
Meeting: Schools Forum
Date: 5 March 2012
Subject: Trade Union and Professional Associations
Report of: Deputy Chief Executive and Director of Children's Services
Summary: To seek approval for the continuation of DSG funding for facilities release time for trade unions and professional associations.

Contact Officer: Vikki Oakes, Head of HRBP's and Programmes / Catherine Jones, Head of HR Policy and Development, Technology House, Bedford
Public/Exempt: Public
Wards Affected: All
Function of: Council
Reason for urgency (if appropriate)

RECOMMENDATIONS:

To approve the continued funding for facilities release time for Trade Unions and Professional Association for 2012/13

Background

1. Trade union representation is required by law and there is a need for schools to consult with the trade unions in accordance with School Teachers Pay and Conditions. Union representatives also have a statutory right to reasonable paid time off from employment to carry out trade union duties and to undertake trade union training. (Trade Union and Labour Relations (Consolidation) Act 1992)
2. It is recognised that trade unions and professional associations make a significant contribution to the smooth running of schools, both locally and nationally. The funding system for schools should include full recognition of school workforce trade unions and should enable the effective engagement of school workforce trade unions in local consultation and collective bargaining.

3. The School Finance Regulations Schedule 2 allows an amount of funds to be retained centrally to fund expenditure in making payments to, or in providing temporary replacement for, persons:
 - § carrying out trade union duties or undergoing training under section 168 and 168A of the Trade Union and Labour Relations Act 1992
 - § taking part in trade union activities
 - § performing public duties under Section 50 of the Employment Rights Act 1996
 - § jury service
4. The Facilities Agreement details the volumes and eligibility of Trade Unions and Professional Associations to claim payment in order that Schools be able to adequately cover staff time lost. Seven Trade Unions and Professional Associations are formally recognised as part of this agreement. Associated costs for 2012/13 are set at £97k per annum (see spreadsheet attached at Appendix B). Recovery of up to 0.25fte (£8532) costs associated with UNISON facilities time will be made from unallocated funding. The balance will be returned to the DSG.
5. £80,234 of the £97k funding for the financial year 2011/12 has been allocated, there is unallocated funding of £16,766.

It should be noted that the NUT had no representative(s) for the period 1st April to 31st August 2011 and only one during September 2011.

The ACSL is only likely to make limited claims during the 2011/12 financial year

6. At present, Union and Association representatives submit claims to confirm their time spent on facilities and seeking reimbursement to relevant schools budgets. This is facilitated through HR.
7. Not all representatives claim monthly or at regular intervals and therefore spend against budget is sporadic.
8. It is requested that the Schools Forum continue to agree to support the work with Trade Unions and Professional Associations by continuing the allocation of DSG funds for 2012/13.
9. The Facilities for Representatives of Recognised Unions and Professional Associations (Teacher and School based Staff) is due for review in 2013. It is proposed that a review take place before this time with a view to establishing the future requirements for DSG funding in light of the changing environment in Central Bedfordshire Council.

Appendices

- A** Facilities for Representatives of Recognised Unions and Professional Associations (Teachers & School Based Staff).
- B** Volumes and Eligibility of Trade Unions and Professional Associations