



**Unite Response to the
Scottish Government Consultation on the
Right to Request Time to Train for Employees in
Scotland**

This response is submitted by Unite. Unite represents around 200,000 working people and their families throughout Scotland. We are the UK's largest trade union with 2 million members in a range of industries including transport, energy, construction, financial services, manufacturing, print and media, the voluntary and not-for-profit sectors, local government and the NHS.

Executive Summary

- **Unite welcomes the proposals laid out in the Consultation Paper but is disappointed that it does not go further and provide paid time off for training;**
- **Evidence suggests a gap in the amount of training being undertaken by employees;**
- **There should be no exemptions to who can receive training irrespective of the size of the organisation;**
- **There should be close monitoring of the reasons given for refusal to train;**
- **The role of the Union Learning Representative should be recognised as a key facilitator in the promotion of learning in the workplace;**
- **The rights afforded to Union Learning Representatives should also be extended to Union Equality Representatives;**
- **Unite remains convinced that further progress would be possible if skills and training formed part of the collective bargaining agenda; and**
- **A stable funding programme is essential to the effective delivery of trade union workplace learning which in turn benefits the employee, employer and the wider economy by facilitating more competitive, productive and skilled workplaces.**

Introduction

1. As an organisation which has long campaigned around the issue of workplace training, Unite very much welcomes the proposals laid out in the Consultation Paper in encouraging a learning culture in the workplace. However we are disappointed that it does not go further and provide for paid time off for training.
2. Skills and the training agenda are a core trade union activity and through working together with employers and government, Unite believes that a fundamental change in the learning environment in the workplace is possible.
3. Unite remains convinced however, that further improvement towards achieving the high performing workplaces required to compete in the global economy would be progressed more speedily, if skills and training formed part of the collective agreement. This would involve trade unions negotiating on behalf of employees on personal and professional development. Unite will continue to lobby the UK government on this issue.
4. We also believe that as a key component of achieving high performing and motivated workplaces the outstanding issue of inequality at work must be addressed. Although not the primary focus of this consultation, Unite believes that there should be parity of rights enjoyed by all union representatives involved in the workplace learning agenda i.e. statutory rights which cover Union Learning Representatives should also be extended to the role of Union Equality Representatives.
5. In addition, it is vital that the future of Trade Union Learning in Scotland is underpinned by a stable funding structure. This is particularly crucial in the case of European Social Funding - a key funding stream for union learning - which ends in 2013 and the likelihood of reduced financial support for Scotland in light of EU expansion is high.

Right to Training

6. The success of the right to request flexible working highlighted the need for cooperation and a change in attitudes and behaviours on the part of employers towards different approaches to working. The proposals laid out in the Consultation Paper which give employees in Scotland the right to request time to train will require further support from employers which should create not only a more skilled workforce but also a more productive workforce.

Paid time off for training

7. Unite is disappointed that the proposals do not compel employers to pay for training and while it is anticipated that the present levels of

investment in training by employers will continue, long term sustainability is not guaranteed particularly given the present economic climate in the UK.

8. Unite would therefore wish to see the proposals extended to include the right for paid time off for training. Unite also remains committed to the introduction of a statutory training levy introduced by government for all employers who do not provide a skills and training development programme for workers.

Training - who gets it?

9. The 2006 Skills Survey and subsequent research carried out by Futureskills Scotland,¹ highlights the importance of training to both employees and employers. Improvements in performance are evident with 86% of respondents stating that training had helped them improve their working practices and 93% reported an improvement in skills. However disappointingly, the research shows that more than one third of employees in Scotland received no training at all in the previous year.
10. The research further shows that training is more likely to be instigated by employers (68.3%) rather than employees asking for training (35.3%). This pattern is similar among both men and women.
11. Training is also more likely among those lower down the occupational hierarchy when employers instigate the training. 52.3% of those identified as 'professional' employees had received training as a result of their own request, while this was the case for just 9.4% of 'operatives'.
12. It is therefore clear that a huge proportion of the Scottish workforce is not receiving any training and that those most likely to benefit both practically and financially from training and improved skills are those least likely to ask for it.

To train or not to train

13. The National Employers Skills Survey 2007 (NESS) identified that the most common reason given by employers for not providing training is that their staff are 'fully proficient'². However this same survey also shows that a skills gap exists across all occupations due to a lack of skills and experience. A lack of staff motivation (28%), failure to train and develop staff (20%), and the failure of staff to keep up with change (19%) were all common causes of skills gaps.³

¹ Futureskills Scotland: Skills at work in Scotland 1997-2006 (February 2008)

² National Employers Skills Survey 2007 page 25 para 113

³ NESS 2007 (ibid) page 12 para 54

14. The right to request training should include a range of training opportunities. The range should be broad and should provide not only for basic skills but also for up-skilling, changing career direction and for both vocational and non vocational training.
15. Opportunities for training must be available to all employees. Unite believes that there should be no exemptions to who can receive training, whether in a small company of 2 or 3 employees or a large organisation employing many hundreds.
16. Unite also believes there should be no reason for an employer to refuse a reasonable request for time to train and that reasons for refusal must be closely monitored.
17. It is therefore vital that information is made available to inform employers, particularly SMEs, of support agencies and sources of funding in order to alleviate any possible opportunities to refuse requests on this basis.

