

Maintained Schools De-Delegation – Union Facilities

The following text has been compiled by Members of the Departmental Negotiation and Consultative Committee to provide background to the section of the Schools Block Transfer Consultation regarding de-delegation to fund union facilities time.

We, the Unions feel that there are a number of reasons why schools in Leicestershire should contribute to local facilities for trade union representatives and enjoy their benefits: -

1. **Cost effectiveness.** It is expected to cost just **£1.50** per pupil in primary schools and **£1.73** per pupil in secondaries to buy to in trade union facilities in Leicestershire, *(although it is important to note that we are willing to negotiate here)*. This is comparable to Nottinghamshire schools, where it allows for 4 days release. For this each contributing school will receive access to local trade union officers (of all the recognised trade unions) who will work with you to represent the views and interests of your staff, provide expertise in numerous matters such as health and safety, producing and implementing effective policies, smooth fair and timely resolution of matters related to competency and disciplinary action as well as a myriad of other benefits. These costs and benefits provide excellent value and are much less expensive than delays caused by a lack of access to local officers and costs related to meeting the cost of union representatives attending meetings and training without the reimbursement available to schools which pay into.

2. **Trade union recognition and the statutory right of representatives to time off.** Staff at Leicestershire schools that are employed by the Local Authority and staff who carried with them conditions of service and local agreements under Transfer of Undertakings (Protection of Employment) Regulations 2006 at conversion. Trade union recognition agreements and facilities agreements usually include this. These agreements encompass statutory rights to paid time off for trade union representatives in your academies to undertake trade union duties and training. Leicestershire schools have a legal obligation to facilitate paid time off for duties and training as enshrined in the Trade Union and Labour Relations (Consolidation) Act 1992. The simplest and most cost- effective way for schools to meet these statutory obligations is to contribute into the proposed facilities arrangements as schools do in the city and neighbouring counties.

3. **Representation of staff** in a timely and effective manner by qualified and trained representatives and experienced local caseworkers meaning that delays and costs are minimised, procedures are seen to be fair and proportionate supported by experienced local trade union caseworkers. This is not always the case when a school doesn't pay into facilities as if a school has not contributed to the facilities arrangements the Local Authority will not allow trade union representatives on facilities time to undertake representation in their normal working hours. Representation would have to be outside of this or through other officers which could well lead to delays. Schools that fail to facilitate the rights of their staff to representation leave themselves open to the risk of litigation and appeals up to and

including at Employment Tribunal which is likely to incur costs way in excess of the cost of facilities arrangements.

4. **Assistance and support with consultation and negotiation.** Contributing to facilities means that Leicestershire schools will have access to skilled and trained officers who can assist with and contribute towards effective and useful policies that save the Trust money and contribute valuable expertise at minimal cost. Many schools, Trusts and Headteachers have benefitted recently from excellent resources produced by the unions on COVID-19 safety in schools. Others, have saved thousands from using our exemplar materials as well as benefiting from good industrial relations that has avoided disputes, improved good practice, increased staff morale and lowered turnover helping to make schools happier, safer and more successful for all of the school community.

We hope that you will agree that contributing to local facilities arrangements can be of real benefit to your schools and represents real value for money. We would therefore urge you to support de-delegation and the reestablishment of funding trade union facilities in Leicestershire which represents real value for money and will bring real benefit to Leicestershire schools.

The recognised trade unions in Leicestershire remain committed to building excellent working relations with your Trust and working together for the benefit for pupils, teachers, and education.

This has been strongly demonstrated during the Global Pandemic, where we have worked together with the afore mentioned, to consult on Risk Assessments, wider openings, and good working practices. We have received a great amount of positive feedback from schools for our information and support.

We would like to build upon these relationships and form positive open dialogue with the Local Authority, Senior Leaders and members.

If you would like to meet us regarding these and related matters or have any questions or concerns to raise, please don't hesitate to contact us

Yours Sincerely