

Unions and Partnership: Union Learning Representatives and the Government's Skills Strategy

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Foreword

This year saw over 23,000 union learning representatives (ULRs) trained since 1999, exceeding the target set for 2010. This paper outlines the origins and development of ULRs in the context of government learning and skills policies. It examines how ULRs have been a central feature of government-supported union capacity building on learning and skill over the last decade. The paper summarises recent research on their profile, role and impact. The research found that ULR impact on training was positive. But employer support for ULRs was patchy which limited their impact. The paper also discusses learning and training champions in the UK and learning representative initiatives in other countries, many of which are innovative but all less developed than ULRs. Union learning representatives have been increasingly recognised by government as “trusted intermediaries” that can engage with “hard-to-reach” employees and help stimulate and meet their demand for learning and skills. This fits well into the Government’s partnership model. But the paper concludes that a statutory framework is now required which increases union and ULR leverage on employers through collective bargaining. This would significantly increase both the demand for and supply of high quality learning opportunities required by both employers and employees and aid economic recovery.

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Introduction

In the UK, unlike in many northern European states, social partnership in education and training has been underdeveloped. This reflects both the nation's relatively unregulated labour market particularly over the last couple of decades and the adversarial nature of industrial relations. With the election of a Labour government in 1997, there has however been increasing recognition of unions as stakeholders in learning and skills policy.

Transfer of learning and skills policy to the devolved authorities in Scotland, Wales and Northern Ireland has resulted in different vocational education and training (VET) systems and partnerships although union learning representatives are a feature of all these partnerships. This paper however outlines the role, profile and impact of the ULR in the context of the English VET system. In England, there has been constant changes to the government departments responsible for learning and skills since 1997 - from the Department for Education and Employment (DfEE) to the Department for Education and Skills (DfES) to the Department for Innovation, Universities and Skills (DIUS) and to its merger in 2009 with the Department for Business, Enterprise and Regulatory Reform to form a Department for Business, Innovation and Skills (BIS).

Partnership with unions over learning and skills is an important strand of the Government's lifelong learning strategy although formal social partnership is problematic. Devolved decision-making to the social partners is still marginal and relations between social partners still fragile. Nevertheless, government positive support for enhancing union capacity over learning and skills provides a much more favourable terrain for social partnership ever since the 1970s. An important dimension to this has been the development of union learning representatives. Over 23,000 ULRs have now been trained and provide a range of services to their members, particularly information and advice over learning.

Historical Overview

Green shoots in a cold climate

Although ULRs are an important feature of the Labour government's VET system, their origins lie in the anti-union Conservative era. The 1980s saw the end of political consensus over the need for state intervention in the labour market. Neo-corporate institutions on training and employment such as the Manpower Services Commission, its Area Manpower Boards and most industry training boards and their levy systems were abolished. Union influence was diminished with the replacement of these tripartite bodies by employer-controlled Training and Enterprise Councils (TECs). The Conservative Government's aim was that the 47 locally based TECs would empower employers over the training system although in reality they defaulted to become subcontractors for national programmes for national programmes determined by central government.

There were understandable reasons why some unions were loathe to get involved in TECs. For example, the councils ran the Employment Training scheme which was seen as workfare schemes for the long-term unemployed. Furthermore, unions had no automatic right to membership of TEC boards as they did under the Area Manpower Boards, although in the end almost all TECs appointed a union board member.

The Trades Union Congress (TUC) decided pragmatically that the union movement needed to do business with the TECs if it was to remain an actor – albeit a minor one – in the training policy area. TECs were responsible for delivering certain initiatives which the TUC broadly supported. These included the new competence-based National Vocational Qualification (NVQs), Modern Apprenticeships, the Investors in People human resources management standard and the national education and training targets.

Regional partnerships began to form between the TUC and the TECs based on mutual interest in developing the workforce. The projects were generically named "Bargaining for Skills". Although this title was really a misnomer; they were more about increasing the capacity of unions to enhance employee demand for learning and skills than helping them exercise leverage on employers to train their workforce. The reason why TECs established the projects was that they could help meet some of their targets within their contracts with government. Their activities covered awareness-raising events for union officers concerning programmes such as NVQs, Modern Apprenticeships and Investors in People and their contracts often stipulated numbers of employees covered by such activities.

Bargaining for Skills was initially a patchwork of projects which mirrored the fragmented TEC system. In those regions such as the North West where TECs worked together more, they funded regional projects. They pooled their discretionary funding and where appropriate used the European Social Fund to maximise the impact of the projects. Other TECs operated their own projects but with limited effect. In some English regions such as the South East and the South West there was no Bargaining for Skills activity until the late 1990s.

The scope of the projects were by their very nature limited to the TEC agenda; with project workers trying to use the projects to promote the wider trade union agenda of lifelong learning. With the election of a Labour government with a much more inclusive view of lifelong learning, TECs needed to adopt this new agenda. Bargaining for Skills projects were used by TECs to promote and deliver government initiatives (see below).

