EPM Model Union Access Agreement

[Remove before adoption – This template is general guidance. Schools and MATs should take legal advice on any local circumstances (e.g. safeguarding protocols) before adopting it.]

(made under s.70ZA TULRCA 1992 as inserted by the Employment Rights Bill 2025)

1. Parties

This Agreement is between [Academy/School/Trust Name](“the Employer”) and [Union Name](“the Union”).

1. Legal context

“Access” means physical entry to the Employer’s premises for any of the “access purposes” listed in s.70ZA (5) TULRCA 1992 – i.e. to meet, recruit, organise or represent workers and/or facilitate collective bargaining. Industrial-action planning is expressly excluded.

This Agreement has effect as an “access agreement” for Chapter 5ZA purposes and is enforceable only through the Central Arbitration Committee (CAC) processes in ss.70ZH–70ZJ.

1. Who may attend
* Union officials holding current credentials issued by [Union].
* A maximum of two officials per visit unless otherwise agreed in writing.
1. Permitted times & frequency

| Activity | Normal window | Maximum frequency |
| --- | --- | --- |
| Recruitment / organising drop-in | 07:45–08:30 or 15:30–17:00 on pupil-contact days, or any time in school holidays/INSET days | Up to one visit per term |
| Individual representation (grievance/discipline etc.) | By mutual arrangement within the working day | As required by casework |
| Collective bargaining meetings | Within the school day, avoiding teaching periods wherever practicable | As required by schedule agreed under the Recognition Agreement |

*Rationale*: times fall outside teaching blocks, so meet the “no unreasonable interference” principle in s.70ZF(2)(a).

1. Rooms & facilities
2. The Employer will, if available, provide a quiet room large enough for up to six people and access to the staff restroom noticeboard.
3. Photocopying or digital distribution is not provided; the Union will supply its own materials.
4. No facility-time beyond the statutory minima (ss.168–170 TULRCA) is implied.
5. Safeguarding & site rules

All visitors must sign in, wear a visitor badge and be escorted in pupil areas.

Where the activity includes contact with pupils, an enhanced DBS certificate dated within the last three years must be produced.

Fire, health-and-safety and data-protection rules apply.

1. Request & confirmation process
2. The Union will submit an Access Request Form (Annex A) no fewer than five working days before the desired visit date – well inside the *statutory “response period”* defined in s.70ZC.
3. The Employer will issue a Response Notice (agree / refuse with reasons) within three working days.
4. If the parties cannot agree within a further 10 working-day “negotiation period”, either may apply to the CAC for a determination under s.70ZE.
5. Conduct standards

Activity must be orderly, not disrupt lessons, and comply with safeguarding.

Leaflets may only be distributed in staff-only areas.

The Union will ensure attendees respect confidentiality and GDPR.

1. Costs

Each party meets its own costs. Release from duties for staff to attend union meetings remains governed by s.168–170 TULRCA (facility-time) as amended by the ERB.

1. Variation & revocation

May be varied or revoked only in writing signed by both parties and notified to the CAC, in line with s.70ZG.

1. Disputes

Any dispute about the interpretation or operation of this Agreement will be referred first to a senior HR representative and the Union’s regional officer. If unresolved, either party may lodge a CAC complaint under s.70ZH (initial) and s.70ZI (repeat breach).

Annex A – Access Request Form (summary)

| Item | Required detail |
| --- | --- |
| Date & time slot requested |  |
| Access purpose (tick) | □ Recruitment □ Representation □ Bargaining |
| Names of officials attending |  |
| Facilities requested | □ Meeting room □ Noticeboard space |

(Return by email to [insert details] at least five working days before the visit.)