

Facilities Time for RCN Representatives

A guide for line managers



Contents

1. What is facilities time?	3
2. What is 'reasonable' time off?	3
3. Health and safety reps	3
4. How do I accommodate this in my team?	4
Backfill	4
Moving from ad hoc requests to planned service delivery	4
Recognise facilities time as part of service delivery	4
Encourage open conversations about time requirements	5
Plan ahead where possible	5
Managing challenges and refusals	6
Practical tools to support you	6
Rep role descriptors	7



1. What is facilities time?

Facilities time is the paid time off that accredited trade union representatives (reps) are legally entitled to to carry out their union duties and the training required to fulfil the role. Reps who are taking facilities time are not stepping away from nursing, they are protecting and supporting the nursing workforce and maintaining high-quality patient care.

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 a manager rejects a rep's facilities time request saying it's unreasonable, they must prove why. RCN is committed to supporting all of its representatives who are denied Facilities Time.

2. What is 'reasonable' time off?

There is no fixed allowance in law. What is reasonable will depend on:

- the rep's role and responsibilities
- the size and complexity of the service
- the nature and volume of casework, staff side activity, health and safety duties or learning rep duties.

Facilities time should result in a genuine reduction or release from duties, not an expectation to "fit it in" alongside normal workload.

3. Health and safety reps

Health and safety reps have more protected legal rights to time off than other rep types, the legislation describes the time needed as 'as shall be necessary' which reflects the safety critical aspect of the duties that they carry out. (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.

Trade union safety representatives have statutory functions including:

- carrying out workplace inspections
- investigating potential hazards
- investigating accidents and dangerous occurrences
- examining causes of incidents
- representing employees in consultations with employers and inspectors
- receiving health and safety information and attending safety committee meetings.

Time off should be provided to undertake these functions as necessary.

Workplace inspections

Health and safety reps have the right to undertake workplace inspections in accordance with the SRSC Regulations. Employers should facilitate access to workplaces, information and appropriate release to undertake inspections.

4. How do I accommodate this in my team?

It is important to understand that your role as a manager is not to decide whether time is given, but how it is managed safely and effectively.

You are balancing:

- safe staffing and patient care
- fairness across the team
- operational pressures and limited resources.

Supporting facilities time can feel challenging, but when it works well it:

- reduces escalation of issues
- supports early resolution of concerns
- improves staff wellbeing and retention
- contributes to safer patient care.

Well-supported reps are part of a preventative approach, not an additional burden.

Backfill

Hours spent on union duties and training should be backfilled whenever possible and funding for this should be from central budgets. This should be set out locally in a facilities agreement.

If there is no central budget for this, you are still legally required to accommodate a request for reasonable time off, but you may need to work with your budget holder to flag the additional cost and action needed to absorb it.

Moving from ad hoc requests to planned service delivery

The least disruptive approach to managing requests for facilities time is to develop planned arrangements that reflect the representative's ongoing role and are built into the way your team operates.

There is no single model that will work for every team. However, the following principles can help managers support facilities time effectively.

Recognise facilities time as part of service delivery

Representatives have a legal entitlement to reasonable paid time off to carry out their duties. Your role as a manager is to determine how that time can be accommodated safely and effectively, not whether it should be provided.

A well-supported representative can contribute to:

- early resolution of workplace concerns
- improved staff wellbeing and retention
- stronger communication between staff and management
- safer patient care through the identification and resolution of risks.

Encourage open conversations about time requirements

Representatives are often balancing competing pressures and may not always feel comfortable asking for the time they need.

In practice:

- create opportunities to discuss facilities time regularly
- encourage representatives to be open about anticipated commitments
- focus on understanding the nature and volume of their role
- avoid creating an expectation that they should undertake union work in their own time.

Plan ahead where possible

Some union activity will arise unexpectedly. However, much of a representative's work can be anticipated and planned for.

In practice:

- discuss recurring duties, meetings, training and casework patterns
- consider whether regular protected time would reduce disruption
- factor representative commitments into workforce and roster planning
- engage HR early where backfill arrangements may be needed.

The most sustainable arrangements are those that reduce reliance on repeated one-off requests. This might include:

- agreed protected time each week or month
- clear processes for requesting additional release when required
- documented arrangements that can be reviewed regularly
- shared expectations between the representative, manager and HR.

Keep moving the conversation forward

The aim is to develop arrangements that are:

- safe for patients
- workable for the team
- sustainable for the representative
- consistent over time.

Managing challenges and refusals

There may be occasions where you cannot immediately agree to a request due to:

- patient safety concerns
- staffing levels
- timing issues.

In these situations:

- be transparent; clearly explain the reason for any delay or refusal. Focus on the timing, not the principle.
- offer alternatives; suggest different times. Work toward a planned solution.
- document decisions; keep a clear record of discussions and outcomes.

Note that repeated refusals of requests are likely to be seen as infringing a Rep's legal right to time for their duties.