The TUC devised a number of course modules for union representatives to support the work of the Bargaining for Skills projects. These included modules on awareness of the Investors in People standard and NVQs. In addition, some union representatives took up NVQ assessor qualifications in order to help them support union learners going through the NVQ assessment process. These modules were offered in those regions where there was considerable Bargaining for Skills activity. This was the beginning of the training and developing of what were to be designated as union learning representatives.

Return to Learn

Some unions established their own innovatory initiatives which included the development of learning representatives. Return to Learn was initially set up by the National Union of Public Employees in the West Midlands and extended nationally by its successor, UNISON, from the mid-1990s. The courses cover basic skills, women's studies and are very much about confidence building. The programme is targeted at groups of workers such as women, part-timers, the low paid, black workers and manual workers. The course is delivered by the Workers Education Association and takes approximately nine months to complete resulting in accreditation. A key component is the peer support that learners have in the form of access to "local education advisers". Many of them have gone through the programme and have subsequently been trained by the union to give information and advice to new entrants; thus creating a cascade effect. This training programme along with that of Bargaining for Skills led to formal training and support of ULRs. Public sector employers such as local authorities and hospital trusts have seen the direct and indirect benefits of their workers

going on the programme and some have reached agreements with UNISON on the provision of paid time off to attend Return to Learn courses.

New Labour and the "Third Way"

Up to the election of the Labour Government in 1997, education and training policies were given a prominent place in New Labour's thinking. The policy challenge was daunting given the legacy of a serious skills gap; low demand for skills; a marketised education and training system and the uneven distribution of education and training opportunities. (*Hodgson and Spours, 1999*).

Although the "Third Way" approach was to put much less reliance on the market, it eschewed any statutory obligations on employers to train that the trade union movement was pressing for. Training is negotiated in less than one in ten union-recognised workplaces (*Stuart and Robinson, 2007*). New Labour's approach has been described as an attempt to create a "modified market" as a half-way point between Conservative marketization and "Old Labour" regulation and planning (*Hodgson and Spours, 1999*). Although this could change in relation to the Government's Skills Pledge (see below). New Labour was to emphasise the responsibilities of individuals to enhance their employability and prevent social exclusion, backed by state support where there was market failure in the case of people with low or no qualifications. This was to manifest itself in the introduction of individual learning accounts which would involve unions and their ULRs in their delivery (see below).

The "Third Way" did not subscribe to a social partnership approach. The institutions that the Government has established have been employer dominated in terms of representation, with a minority union presence. These include the Learning and Skills Council and its local councils (which replaced the TECs) and sector skills councils.

From lifelong learning to employer-led skills

The use of educational terminology has changed during New Labour, and such changes are quite politically significant. In the early years there was a much broader perspective with learning and skills encompassed as "lifelong learning". Its spectrum ranged from basic skills to advanced scholarship. The Government's Green Paper *The Learning Age* set out this wide vision of learning (*DfEE, 1998*). It was about "the development of a culture of learning to help build a united society, assist in the creation of personal independence and encourage our creativity and innovation". This overlapped with the union movement's broad personal development agenda. It was an agenda that unions and their ULRs could relate to.

“Learning is a natural issue for partnership in the workplace between employers, employees and their trade unions....This joint activity focussing on practical issues such as time off for learning, employer support for individual learning accounts, and training plans, signals a new and modern role for unions... It will be about encouraging demand for learning from bottom up. For example, the TUC’s Bargaining for Skills initiative, which now involves projects with about 60 TECs, is leading the way in helping union representatives negotiate with employers about improving training”

The Learning Age, Department for Education and Employment 1998

This contrasted eight years later with the much more utilitarian approach of the Leitch Report with its emphasis on skills for productivity and employability and national qualification targets, with its much narrower appeal to unions. The common terminology used by the Government and its agencies is that of “skills for employability”, as opposed to lifelong learning. It also articulated the need for demand-led skills in terms of employer requirement rather than employee need. The review also eschewed any measures to increase collective bargaining over training. Leitch and the Government identified a narrow role for unions, emphasising their importance in engaging unskilled workers with basic skills programmes.

“Trades unions are increasingly involved in the skills agenda and are playing a key role in engaging both adults and employers, especially in workplaces where learning opportunities may have been limited in the past.”

Leitch Review of Skills 2006

“There are now more than 18,000 trained Union Learning Representatives (ULRs) working across the country to encourage more people to participate in training. These ULRs are proving to be particularly effective in targeting people with low skills, or low confidence in their own ability to learn and benefit from training.”

World Class Skills: Implementing the Leitch Review of Skills in England Department for Innovation, Universities and Skills. 2007

The Government has however recently broadened its view and begun stressing the need for informal adult learning at a time of economic recession.

“Informal adult learning can transform individual lives and boost our nation’s well-being....Union learning representatives make a huge contribution by encouraging people to increase their formal work skills under the unionlearn banner. But they could also play a bigger role in encouraging informal learning”.

