



Dear Colleague

You will be aware that the implementation of Government changes to the funding arrangements for supply cover costs are currently being discussed within this local authority.

From April 2013, local authorities will only be able to retain funding for supply cover costs, including for trade union facility time, where schools have agreed through the Schools Forum to “de-delegate” the funding. This poses a serious challenge to arrangements through which employers meet their statutory duties to provide time for union duties, as well as arrangements for maternity and long term sick leave cover. There is now a decision to be made in this local authority, and we want to draw your attention to some important information.

Successive governments have recognised the importance of good industrial relations and have legislated to provide a statutory basis for facility time as follows:

- Paid time off for union representatives to **accompany** a worker to a disciplinary or grievance hearing
- Paid time off for union representatives to carry out trade union **duties**
- Paid time off for union representatives to attend union **training**
- Paid time off for union ‘learning reps’ to carry out relevant **learning activities**

These provisions are contained within the Employment Relations Act 1999 and the Trade Union Labour Relations (Consolidation) Act 1992. In addition, the Safety Representatives and Safety Committees Regulations 1997 require that employers allow

- Paid time for union health and safety reps paid time during working hours to **carry out health and safety functions** such as investigating potential hazards and complaints, attending safety committee meetings and making representations on health and safety matters.

The issue therefore is how facility time is organised, not whether it is available. If facility time is not held centrally then each union can press for release of a union representative at each school. The training requirement for these representatives could be significant given the new role they will be expected to fulfil. Their release from teaching to accompany members to meetings could be more disruptive than the current arrangements where a union rep is released centrally to perform these tasks.

The current arrangements allow trade union representatives who understand the local context to deal with issues arising within schools, without necessarily being a member of staff of the particular school. They also allow experienced trade union reps to seek to resolve problems at an early stage, often informally. Well organised trade union representation helps to support morale, reduce staff turnover and lower recruitment costs.

We believe that cooperation and coordination between schools on these matters assists school leaders and governors in arranging the trade union representation to which staff are entitled. We hope you will agree that it is in the interests of everyone at your school to maintain these advantages, and will carefully consider how any move away from pooling of funding would affect your ability to meet employers' statutory obligations.

In order to ensure that funding continues to be held by the local authority to cover staffing costs for trade union facility time and other civic responsibilities (including service as a magistrate and jury service), please pass this information on to schools members on your School Forum and urge them to vote for de-delegation.

Yours sincerely

Russell Hobby

Chris Keates

Christine Blower

Mary Bousted