Where you find yourself repeatedly refusing requests, this is likely to be in breach of The Employment Rights Act 2025 and you will need to prove why it is unreasonable.

Health and safety reps

In relation to serious or imminent danger, investigating concerns or accidents: any refusal or delay of facilities time should be exceptional, objectively justified and documented. Alternative arrangements should be agreed wherever possible.

Practical tools to support you

- **Local policies and agreements** – You will have a local policy and/or agreement which sets out expectations and commitments in relation to facilities time. Look on your intranet or ask HR for an up-to-date document.
- **Rep role descriptor** – Outlines the role and duties your rep will be undertaking.
- **Rep availability agreement** – We've developed an RCN template to act as a working document to help you capture facilities arrangements and ways of working.
- **HR support** – HR can advise on backfill, workforce planning, and consistent application across teams.

Facilities time is:

- a legal entitlement
- a shared responsibility
- a key part of supporting nursing and quality patient care.

By supporting reps to access facilities time, you are helping to build a stronger workplace and profession.

RCN Stewards

Role descriptor

When members face difficult employment issues, RCN stewards ensure that they feel empowered to speak up and engage in formal processes. Stewards also represent them when needed.

RCN stewards build strong relationships in their workplace to identify individual and collective issues and engage with employers to advocate for needed changes being made and fair processes being followed.

UK trade union stewards have legal protections, including protection from unfair dismissal for trade union activities and the right to paid time off for union duties and training. These rights are outlined in UK law, detailed under the Trade Union and Labour Relations (Consolidation) Acts 1992.

As an RCN steward, your role may include the duties below.

Engaging members

- Ensure you make regular visits across your workplace to meet members, including student members, and identify issues which may need raising with management.
- Take part in orientations for new starters, including for students.

Tackling issues

- Undertake casework and/or other representation of members (whether individual, group, or collective) on issues such as grievances, disciplinarys, conduct or capability, sickness absence and return to work, flexible working requests, and job evaluation, in line with the needs of your workplace.
- Work with RCN health and safety reps and RCN learning reps on cases where relevant.

Creating long-term change and improvements at work

- Represent and negotiate for members and the workforce on staff side and in partnership forums (eg, Joint Consultative Negotiating Committee, Health and Safety Committee, Learning and Development Committee, etc.)
- Communicate national RCN campaigns to members and co-ordinate activities where relevant.
- Run local and workplace specific campaigns and activities to win positive change for members where needed.

Ensuring an equal and fair workplace and profession

- Represent members facing discrimination and unfair treatment.
- Campaign for inclusive policies and cultures.
- Monitor any disparities in pay, conditions and treatment between employees from different backgrounds and communities, and advocate for these to be acted upon.
- Ensure RCN meetings and communications reflect the diversity of the workforce.
- Promote allyship and challenge exclusionary behaviours in the workplace and RCN spaces.
- Engage with staff EDI networks and/or leads, self-organised groups and RCN networks.
- Ensure RCN reps and members are supported and encouraged to contribute to workplace EDI initiatives and policies.

Co-ordinating RCN presence in the workplace

- Hold regular meetings with fellow reps to coordinate efforts and ensure all members in your workplace are kept updated on RCN activity.
- Serve as a contact point for RCN activists such as student ambassadors and voting volunteers.
- Ensure your RCN contact details and availability are clear to all members.
- Keep noticeboards and intranet updated with RCN materials and meeting info.
- Recruit and support new reps and members, including student members.

Engaging with the RCN

- Attend and update branch meetings and AGMs when possible.
- Work with RCN officers and your region to share workplace insights.
- Participate in support and supervision with your RCN officer.
- Maintain and develop your rep skills through ongoing learning and development.
- Record rep activities on the RCN system provided.

Please note that members who are stewards, health and safety reps or learning reps, and who hold principal governance committee roles within the RCN, may be unable to carry out the full remit of the role due to their additional governance responsibilities.

Additionally, to be clear, representatives elected into principal governance roles such as the RCN Trade Union Committee, RCN Professional Nursing Committee or RCN Council should not be placed on hold where they are fulfilling their national governance duties and responsibilities.

RCN Health and Safety Reps

Role descriptor

RCN health and safety reps understand and champion safe working practices and environments, for both mental and physical wellbeing. They do this by building strong relationships in their workplace to identify health, safety and wellbeing issues, and by actively engaging with their employer to enact changes needed.

RCN health and safety reps have specific rights under The Safety Representatives and Safety Committees Regulations 1977 and the Health and Safety (Consultation with Employees) Regulations 1996. These entitle them to time off to carry out their duties, and access to workplaces and information to enable them to do so.

As a health and safety rep, your role may include the duties below.

Engaging members

- Regularly visit members and colleagues in your workplace to identify their health and safety concerns.
- Carry out regular workplace inspections to identify health and safety risks.
- Link in with student ambassadors and other student representatives to check the employer is ensuring the health, safety and wellbeing of students on placement.