The Learning Revolution Department for Innovation, Universities and Skills 2009

Individual learning accounts: the sunken flagship

Individual Learning Accounts (ILAs) were built on New Labour's view that individuals are best placed to choose what and how to learn and that responsibility for investing in learning is shared with the state. ILAs were to be heart of "a learning revolution", galvanising non-traditional learners into developing their own skills.

On the face of it, it might be assumed that such individual solutions could shake the collectivist roots of the union movement. Trade unions were not however against a shared approach to learning but held the view that any such system should adhere to the principle of "additionality". The total investment in learning should increase as a result of ILAs; not have a substitution effect of transferring employer responsibilities for training to the individual and the state (*Clough, 1998*).

The £150 million scheme initially involved TECs being required to put £150 from their reserves into each of the one million accounts with the employee contributing £25. Employers could also contribute voluntarily. Trade unions saw their role as helping to target accounts on those employees who had no or few qualifications. They should get the lion's share of the state subsidy or there would be a "dead-weight" effect.

TECs were given the role of running 12 ILA pilots in 1998/99, a few of these involved trade unions and Bargaining for Skills projects, primarily targeting unskilled workers. This was followed up by two major DfES/TUC regional projects. The evaluation of all this activity recognised the added value of unions (*DfEE, 2000*). The union value had been in stimulating innovative partnerships in learning rather than in terms of numbers of ILAs opened. The key to these partnerships were ULRs. They helped to help market the accounts to their members; provide them with "front-line advice and guidance" and ensure they were used to meet employees' individual needs and not misused for company specific training. They also helped to broker learning opportunities with colleges and other providers and maximise employer contributions to the accounts and set up workplace learning centres.

After the millionth account was opened, a course discount operated. Policy failures followed. The universal approach led to an exponential take up of ILAs but with a resulting overshoot on the budget. The targeted approach had little impact however, except when intermediaries such as trade unions were used to introduce accounts to employees with few or no qualifications.

Another policy problem was that of encouraging new providers into the market; a “let a thousand providers bloom” approach. Although there was a high satisfaction rate for the quality of the courses undertaken, the lack of regulation resulted in a significant number of unscrupulous providers mis-selling accounts and in some cases fraud even took place. This ultimately resulted in the Government closing the scheme in November 2001.

There were however no scams when unions were involved in brokering provision since this was with recognised providers such as colleges. The House of Commons Select Committee on Education and Skills in its inquiry into ILAs recognised the positive role of unions.

“The successes of trusted intermediaries, such as trade union learning representatives, should be taken fully into account in designing the new scheme”

Individual Learning Accounts: Third Report of Education and Skills Committee HC561.1

The University for Industry

Another important symbol of New Labour was that of the University for Industry (Ufi), whose brand name is “learndirect”. It was designed to help deliver a demand-led lifelong learning system. Essentially, it was to act as a broker between learners and learning opportunities in a specific setting or via ICT technologies directly into the home or workplace. It was to identify gaps in the market and commission specific learning packages. It also was to provide on-line advice and guidance on learning opportunities.

Trade unions had a long tradition of providing education for their activists through direct contact with learners using innovative study methods. The TUC and many unions recognised however that using ICT to access on-line learning could provide opportunities to more learners at a pace and place to suit them. A network of 26 TUC centres (branded as “U-Net” centres) operate in union offices, workplaces and trade union study centres. There are over a thousand union learners mainly taking basic skills and ICT learndirect courses in these learning centres. Union Learning Representatives are supporting these learners. A government inspection of the network awarded it a “good” grade and commented very favourably on the ULR role.

“ULRs are highly effective as role models. Their own recent re-entry to learning gives them a good understanding of learners’ needs. They work very effectively with learners reluctant to participate or who have poor prior experience, and successfully promote learning to non traditional learners. Most ULRs work closely with tutors, effectively encouraging those learners making slow progress and motivating

them to continue their learning. ULRs negotiate well with managers on behalf of learners, for example, to increase access to learning. Learners value their input highly and cite it as the most important element in their learning. Union learning representatives provide good information and advice on appropriate courses although information advice and guidance in centres is overall satisfactory”.

Unionlearn (U-Net) Inspection Report Ofsted 2009

Unions and the government’s skills strategy

A key government ambition is for the UK to become “a world leader in skills by 2020”. It has thus set ambitious qualification targets for the end of the next decade. These include 95 per cent of adults to have basic skills of functional literacy and numeracy; more than 90 per cent of adults gaining at least a Level 2 qualification¹; almost two million more people achieving a Level 3 qualification²; half a million people in apprenticeships; and 40 per cent of all adults having a higher education (degree or equivalent) qualification.

To meet these targets required a marked shift towards a more interventionist approach where there were perceived market failure; particularly where there was a significant number of adults without qualifications and a long tail of companies who did not train their workforce.

The publication of the Government skills strategy *21st Century Skills: Realising Our Potential (DfES, 2003)* led to the introduction of the Train to Gain programme run by the Learning and Skills Council. It is a skills brokerage service, with that training brokered for workers doing basic skills and low level vocational courses being fully subsidised. The Government has also introduced a Skills Pledge for employers to make a commitment to train their workforce to at least Level 2 qualifications and ULRs are seen as having a role in the process.

