

Meeting: Central Bedfordshire Schools Forum
Date: 18 January 2016
Subject: Trade Union and Professional Associations
Report of: Director of Children's Services
Summary: To seek approval for the continuation of funding for facilities release time for Trade Unions and Professional Associations. This would be through de-delegation (where appropriate) for maintained Lower, Primary, Middle and Secondary Schools. Nursery and maintained Special Schools would be invoiced directly, subject to their agreement to release funds for this purpose.

Contact Officer: David Waller, Policy & Implementation Manager Priory House, Bedford
Public/Exempt: Public
Wards Affected: All
Function of: Council

RECOMMENDATION(S):

The members of the School's Forum who are entitled to vote are asked:

- 1. To agree to de-delegate funding from the Lower/Primary School Phase for the use of Trade Union facilities time, £2.64 per pupil.**
- 2. To agree to de-delegate funding from the Secondary School Phase (Middle & Upper) for the use of Trade Union facilities time, £2.64 per pupil.**
- 3. To continue to allocate the per pupil funding cost of Trade Union facilities time equally across all phases.**

Background

1.

Union representatives 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). There is also a need for schools to consult with the trade unions in accordance with School Teachers Pay and Conditions.

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. During the current period of facilities funding the Trade Unions have entered into collective consultation in relation to the following:
 - school policies and processes with officers of the Council;
 - the representation of staff in the consultation for the closure of three middle schools and subsequent consultations during the on-going structural reviews of the schools that are to close;
 - the TUPE transfer of schools to Academy status and service provision TUPE transfers both into schools and out of schools;
 - ongoing support and representation of members relating to school based matters.
4. From 2013/14 the Dedicated Schools Grant (DSG) was split into three notional funding blocks:
 - Schools Block
 - Early Years Block
 - High Needs Block
5. The Schools Block includes the delegated budgets of Lower, Middle and Upper Schools. Funding within the Schools Block that is currently retained by the Authority must be delegated to schools. However the following exceptions, applicable to Central Bedfordshire, are area's where decisions regarding the de-delegation of funding may be made.
 - a) Contingencies (including previous amounts for schools in financial difficulties)
 - b) Staff costs – supply cover (Facilities Time for Union Duties)
6. The decision relating to de-delegation within each phase is to be determined by those members of Schools Forum who represent maintained schools.
7. It is not possible to de-delegate funding from Nursery and Special Schools therefore Maintained Nursery and Special schools will be invoiced for the associated costs on an equivalent cost per pupil basis of £2.64 per pupil.
8. In 2014/15 it was agreed by the members of Schools Forum that the costs would be divided equally across all phases. It is recommended that this arrangement continues for 2016/17 so that the costs are proportioned across the phases.

2015/16 Facilities Time Budget Update

9. The following table sets out the expenditure to 31 December 2015.

	BUDGET £	SPEND £	BALANCE £
Budget Allocation 2014/15	53,694		
VOICE		0	
ASCL		0	
NUT		7,764	
NASWUT		3,479	
ATL		6,262	
NAHT		2,220	
Unison		5,716	
GMB		8,497	
Total	53,694	(33,938)	19,756

The expected spend to the end of the year is £49,188. Any balance remaining may be carried forward to the following funding period as with any other centrally retained budget, and can be used specifically for this service.

Cost of Facilities Funding 2016/17

10. The estimated total cost for facilities funding for 2016/2017 for Maintained Primary and Secondary phases is £53,694 and the estimated cost per pupil is £3.31. The estimated total cost for Nursery and Maintained Special Schools is £2,386 and the estimated cost per pupil is £3.31. The estimated total cost has been calculated by multiplying the actual cost per pupil rate for 2016/17 (£3.31) by the October 2015 pupil numbers census .
11. A remaining balance of £11,000 from the 2014/15 funding period was carried forward to the 15/16 funding period and therefore the remaining balance of £11,000 has been off set against the estimated 16/17 facilities funding for Maintained Primary, Secondary, Nursery and Special Schools. The following table sets out the estimated costs as a result of the off set of remaining balance.

Estimated total facilities funding 2016/17 Maintained Primary and Secondary	Cost per pupil	Remaining balance 2014/15 for maintained Primary, Secondary nursery and special schools	Estimated adjusted total facilities funding for 2016/17 Maintained Primary and Secondary	Revised cost per pupil 2016/17 (All phases)	
£53,620	£3.31	£11,000	£42,854	£2.64	

12. The estimated total cost for facilities funding for Maintained Primary and Secondary Phases including the off set of 2014/15 remaining balance is £42,854 which equates to £2.64 per pupil. The remaining balance of funds of £11,000 for 2014/15 has been offset against the 2016/17 facilities period only.
13. The number of pupils in schools maintained by Central Bedfordshire Council has been based on the October 2015 census.
14. It is important to note that the overall cost and cost per pupil is also affected by Trade union membership numbers. These are currently based on 2015/16 Figures provided by the Trade Unions based on membership as at 31 July 2015
15. Appendix A provides a frequently asked questions document for all schools regarding the statutory responsibilities that they need to comply with should the school elect not to de-delegate funding for Facilities time. These statutory responsibilities are contained within employment legislation and also the Teachers Conditions of Service (Burgundy book) and NJC Conditions of Service (Green book).

Trade Union Facilities Agreement – Schools

16. The facilities agreement provides detail on the membership numbers and eligibility of trade unions and professional associations to claim payment in order that schools be able to adequately cover staff time lost. Eight Trade Unions and Professional Associations are formally recognised as part of this agreement.
17. Members of the Schools Forum are requested to continue to support the work with the Trade Unions and Professional Associations by continuing to agree funding for 2016/17 as recommended in this report.

Appendices:

- A** Retained Facilities Funding Frequently Asked Questions Document

Background Papers: (open to public inspection) None