Tackling issues

- Investigate potential health and safety hazards and examine the causes of accidents in the workplace.
- Investigate member concerns relating to health, safety or welfare at work.
- Raise health and safety concerns and issues with your employer and advocate for these to be acted upon.
- Act as the RCN point of contact with your employer during consultations relating to health and safety, and advocate for them to meet their legal duty to consult with their workforce on health and safety issues.
- Carry out or take part in relevant casework, such as cases around workplace stress or injury, working conditions or reasonable adjustments.

Creating long-term change and improvements at work

- Represent and negotiate for members and the workforce on staff side and in partnership forums (eg, Joint Consultative Negotiating Committee, Health and Safety Committee, Learning and Development Committee, etc.)

- Communicate national RCN campaigns to members and co-ordinate activities where relevant.
- Run local and workplace specific campaigns and activities to create health and safety improvements where needed.

Ensuring an equal and fair workplace and profession

- Review and challenge workplace policies and impact assessments to ensure they are inclusive and non-discriminatory.
- Ensure your workplace inspections are inclusive and unbiased.
- Monitor any disparities in health, safety and wellbeing between employees from different backgrounds and communities and advocate for these to be acted upon.
- Ensure RCN meetings and communications reflect the diversity of the workforce.
- Promote allyship and challenge exclusionary behaviors in the workplace and in RCN spaces.
- Engage with staff EDI networks and/or leads, self-organised groups and RCN networks.
- Ensure RCN reps and members are supported and encouraged to contribute to workplace EDI initiatives and policies.

Co-ordinating RCN presence in the workplace

- Hold regular meetings with fellow reps to co-ordinate efforts and ensure all members in your workplace are kept updated on RCN activity.
- Serve as a contact point for RCN activists such as student ambassadors and voting volunteers.
- Make sure your RCN contact details and availability are clear to all members.
- Keep noticeboards and intranet updated with RCN materials and meeting information.
- Recruit and support new reps and members, including student members.

Engaging with the RCN

- Attend branch meetings and AGMs when possible.
- Work with RCN officers and your region to share workplace insights.
- Participate in support and supervision with your RCN officer.
- Maintain and develop your rep skills through ongoing learning and development.
- Record rep activities on the RCN system provided.

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RCN Learning Reps

Role descriptor

Learning reps ensure that members have fair access to the learning and training they need to do their jobs well and progress in the profession. They bargain for skills. Where a member needs and wants, learning reps help them access support and resources and challenge barriers that might be getting in their way.

They do this by building strong relationships in their workplace to identify needs and wants and working to ensure these are met. This may be signposting to existing resources, organising training with RCN support, or working to ensure the employer provides education and is meeting their contractual obligations regarding training.

As union representatives, RCN learning reps have the right to time off to do their duties, detailed under the Trade Union and Labour Relations (Consolidation) Acts 1992.

As an RCN learning rep, your role may include the duties below.

Engaging members

- Carry out regular visits to your workplace area to meet members and colleagues, and identify learning and development needs.
- Take part in orientations for new starters, including students.
- Be an RCN point of contact for your employer's learning and development staff.

Tackling issues

- Carry out or take part in casework relating to access to training and learning, including capability assessments and supported improvement plans.
- Co-ordinate and support the delivery of learning events which meet member needs, with the local RCN region or country.
- Monitor and advocate to make sure that employers fulfil contractual obligations regarding training and development requirements.
- Support members and their colleagues in appraisal preparation.
- Support members and their colleagues in revalidation preparation.
- Direct members to learning and development resources.
- Connect students with experienced staff or peer mentors where needed, to ease transition into clinical practice.
- Advocate for protected time and reasonable workload to allow for supervision.

Creating long-term change and improvements at work

- Advocate for learning needs to be incorporated into discussions about organisational change, policy development and workplace culture on staff representation and negotiation groups.
- Engage with education and other relevant teams in your organisation to inform their strategy development.
- Represent and negotiate for the collective interests of members and the workforce on staff side and in partnership forums (eg, Joint Consultative Negotiating Committee, Health and Safety Committee, Learning and Development Committee).
- Communicate national RCN campaigns to members and co-ordinating activities where relevant.
- Run local and workplace specific campaigns and activities to improve learning and development policies and practices, where needed.

Ensuring an equal and fair workplace and profession

- Promote equitable access to learning and monitor any disparities in this.
- Challenge workplace culture and policy to ensure learning is equitable regardless of any protected characteristic.
- Campaign for inclusive policies and cultures.
- Ensure RCN meetings and communications reflect the diversity of the workforce.
- Promote allyship and challenge exclusionary behaviours in RCN spaces.
- Engage with staff EDI networks and/or leads, self-organised groups and RCN networks.
- Ensure RCN reps and members are supported and encouraged to contribute to workplace EDI initiatives and policies.

Co-ordinating RCN presence in the workplace

- Hold regular meetings with fellow reps to co-ordinate efforts and ensure all members in your workplace are kept updated on RCN activity.
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Engaging with the RCN

- Attend and update branch meetings and AGMs.
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