“We will encourage Union Learning Representatives to work with employers to make the Skills Pledge, to draw up action plans for delivering the Pledge, and to help more employers and employees to access Train to Gain brokerage and funds for training”.

¹ Equivalent to the general education level achieved by over half of 16 year olds (5 GCSEs A-C grades) or a pre-craft level vocational qualification.

² Equivalent to minimum entry level to university (2 A levels) or a craft level vocational qualification

World Class Skills: Implementing the Leitch Review of Skills in England. DIUS 2007

Although a relatively high proportion of young people now enter universities, there are few people with intermediate skills qualifications as a result of the steep decline in apprenticeships since the 1980s. The Government thus introduced an apprenticeships programme – 184,000 places in 2007. Both Train to Gain and the Apprenticeship programme are however completely voluntary and there is no statutory obligation for employers to train their workforce to certain standards or an employee right to paid educational leave.

The Government is also introducing individual rights to free tuition regardless of whether an employer is involved in Train to Gain. The entitlements take the form of free provision for adults to achieve a Level 2 qualification and all 18-25 year olds to achieve a Level 3 qualification. There will also be a free information, advice and guidance service to support such learners.

There has been recognition that unions and their ULRs can help facilitate such entitlements to training. This is a reason why the Government has introduced a Bill whereby an employee would have the right to request training from the employer who would have a duty of the employer to consider. The model is based on that for flexible working. “Time to Train “would not be right for employees to have the request for training granted since the employer could refuse on business grounds (*DIUS, 2008*). Employees could ask to be accompanied by a union learning representative to any meeting with their employer about the request.

“There will be no legal requirement for employers or employees to engage with their unions and Union Learning Representatives on time to train but we know that many will wish to do so, linking time to train with their wider approach to considering skills needs in the workplace. Employees will have the right be accompanied in any meeting they have with their employer about a request for time to train, and may choose to ask their Union Learning Representative to provide them with that support.”

Time to Train: consulting on a new right to request time off to train for employees in England. DIUS, 2008.

Union Learning Capacity

The Union Learning Fund

An important part of New Labour's policy was increasing union capacity over learning and skills, as opposed to increasing collective bargaining in this area. The Green Paper, the Learning Age led to the DfES establishing the Union Learning Fund (ULF). £2 million was initially allocated to support union-led innovative projects in workplace learning. This investment has been increasing rapidly with the annual budget increasing to £15.5 million in 2009.

ULF which is now in its twelfth year has resulted funded over 700 union-led projects involving over 50 unions. Amongst its key aims are to ensure that learning and skills are core activities for unions and developing the key role of representatives ULRs in raising demand for learning, especially those with low or no qualifications. Many of the union-led projects have trained and supported ULRs as well as establishing union learning centres. Unionlearn (the TUC's learning and skills organisation) took over responsibility for ULF from the Learning and Skills Council in 2007. omes: union capacity - April 2008–March 2009 (estimate)

Union Learning Fund Outcomes: Union Capacity (April 2008–March 2009)

New ULRs completing initial training	1,980
Existing ULRs completing follow-on training	2,004
New learning centres opened	99
Formal learning agreements signed with employer	198
Skills pledges signed	228
Apprenticeships supported	2,329

Source: *Year 3 Moving learning on: unionlearn annual report 2009*.

The key outcome is the number of learners supported by this enhanced union capacity. It is estimated that over 113,000 were supported last year; with about a third taking Skills for Life (basic skills) and ICT courses (*unionlearn, 2009a*).

Unionlearn

Unionlearn was established to enhance increase union capacity over learning and skills. The union movement conceived it in 2004. The TUC proposed the

establishment of an organisation which would integrate its trade union education and learning services to provide unions with more strategic support. The Department for Education and Skills provided funding for the new organisation, which was established in 2006. Although unionlearn has substantial public funding, it is very much run by the unions for the unions. Its board comprises of TUC General Council members and it sits within the TUC structure.

Its objective is to provide a strong, high profile strategic framework and support for union's work on learning and skills and the training of union representatives and officers. It is playing a pre-eminent role in supporting and training ULRs. Its purpose is promoting collective action to increase individuals in the workplace. Important work covers developing innovations to help unions and ULRs support learners. A unique feature is the number of formal partnerships it has forged with major providers such as the Open University, whose arrangements include course fee discounts for union members. In 2007, unionlearn had over 145 staff and now that it has responsibility for the Union Learning Fund has an income of £26.7 million (*unionlearn, 2009a*).

Union Learning Reps

The rise of the union learning representative

In 1997, the TUC General Council established a Learning and Services Task Group “to develop practical proposals for implementation which are designed to provide a high profile role for the TUC and trade unions as providers and/or facilitators of vocational and other learning opportunities for members and potential members”. Its report was to be seminal, since it was published in the first year of the Labour Government. A key aim was to formalize and extend union representatives with a learning role. The report proposed a national network of ULRs, with clear roles and supported by accredited training (*TUC, 1998*). In the same year, the Department for Education and Employment funded a project between the National Institute for Careers Education and Counselling and the TUC. Its report reiterated the unique position of unions in relation to their trust and credibility with their members.

