

City of Wolverhampton Council

SCHOOLS' FORUM

Date	22 October 2020
Report title	Facilities Time Allocations
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Summary

It is recognised that the work carried out at local level by the recognised trade unions in the City has been effective in promoting partnership working and for giving local context to policy development, dispute resolution and in maintaining effective working arrangements between the LA, schools and academies. The strong working relationship with local representatives is valued and it is hoped the positive impact can be maintained.

The Council and schools are handling public funds and therefore have a duty to achieve the best value for money and this requires arrangements to be reviewed as necessary. The call for accountability and transparency about how Trade Union facility time is managed is also part of central government's reporting requirements.

Furthermore, the current arrangements for Wolverhampton schools do not include any contribution towards non-teaching unions who are working to support their members in schools. There is a need to seek a contribution from schools towards the costs of non-teaching union time as per the arrangements for teaching unions.

Decision:

Members of Schools' Forum are recommended to:

1. Agree to a review of facilities time arrangements taking place.
2. Note the request for schools and academies to contribute to non-teaching union costs.

1.0 Background

1.1 Successive governments have recognised the importance of good industrial relations and have legislated to provide a statutory basis for facilities time as follows.

- Paid time off for union representatives to accompany a worker to a disciplinary or grievance hearing.
- Paid time off for union representatives to carry out trade union duties.
- Paid time off for union representatives to attend union training.
- Paid time off for union 'learning representatives' to carry out relevant learning activities.
- Paid time for union health and safety representatives during working hours to carry out health and safety functions.

These provisions are contained within the Employment Relations Act 1999 and the Trade Union Labour Relations (Consolidation) Act 1992 and the Safety Representatives and Safety Committees Regulations 1977.

1.2 In Wolverhampton a pooled funding arrangement is in place where schools subscribe to local facilities time arrangements. Subscriptions are collected from participating schools and payments are made to individuals carrying out the duties detailed above accordingly.

1.3 In January 2016 it was agreed by Schools' Forum that rather than de-delegate funding from schools as had happened previously, the co-ordination and administration of the local arrangements be carried out by ConnectEd in accordance with the model referenced in paragraph 1.2 above.

1.4 The agreements in place for the City cover the following trade unions: the Association of School and College Leaders (ASCL), the National Association of Schoolmasters Union of Women Teachers (NASUWT) and the National Education Union (NEU) and National Association of Headteachers (NAHT) There is no provision in the current arrangements for payments to representatives of non-teaching unions i.e Unison, Unite, GMB.

2.0 Discussion

2.1 The work carried out between the trade unions, schools, academies and the LA is valuable. It provides the facility to agree local policies, discuss health and safety matters and to work in partnership on local issues that necessitate trade union involvement.

2.2 As stated in para 1.5 there is no provision in the current scheme to cover the costs of non-teaching union representatives who are regularly attending meetings in schools in the city as well as working alongside teaching unions around policy development etc.

2.3 The current subscription-based system for teaching trade unions is facilitated by ConnectEd, with schools choosing to pay into the scheme and ConnectEd managing the payment to union officials for duties carried out.

2.4 The equivalent costs for non-teaching union representatives are currently wholly funded by the City of Wolverhampton Council with no contribution being made by schools and academies in the city. The Council also makes a contribution towards the Teaching Unions facilities (NEU and NASUWT) through the provision of office accommodation at the Civic Centre, this cost is not recovered from the existing pooled arrangements.

- 2.5 The City Council believes it to be reasonable to require a contribution from schools towards the cost of its direct employees that are undertaking union duties in schools in the city. Initial research shows this to be accepted practice in other Local Authority areas.
- 2.6 Since making the decision to cease de-delegation of funds there has been no review of the arrangements by Schools' Forum. It is recommended that the current arrangements be reviewed in the run up to agreeing schools' funding for the 2021-22 financial year. The review would be led by the Local Authority and would be carried out in partnership with the trade unions and ConnectEd.
- 2.7 Initial feedback will be presented to Schools' Forum in December 2020.
- 2.8 Areas in scope for the review will include but not be limited to:
- Analysis of current rates of contribution including benchmarking against other LAs,
 - Modelling of potential non-teaching union costs to schools,
 - Administration of the scheme.