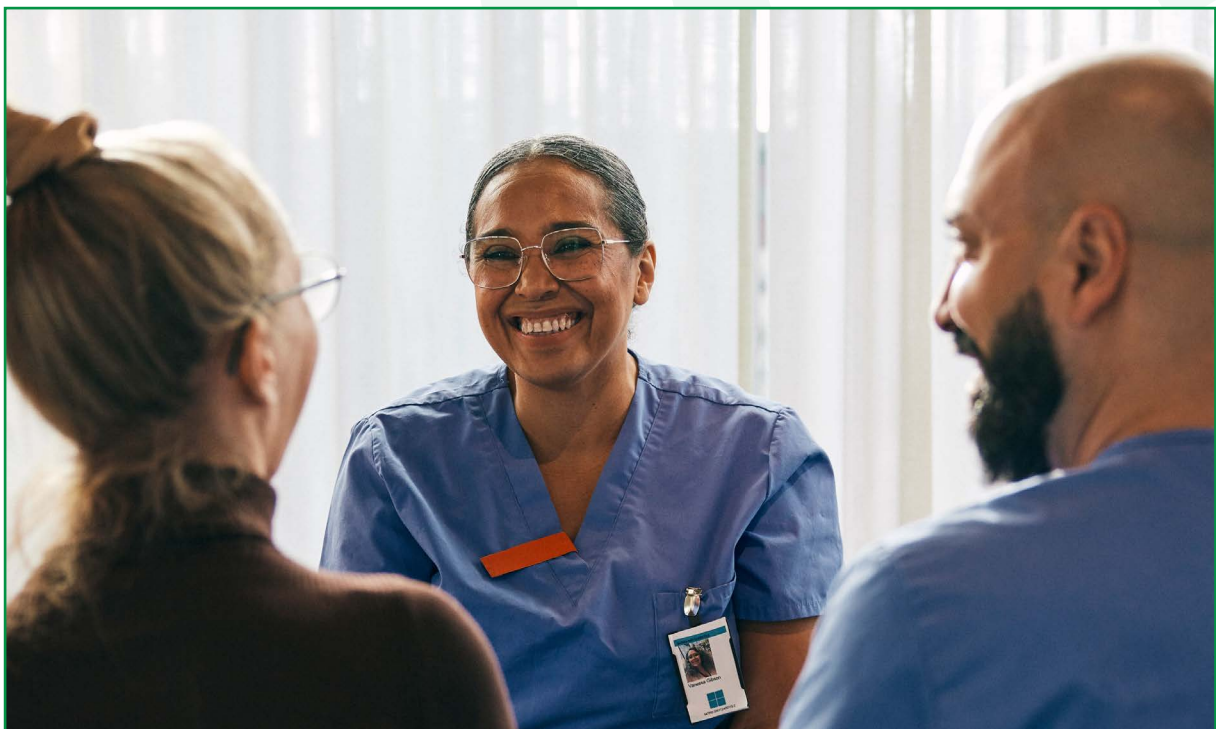
Other reps are great for practical advice and examples of what has worked well:

- reach out to other reps in your workplace
- post on the Activism App to tap into a 'hive mind'
- contact your branch and attend a local meeting
- speak to your UK committee member.

Contact your RCN Supervising Officer

Your RCN supervising officer will be able to support you. Pass them all relevant correspondence and a timeline of events.

Your officer will work with you to consider the best strategy for securing reasonable release. This may be through a partnership forum or staff side mechanism, or it may be through more direct negotiations.





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