“Unions are particularly well positioned to see the inter-relationships between lifelong learning and guidance requirements because of their closeness to members and employees, and their more intimate and holistic knowledge of individual needs and circumstances”

Trade Unions and Lifelong Learning: A Briefing. 1998. National Institute for Careers and Education and Counselling/ Trades Union Congress.

The project identified a number of wide ranging pro-active roles for ULRs which were to be set out in future legislation (see below).

Learning champions and training champions

Complementing the work of ULRs are “learning champions”, local volunteers who promote learning in their neighbourhood. They have been in existence for a significant period of time, funded through a variety of public sources such as LSCs, RDAs and the Working Neighbourhoods Fund. Some were supported through the Adult and Community Learning Fund (ACLF) which was established by the Department for Education and Employment in 1998 to explore innovative ways to expand the provision of, and increase adults’ access to, local community-based learning opportunities. According to recent research, learning champions perform a range of functions similar to those of ULRs including signposting, supporting, mentoring and representing learners (albeit in a community context) and there is extensive evidence of

them engaging new and hard-to-reach learners and referring them for guidance or directly onto courses (*Yarnit, 2008*). Like ULRs, learning champions also undergo some form of training. There has however been a decline in the number of schemes because “at a time when providers are preoccupied with their own budgets, the essentially impartial nature of learning champion’s work means that they may not be a high priority for funding from mainstream resources (*Yarnit, 2008*).

The Government has also encouraged the development of “training champions” to pursue workforce development opportunities in small businesses (which are mainly non-unionised) through its Small Firm Development Account/ Small Firm Learning Account pilots. The training champion would be a member of staff designated by each firm involved in developing a training plan. Like ULRs, training champions were to have responsibility for informing employees, gaining commitment from management, identifying training needs and courses and supporting learners through their programme. Training for these functions through a training planning workshop with a Business Link adviser was minimal compared with the systematic training for ULRs. Furthermore, the process was very top-down, with a senior staff member or the owner-manager taking on the role which was more centred on devising a training plan than supporting individual learners. Training champions also had limited visibility in the pilot companies; four out of five of the learners being unaware of their presence (*Centre for Enterprise, 2003*). The pilots ended in 2005, with no evidence that the concept of training champions has been sustained.

Towards statutory rights

Underpinning union negotiation and representative activity at the workplace in the UK is statutory recognition of union representatives. Since the former Labour Government’s Employment Protection Act 1975, trade union officials have had a statutory right to reasonable time from employment to carry out their union duties and to undertake trade union training. These rights exist in respect to those matters in which the union is recognised by the employer for the purposes of collective bargaining. The Employment Relations Act 1999 established provision for statutory trade union recognition. If an employer does not agree an application from a union for recognition then the union can apply to a Central Arbitration Committee, which has the power to impose an agreement in prescribed circumstances. Bargaining units with less than 21 employees however are not covered by statutory recognition.

When a critical mass of union learning representatives had been trained and supported mainly the result of ULF projects, it became apparent that there were problems for ULRs accessing training and especially carrying out their

functions. According to a TUC commissioned survey, 79% of ULR respondents stated that they had faced some form of difficulty in carrying out their role. These included lack of time for learning representative activity and lack of management support (*York Consulting, 2000*). The TUC thus argued the need for ULRs to be put on a similar statutory footing as union representatives as a whole.

Although there was support from the Secretary of State for Education and Skills for such legislation there was a concern amongst other government departments that this might be over regulation. After all, it was Tony Blair himself who had stated ‘even after the changes we propose, Britain will have the most lightly regulated labour market of any leading economy in the world’ (*Department for Trade and Industry, 1998*). Although the major employer organisation, the Confederation of British Industry (CBI), recognised that ULRs could add value to workplace learning, it stated ‘a union should not be given the right to appoint a learning representative without the employer’s agreement’ (CBI 2001). Employer prerogative as opposed to statutory right should therefore determine whether ULRs would be able to be granted paid time off for training and functions. The Chartered Institute of Personnel and Development (CIPD) which represents human resource managers however was much more sanguine, recognising that ULRs ‘can be important allies in promoting the value of learning and training’(CIPD 2004).

The TUC and its unions were successful in achieving their objective. The Employment Act 2002 set out a number of ULR functions:

- Analysing training needs
- Providing information and advice on training
- Promoting the value of training
- Arranging training
- Consulting the employer over these activities

ULRs in recognised workplaces have the right to ‘reasonable’ paid time off to train and carry out their functions on the similar lines as union representatives in general. The condition to be granted paid time off for ULR work is that they are sufficiently trained to carry out their duties, through accessing relevant training. This training is mainly provided through TUC Education, leading to accreditation through an awarding body, the National Open College Network. A union member also has a right to take time off in working time to contact his/her ULR, although the employer is not obliged to pay them during this contact time. Interestingly, although the ULRs statutory rights are in relation to supporting union members, a substantial proportion of them provide assistance to non- trade unionists at the workplace. This

identifies the potential of union learning for union renewal in the workplace (Moore, 2009).

