

Trade Union Facilities 2014-15

Schools Forum

Date: 21st January 2014

Author: Head of Commissioning, Education and Attainment

Wards: All

Locality Affected: All

Parishes Affected: All

1. Purpose and Reasons

- 1.1 For representatives of primary maintained schools to consider the de-delegation of funding for union facilities time for the financial year 2014/15 and for other schools to consider buying into the service on a subscription basis.

2. Recommendations

- 2.1 Schools Forum representatives of primary maintained schools are asked to agree de-delegation of funding for union facilities time for the financial year 2014/15 at a cost of £1.25 per pupil.
- 2.2 Schools Forum representatives of maintained special schools and alternative provision settings are asked to agree to pay a 2014/15 annual subscription charge equivalent to £1.25 per pupil but using pupil numbers multiplied by 4.
- 2.3 All Schools Forum representatives are asked to note that academies will be individually invited to also subscribe to this service during 2014/15 at a cost of £1.25 per pupil.

3. Detail

3.1 Background

- 3.1.1 Trade Union (TU) officials have a statutory right to reasonable paid time off to carry out union duties.
- 3.1.2 Swindon currently funds 3 teacher trade union representatives (NUT/NASUWT/ATL) one day per week to support trade union duties for teachers across all schools and academies.
- 3.1.3 From 1 April 2013 the funding for trade union facilities time was delegated to all schools for the first time.
- 3.1.4 For one year only Schools Forum agreed to fund existing arrangements through underspend on the centrally retained DSG budget to allow further investigation into TU activities and membership.
- 3.2 A report was sent to all Headteachers in November 2013 detailing information relating to trade union membership numbers and setting out the proposed options for April 2014 (Appendix 1).
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Further information on the subject of this report can be obtained from Paddy Bradley, 01793 465744, pbradley@swindon.gov.uk.

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- 3.2 The teacher unions provided a document (also include in Appendix 1) in which they set out a response to a number of questions posed by Swindon Borough Council's HR team and the benefits of continuing with a centrally funded facilities pot. This included:
- carrying out a wide range of activities supporting members across schools and academies; and
 - providing guidance to school representatives to support members and avoiding escalation to formal processes.
- 3.3 The teacher unions further assert that current arrangements provide excellent value for money and current release time in Swindon is funded at a considerably lower rate than other similar size authorities.
- 3.4 Without this arrangement in place schools would have to fund and train an accredited representative for each union and this would have significant impact on release time, disruption and supply costs.
- 3.5 Feedback from the 3 Headteacher Associations:
- 3.5.1 SASH – the overwhelming decision was that Secondary Heads do not support a pooled arrangement
- 3.5.2 SAPH – the majority of Primary Heads at the recent SAPH meeting indicated an interest in contributing to a pooled arrangement
- 3.5.3 ASSSH – the consensus was to contribute to a pooled funding arrangement
- 3.5.4 There was some discussion about including other TU's in the funding arrangements, whilst recognising this would increase the costs to schools.
- 3.6 How might Trade Union Facilities be funded?
- 3.6.1 The LA's centrally retained budget previously top sliced from the DSG was deleted with effect from the start of 2013/14 thereby releasing funding that was distributed to schools in their delegated budgets.
- 3.6.2 From the start of 2014/15 maintained primary schools can agree the de-delegation of funds back to the LA in order to continue the practice of the LA paying for TU release time.
- 3.6.3 Under the School Funding Reform programme there is no facility for de-delegation by special schools or alternative provision settings or any type of academy although funding can be collected via a simple annual subscription charge.
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3.6.4 Feedback from Headteacher Associations is that there is likely to be:

- agreement to de-delegate by maintained primary schools;
- agreement to pay a subscription charge by Special schools, albeit the funding methodology detailed in 3.6.6 below is potentially new information;
- interest in paying a subscription charge by some primary academies; and
- no interest in paying subscription charges by secondary schools or academies.

3.6.5 Current costs of existing release time is £25,000 per year which, if shared across all schools, would equate to approximately £0.82 per pupil.

3.6.6 Based on the likely level of interest a lower level of release time is envisaged and the cost per pupil would vary depending on academy interest as illustrated below:

	Service costs @ £25,000	Service costs at £20,500	Service Costs @ £16,000
Estimated number of pupils	16,389	16,389	12,715
Charge per pupil	£1.52	£1.25	£1.25
Primary de-delegations - 10,747 pupils	£16,335	£13,433	£13,433
Special schools and AP settings - 1,968 pupils (note 1)	£2,991	£2,460	£2,460
Primary Academies - Assume no interest - Say half of 7,348 pupils (3,674)	£5,584	£4,593	£0
Estimated total funding	£24,910	£20,486	£15,893

(Note 1 - In accordance with standard practice used by DfE and LAs when sharing funding or costs proportionate to pupil numbers special school pupils have been counted at x 4 as this better reflects pupil to staffing ratios)

3.6.7 Details of the service offered are attached at Appendix 3. Schools and Academies that do not contribute to the pooled funding arrangements either by de-delegation or Traded Services will be required to organise TU

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facilities arrangements with individual unions.

4. Alternative Options

- 4.1 The representatives from maintained primary schools, special schools and alternative provision could decide not to support the recommendations and so requiring all schools to make their own facilities arrangements with trades unions.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 The financial implications are covered in section 3.6 of this report.

Legal and Human Rights Implications

- 5.2 The legal position of trades union representatives and the relevant financial regulations are covered in section 3.1 of this report.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.3 This report does not make any recommendations that affect these areas.

Links to One Swindon, Plans and Policies

- 5.4 Utilisation of the DSG has a direct link to two of the Council's five priorities – "Right skills, right jobs in the right place" and "Make the best use of Swindon's resources inside and outside the Council".

Diversity Impact Assessment

- 5.5 A DIA has not been completed at this time as the proposals are to continue existing provision, albeit funded in a different manner.

Risk Management

- 5.6 There are no specific risk management implications not highlighted in the body of the report.

6. Consultees

- 6.1 The Board Director Resources (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

7. Background Papers

- 7.1 None

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8. Appendices

- 8.1 Appendix 1 – Report to Headteachers relating to Trade Union facilities time
- 8.2 Appendix 2 – TU Traded Service Offering