
Overview

This unit is appropriate for you if your role involves:

1. Providing specialist advocacy for members.
2. Representing members individually and collectively with employers and adjudicating bodies.

The activities you are likely to be involved in:

3. Researching previous cases and identifying precedents.
4. Taking advice from regulatory and advisory bodies.
5. Representing members at disciplinary and grievance proceedings.
6. Preparing and presenting arbitration cases.

What the unit covers:

7. Preparing cases for presentation and representation.
8. Presenting cases to employers.
9. Presenting cases to legally constituted adjudicating bodies.

**Performance
criteria**

Prepare cases for presentation and representation

You must be able to:

- P1 Investigate information relevant to the case and accurately summarise sources of valid and reliable information which support the case.
- P2 Conduct interviews with appellants and witnesses using a questioning style which maximises honest and accurate responses.
- P3 Advise members on procedures, appropriate responses and roles in hearings, interviews and legal proceedings.
- P4 Develop a presentation strategy which maximises the likelihood of success and explain it clearly to appellants, witnesses and representatives.
- P5 Assess documentary evidence for relevance and validity.
- P6 Evaluate cases for precedent and use relevant examples to support the appellant's case.
- P7 Consult appropriate sources of additional information and advice to establish the validity of cases, providing relevant and accurate summary information.
- P8 Evaluate case information against appropriate criteria and communicate a clear and justifiable decision on whether or not to support the case promptly to those who have a legal interest.
- P9 Make sure that case materials are complete and contain valid, reliable and accurate information.
- P10 Follow agreed procedures and timescales for the submission of written materials and responses.

Present cases to employers

You must be able to:

- P11 Make complete and accurate oral submissions in a pace, style and manner which is intended to maintain the trust and respect of all parties.
- P12 Prepare and ask appropriate questions designed to present and interpret evidence in the best interests of the case.
- P13 Note points of agreement, summarise them accurately and confirm them with participants.

CFAUR10

Provide specialist advocacy services on behalf of union members

- P14 Note and clarify points of disagreement and different interpretation, and offer accurate information and arguments designed to influence the parties to change opinions and positions.
- P15 Recommend further action to representatives and members within agreed procedures where no acceptable resolution has been achieved.
- P16 Review and assess cases with representatives following a presentation and identify key learning points.

Present cases to legally constituted adjudicating bodies

You must be able to:

- P17 Follow established conventions and procedures.
- P18 Provide complete and accurate written submissions which contain valid and relevant information and which present the case in the most favourable manner.
- P19 Make complete and accurate oral submissions in a pace, style and manner which is intended to maintain the trust and respect of all parties.
- P20 Make clear and concise oral presentations which identify the relevant points of the supporting argument and which avoid additional information or opinions which have no direct bearing on the current matter.
- P21 Make appropriate interventions and ask questions designed to present and interpret evidence in the best interests of the appellant.
- P22 Make final summaries which identify the relevant points of the supporting argument and the major weaknesses in the opposing submission.
- P23 Review and assess the results following a formal case presentation with appellants and representatives, and identify key learning points.
- P24 Make clear and justifiable recommendations for further appropriate action to determine cases when submissions have been unsuccessful.

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Knowledge and understanding

The nature and role of specialist advocacy services

You need to know and understand:

- K1 The rights of individuals to specialist advocacy within employment.
- K2 The appropriateness of specialist advocacy services in particular cases.
- K3 Equality of access to specialist advocacy services.

Principles and concepts

You need to know and understand:

- K4 Appropriate sources of information.
- K5 Effective case presentation face-to-face and in writing in a variety of contexts.
- K6 Questioning witnesses and appellants effectively.
- K7 Circumstances under which a case would not be supported.
- K8 Influential and reasoned arguments.
- K9 The conventions and procedures of adjudicating bodies.

External factors influencing advocacy services

You need to know and understand:

- K10 Relevant employment law and codes of practice.

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