Advice on how union and employers can best manage this process is set out in a code practice of the Government's Advisory, Conciliation and Arbitration Service (ACAS, 2003). The code also stated that there could be 'positive advantages for unions and employers in establishing agreements on time off for ULRs and individuals, which reflect their own situations'. The TUC and its unions have argued that agreements on learning would be strengthened through the establishment of a joint union/management learning committee. This position has been supported by the CIPD (CIPD, 2004).

Achieving national recognition

There is increasing recognition of the importance and impact of ULRs by government and employer organisations:

“Union learning representatives have successfully introduced many thousands of employees to training, helping employees to enhance their work capabilities and, in some cases, to overcome a lack of basic literacy and numeracy skills.... ULRs raise interest in training and development and offer peer level support which is relevant and confidential. Working with other reps they may negotiate with the employer around release for training, and work with employers to develop effective and inclusive training policies. They offer information, advice and guidance and work with a range of organisations and providers to identify learning opportunities”.

Reps in Action: How workplaces can gain from modern union representation. Department for Business, Enterprise and Regulatory Reform, CBI and TUC. May 2009.

“For people who are in work, and in particular those with lower skill and qualification levels, support appears to be particularly effective when it occurs at the workplace, for example through union learning representatives or other learning “champions”.

Employee Demand for Skills: A review of Evidence and Policy. UK Commission for Employment and Skills 2009.

“As trusted members of the trade union, who are trained in their new roles, union learning representatives are well placed to provide support, encouragement and guidance to their members. This may be particularly valuable where sections of the workforce have little access to employer-provided training, have few possibilities for

articulating their needs or could be considered ‘non traditional learners’ who would benefit from support and encouragement to learn. Union learning representatives also have an important contribution to make in dealing with structural and organisational barriers to learning and in changing attitudes to learning. Their role in advising members about their training, educational and development needs may contribute to raising ‘bottom up’ demand for learning and thus to a cultural change in organisations. Their involvement may also contribute in practical ways to resolving structural problems such as releasing employees for learning.

Trade Union Learning Representatives: The change agenda.
Chartered Institute of Personnel and Development. April 2004.

Profile, role and impact

A recent unionlearn commissioned survey in 2007 has revealed a number of issues concerning ULRs (*Bacon and Hoque, 2009*). A positive finding was that ULRs are becoming more representative of the workforce than union representatives as a whole. Although the average age is 48 years old and over one half male (58 per cent), the demography of the one-third ULRs who did not previously hold another union post is markedly different. These “new activists” are more likely to be female (52%), and are more likely to be under 40 years old (25 per cent in comparison with 11 per cent of ULRs that held a previous post).

As many as 85 per cent of ULRs provided information/advice on learning; 59 per cent arranged courses and 47 per cent conducted learning needs assessment. There has been an increase in the time spent on ULR activities since 2003, from 17 per cent to 24 per cent spending over 5 hours a week. The survey however revealed considerable disparities however over the time spent on these activities. Almost one-quarter of ULRs spent more than five hours a week but one-third spent less than an hour. These differences are likely to be linked to the level of employer support ULRs receive. There had been an increase of in the proportion of ULRs paid for all their time they spent on their functions as the statutory rights gradually took effect (57 per cent in 2005 to 68 per cent in 2007). Thus almost one third of ULRs (32 per cent) reported that they have to spend some of their own time carrying out their role. A major problem for over a half of the ULRs (54 per cent) was lack of cover or the absence of reduced workload which limited their time for learning rep activities. There appears however little problem with ULRs getting time off for training for their role; with 98 per cent reporting having attended initial training courses.

Managers in workplaces with ULRs value them (43 per cent) as opposed to not value them (15 per cent). But there is a high proportion that expresses no view on their value (42 per cent) which could indicate a lack of employer awareness of their role. Over a quarter of ULRs (28 per cent) reported that they had no contact at all with management to discuss training matters. Over half of managers stated that ULRs had some impact on training activity in the workplaces; with as many as three in five stating that they have helped address employee skill gaps.

The added value of union and ULR involvement in terms of both coverage and incidence of training is demonstrated by an analysis of the Workplace Employment Relations Survey. It found that where a workplace has ULRs, recognition and a representative structure, employees are almost 15% per cent more likely to report receiving training (Stuart and Robinson, 2007). In workplaces where there is a ULR, 34.6 per cent of employees received 5 or more training days a year compared to 29.2 per cent in workplaces where there is none.

Yet as noted earlier, training is negotiated in less than one in ten union recognised workplaces.

"The Labour Government has to date resisted union pressure to make training an issue over which unions have the right to bargain in union recognised workplaces. The evidence presented here, however, suggests that a statutory right for unions to bargain over training could prove important in supporting the efforts of ULRs to increase employee participation in training."

