

**Report to Hartlepool Schools' Forum 5<sup>th</sup> July 2017**  
**From Mark Patton, Assistant Director (Education Learning & Skills (0-19) and**  
**Rachel Clark, HR Business Partner**

**Agenda Item 5 – Trade Union Facility Time Budget De-delegation for Schools and Academies in Hartlepool**

**1. Purpose of Report**

The purpose of the report is to update the Schools Forum on the rates and expenditure for schools and academies for Trade Union Facility Time under the de-delegation budget.

**2. Background**

- 2.1 The Local Authority agreed to present a report to the Schools Forum to outline the current status of the Trade Union Facility Time budget delegation to the Local Authority for 2017/18.
- 2.2 Trade union representatives, and members of an independent trade union which is recognised by the employer, have a statutory right to time off when taking part in trade union activities.
- 2.3 The Schools Forum (maintained schools only) annually agree if they will de-delegate funding for this budget or in the case of academies enable them to contribute to this budget . This fund enables schools to recover the cost of supply staff for the release of a Trade Union representative who undertakes duties on behalf of a recognised trade union across schools and academies in Hartlepool.

**3. Benefits of Co-ordinated Trade Union Arrangement**

- 3.1 ACAS Code of Practice states “Union representatives undertake a variety of roles in collective bargaining and in working with management, communicating with union members, liaising with their trade union and in handling individual disciplinary and grievance matters on behalf of employees. There are positive benefits for employers, employees and for union members in encouraging the efficient performance of union representatives’ work, for example in aiding the resolution of problems and conflicts at work. The role can be both demanding and complex. In order to perform effectively union representatives need to have reasonable paid time off from their normal job in appropriate circumstances.”
- 3.2 A joint statement with Trade Unions from ATL, NAHT, NASUWT and NUT in September 2014, identified that paying into a central fund “will help maintain a coherent industrial relations environment where issues and concerns, whether individual or collective, can be dealt with more effectively.”
- 3.3 Unions promote the centrally retained fund for trade union facility time and attached for information are two documents: Appendix 1 “The Case for Facilities Buy In” circulated

by the National Union of Teachers (NUT) and Appendix 2 “Facility Time 10 Reasons to Buy In”.

- 3.4 The effects of not having a co-ordinated approach means that potentially the unions may nominate and train a representative in every school. Each school would then have a legal obligation to enable paid time off for training and for trade union duties. This could prove expensive and cumbersome both for the union and the school.
- 3.5 Having a central fund enables schools and academies in Hartlepool to share resources and promote effective employee relations and the Local Authority support the pooled funding arrangements for the costs of cover for the release of nominated trade union representatives.

#### 4. Arrangements and Costs

- 4.1 The de-delegation for 2017/18 was agreed at Schools Forum on 15/09/2016. The funding is calculated at a rate of £2.45 per pupil. In addition all academies bought this service back at the same rate. Total funding of £32,340 has been agreed.

Research from 13 Local Authorities across the Northern Region identifies the mean average spend per pupil is £2.20 with the highest spend being £3.62 / pupil.

- 4.2 The following union representatives currently have agreed arrangements to recover costs associated with their release for trade union duties. Costs can only be recovered for trade union representatives you are currently employed in a Hartlepool school or academy.

NUT	Andy Davies, English Martyrs	One day / week
ATL	Cheryl Walton, St Hilds	Ad hoc release (claim expected in July 2017)
NASUWT	Jerry Carne, Manor	One day / week (appointed June 2017)

- 4.3 The table below shows the actual budget and expenditure for the past two financial years and the estimate for 2017/18:

<b>De-delegated Funding – Union Rep</b>	<b>15/16 £</b>	<b>16/17 £</b>	<b>17/18 £</b>
Maintained Schools	20,048	19,933	18,502
Academies Buyback	12,429	11,525	13,838
<b>Total Funding</b>	<b>32,477</b>	<b>31,458</b>	<b>32,340</b>
Less Costs			
SLA, Salaries & Reimbursements	18,756	9,743	19,500
<b>(under)/over spend</b>	<b>(13,721)</b>	<b>(21,715)</b>	<b>(12,840)</b>

- 4.4 The underspends have occurred due to a lower than expected uptake of trade unions representatives identified for roles with a Hartlepool wide remit. However the NASUWT have recently confirmed the appointment of a new representative from June 2017.

4.5 In accordance with The Schools and Early Years Finance (England) Regulations, any in year DSG under or overspend is transferred to the DSG Reserve. The balance on this ringfenced reserve can then be used in future funding periods.

5. **Recommendation**

Note the contents of the report.