ULRs and workplace training

18. It is generally accepted that the role of Union Learning Representatives (ULRs), Health & Safety Representatives and Equality Representatives (despite no statutory underpinning for the role of Equality Reps) can have a very positive impact on the culture and coverage of learning while at work.
19. Unite has anecdotal evidence supporting this assumption which is supported by Unionlearn research using findings from the 2004 Workplace Employment Relations Survey (WERS).
20. The Unionlearn research shows the link between ULRs and the increased probability of receiving training.

“The presence of a ULR in the workplace is associated with an increased likelihood of 5.2% of receiving 2 to 5 days training, an increased likelihood probability (5.2%) of receiving 5 to 10 days training, and a 6.7% increase in the odds of receiving the highest amounts of training (more than 10 days).”⁴

Unite Case Study

21. A groundbreaking new learning agreement has been signed between Strathclyde Partnership for Transport (SPT) and Unite. The agreement will enable staff to access new opportunities for learning and training, both within SPT and with outside training providers.

⁴ Unionlearn: Training, union recognition and collective bargaining: Findings from the 2004 WERS (p14 para 4) Research paper 4 June 2007

22. Unite surveyed the workforce to determine their learning needs with the results of the survey showing that a sizeable majority of SPT staff are eager to learn new skills, particularly in the field of computing, languages and communication. In addition staff showed a willingness to learn in the new SPT learning centre, and reported that time, cost and shift work were the biggest obstacles to learning.
23. The learning agreement will provide all staff at SPT with opportunities to gain new skills and to begin a lifelong learning journey. This will enable staff to become highly trained and motivated, and to reach their full potential. Research shows that organisations that work in partnership with trade unions to provide learning and training have not only higher productivity levels but also better trained and motivated staff.
24. After the first tranche of courses has been completed, the responses will be evaluated and used to further improve the quality and relevance of the learning being offered.
25. Unite expect the partnership agreement and lifelong learning programme to deliver important new opportunities over the next few years. This will include changing the organisation into a proactive learning and training environment and to achieve Investors in People status for SPT, which has committed itself to providing quality development opportunities for staff and a grassroots demand for skills development and excellence.

“My role as a union learning rep has enabled me to promote learning in the workplace, to identify learning needs in the workforce and encourage colleagues to get back into learning, not only to build their skills but their confidence too.”

“The paid time-off commitment from SPT to support these learners is invaluable, as the learners now see not only the Union but also SPT taking an interest in their development. This paid time-off commitment has started the ball rolling, and in the future will be seen as the first step that delivered the training that every workforce needs.” Senior ULR

Funding

26. Although, with the reservations previously noted, we welcome in principle the introduction of the right to request time off to learn, we also feel that any change needs to be made in the context of a wider debate around learning.
27. The introduction of the right will no doubt raise interest in lifelong learning and expectations amongst the workforce of their opportunities

to access learning provision. However, the vacuum of accessible mainstream funding for learning, compounded by the recent removal of universal ILAs leaves in place another major barrier to working people's engagement in learning, that of cost.

28. In order that raised expectations are not frustrated, the right to request time off to learn should form part of a wider review of learning that encompasses improvements to mainstream funding for learning. Unite is in an ideal position to make a meaningful contribution to such a review.
29. Unite also believes it is vital to make the point at this stage that a large degree of uncertainty is arising in relation to the stability of trade union workplace learning. A stable funding programme is absolutely essential to the effective delivery of trade union workplace learning. However, the current round of European Social Funding - a key funding stream for union learning - ends in 2013 and the likelihood of reduced financial support for Scotland in light of EU expansion is high.
30. Therefore, steps and discussions should take place as a priority if Scotland is to mitigate the barriers to finance for trade union workplace based learning arising from the current round of European Social Fund ending. This is pivotal if Scotland is to ensure that employees and employers are as competitive, productive and as skilled as possible to meet the economic challenges of the present and the future.
31. Unite also remains acutely aware and concerned by the wider funding of skills and lifelong learning. Scotland faces significant challenges if we are to be economically competitive. In 2007, the OECD reported that the level of young people in Scotland not in education, employment or training (NEETs) was the third highest among OECD economies.⁵ Furthermore, the *Future Skills Scotland Labour Market Projections (2007)* indicates that by 2012 - despite a marked improvement on the 2007 figures - approximately 530,000 people in Scotland will be either qualified to the minimum Level 1 criteria or have no qualifications at all.⁶
32. Therefore, how we address the skills and learning agenda will be pivotal to Scotland's future economic success or failure. Unite is clear that trade union workplace learning and the necessary funding must be a key component of this strategy.

Conclusion

⁵ OECD (2007) 2007 Economic Survey - United Kingdom

⁶ Future Skills Scotland Report, Labour Market Projections 2007-17 (2007)

33. Unite is aware of the opportunities which exist for both employers and employees by investing in skills. The proposals laid out in this Consultation Paper provide a starting point to begin dialogue with employers on skills and training. However, Unite believes that real progress will only take place when the learning agenda becomes an integral part of the collective bargaining agenda with trade unions in a position to negotiate with employers on behalf of our members.

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