The Impact of the union learning representative: a survey of ULRs and their managers. N. Bacon and K. Hoque. Nottingham University Business School

Although there is clear evidence of the positive impact of ULRs this is limited by a number of factors, many of which are linked to employer support (Bacon and Hoque, 2009). They include the following: the amount of time spent on performing ULR activities; the range of activities ULRs are involved in; whether they are involved in a Union Learning Fund project; whether there is a learning centre in the workplace; whether managers value the role ULRs play; and whether managers negotiate and consult with them over training.

The challenge is how ULRs and other union representatives with an involvement in learning and skills could help overcome the barriers to learning participation. City and Guilds have identified the barriers as motivation, access, finance, time and quality (City and Guilds, 2008). The

following ULR/union roles in helping to overcome these barriers are offered for consideration:

Motivation - promoting the value of learning/ facilitating learning needs analysis/ providing front-line learner support particularly for non-traditional learners with few or no qualifications.

Access - brokering learning with providers to meet learner needs such as fitting into shift patterns/helping to establish and run workplace learning centres.

Finance- making learning agreements with employers which include employer contribution to tuition costs and childcare/ persuading employers to access free training for employees with few qualifications through Train to Gain and encourage them to sign up to the Government's Skills Pledge.

Time- including entitlements to paid release to learn in learning agreements including work cover arrangements.

Quality – signposting learners to quality providers which give appropriate support to employees and are flexible in the delivery of programmes to meet their diverse needs.

There are a number of innovations which will provide increased ULR support to carry out these roles. These include the use of the union learning “climbing frame”, an electronic tool that has been designed to help ULRs in their role of supporting learners. It provides both a one-stop shop for information and advice as well as acting as a tool for planning learning pathways and recording learner needs. ULRs are also using the matrix Standard to review and improve their support. It is the national quality standard for information, advice and/or guidance and work, with some unions having their information and advice services accredited through the standard (*unionlearn, 2009b*). Unionlearn also has its own quality award which is given to providers which demonstrate good practice in working with unions and signposting ULRs to quality union-friendly provision.

Role within their unions

Another factor determining ULR impact is union commitment to union learning. Unions need to be convinced that learning strategies strengthen their organisation and are not just an add-on service for members. Recent research suggests that unions are increasingly promoting a relationship between learning and organising at national, regional and branch levels (Moore, 2009). Unions are integrating learning and organising within their departmental structures; embedding learning activities in specific campaigns; and designating union learning project workers as organisers. There has also been moves to integrate ULRs into union structures.

"ULRs are firmly part of the organisational structure at the workplace. They are not seen as separated and isolated".

National Official, Unite.

“What we're saying to branches is that the best way forward is to ensure that you've got a learning rep on your branch committee. In that way, your learning rep is aware of the industrial issues that are going on and your industrial reps are aware of what's going on through learning and what the potential is".

National Manager, Communication Workers Union

In the Civil Service union (PCS) ULRs have to be nominated by branches and a new branch learning co-ordinator role has been created to link the learning agenda more closely to the branch agenda. In the public sector workers union (UNISON) the ULR role is now defined in the rule book and branches have elected lifelong learning co-ordinator posts - branch officers who lead on learning and organising.

Unions are thus beginning to integrate learning with their organising efforts and focusing on learning not just a recruitment tool but as a vital component in rebuilding and revitalising their union organisation (*Moore, 2009*).

Learning representative initiatives in other countries

Other countries have adopted similar initiatives to that of the ULR. In Denmark union educational ambassadors have been established. Unlike in the UK, trade union density is high (90% of blue collar workers and 75% white collar workers compared with 28% of the workforce in the UK). This high level of unionisation is reflected by a framework of binding collective agreements with national coverage. The concept behind educational ambassadors was first thought up and put into practice by the former Women Workers' Union (KAD) and then adopted by the Danish Commercial and Clerical Employees Union (HK). Like ULRs, their role was to raise the awareness of adult education and opportunities through guidance and support at the workplace. Although like ULRs, educational ambassadors are trained through their unions, unlike ULRs they have to do the training in their own time due to an absence of statutory rights. They have not been afforded shop steward status and it is perceived that they have not obtained full ownership of the concept (*Keil, 2009*). The momentum behind the initiative has now fallen away. Problems included lack of state support and less union funding; the role concentrating on meeting the needs of individual as opposed to collective approaches to learning and the difficulty of

educational ambassadors fitting into union structures and becoming involved in the organising agenda.

Like Denmark, union density in Finland is high and collective agreements have widespread coverage. From an initiative of the union confederation in Finland (Suomen Ammattiliittojen Keskusjärjestö, SAK), a five-year action programme for education and training targeted at adults aged 30–59 who have only completed basic level education was launched during 2003–07. The general objectives of the Noste programme were to improve career development for people who have not completed any education and/or training beyond a basic level, to mitigate labour shortages caused by early retirement and to increase employment. About 25,000 students have started their studies in this Noste-programme. Integral to the programme were “union competence pilots” which provide support to learners on the programme. Like the Danish educational ambassadors, they do not enjoy statutory recognition and they train for their role in their own time. The training is carried out by the Finnish WEA (Työväen Sivistysliitto, TSL).

The Noste programme has now come to end, with the new Swedish Conservative Government not continuing it. SAK and TSL however have planned a second phase which will be a part of a national project "Counselling and Advising Adult Learners" funded by ESF. SAK's objective is to set up a new and training programme and a permanent network of "union learning counsellors".

The union learning representative idea has reached beyond Europe. In its 2004 budget the New Zealand Labour Government provided financial support to allow trade union supported learning representatives to advise and help organise learning of their fellow employees. The roles of the representatives are quite extensive, including providing information and advice as in the UK but also working closely with industrial training organisations (ITOs) that regulate training in different sectors. The type of learning a New Zealand learning representative provides advice on however is likely to be narrower than that provided by a ULR. They are more likely to direct learners towards the training offered by ITOs and less likely to include learning tailored to individual needs such as foreign languages, basic ICT courses and digital photography (*Lee and Cassell, 2009*). Much like ULRs, learning representatives are trained through programmes supervised by the New Zealand Council for Trade Unions and accredited through the National Qualifications Framework. The scale of the initiative is relatively small, with 200 learning representatives trained. But this reflects the countries small workforce of 2.2 million and the fact that almost 90 per cent of enterprises employ five or less people.

Conclusion

The role of unions has demonstrably changed over the last three decades. There had been significant union involvement in and influence over neo-corporatist vocational education and training bodies such as the MSC and ITBs at national, sub regional and sector levels. This rapidly declined in the 1980s when tripartism was abolished and collective bargaining diminished, particularly at sectoral level.

Under New Labour, unions have had to adapt to a so-called “post-voluntary” system. It is very much about meeting employer demand through employer dominated bodies, retaining employer prerogative and not increasing collective bargaining over learning and skills. A major difference with the former voluntary system however has been employer incentives and employee entitlements to state subsidised learning at the lower levels where government perceives there is market failure. It has been an individualistic rather than a collectivist model.

It is this model that the Government has seen ULRs as being able to dovetail into. They have been increasingly recognised as “trusted intermediaries” that can engage with “hard-to-reach” employees and help stimulate and meet their demand for learning and skills. Their activities encompass giving information and advice, arranging courses and conducting learning needs assessment. ULR support for individuals requesting training from their employer under the proposed Time to Train initiative is an extension of this role. There is however increasing employee demand for much broader and higher level learning and for greater equality and diversity in the distribution of such opportunities. The challenge for unions and their ULRs is helping to meet this demand for this lifelong learning within a system without statutory bargaining over learning and skills.

The role of the ULR is very much framed by a partnership approach. It is an integrative rather than a distributive model based on co-operative than adversarial relationships between unions and management. The model has been underpinned by considerable capacity building through government support such as the Union Learning Fund and the establishment of unionlearn. An issue for the union movement however is how this union-led activity can be sustained during any possible future political and /or public funding changes. Another issue is the need for employers to be much more aware of the positive impact ULRs can make on workforce development and accordingly to increase support for them to carry out their statutory functions.

Unions were established because of the need for collectivism – not individualism. There is however an argument that individual rights to learning and skills can be delivered most effectively and fairly through collective partnership models in which ULRs can play an important part. Recent case studies have demonstrated that learning agreements contribute to the sustainability of learning partnerships when they result in the establishment of effective workplace learning committees and embed trade union involvement (*Wallis and Stuart, 2007*). The best outcomes in terms of employee participation in learning and the development of workplace learning cultures are associated with learning partnerships in which there is a relatively even balance of power between employers and unions – labour parity – as opposed to employer – dominant arrangements.

Union commitment to such models however is dependent on how the provision of such learning opportunities can strengthen their organisation just as trade union education has done over the years. That commitment will be demonstrated by how learning is integrated with organising and the status of ULRs within a union’s structure. Trade unions and their ULRs have a key role in the delivery of lifelong learning in its widest sense both to empower members and facilitate political and social education. Such learning has been an important seam running through the history of the union movement.

Finally, union involvement in delivering the supply side of learning and skills is unlikely to be enough to meeting employee demand. Significant learning and skills opportunities can only be accessed at the workplace by substantially increasing both employer and employee demand for broad learning opportunities and utilisation of the resulting skills. This requires a statutory framework whereby unions can use collective bargaining to “block-off” low wage/low skill competitive strategies (*Lloyd and Payne, 2006*). It would help unions to persuade employers to develop “high road” strategies based on improved job design, higher and transferable skills and their effective utilisation. This aim is however is very challenging in such a deregulated labour market with high management prerogative and limited collective bargaining. What is required is a framework for unions (and their ULRs) to embrace learning and skills formation as the centrepiece of a new co-operative strategy whilst retaining a strong independent power base with a capacity to impose obligations on employers (*Streeck, 1994*). That is a framework which could optimise the role of unions and their ULRs in meeting the learning and skills needs of their members.

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