

Local Authority Teaching Union Facilities 2019 Report for Schools' Forum

Overview

LA facilities time allows teaching unions to provide Gloucestershire schools access to effective statutory and collective consultation, bargaining and individual representation from trained and accredited local teaching union officials. Consequently, school leaders and managers also have access to a valuable resource in the resolution of workplace issues and disputes.

This allows LA schools to meet all statutory and procedural entitlements to union representation, which include:

- capability
- grievance
- disciplinaries
- long term absence
- pay and grading appeals
- redundancy and restructuring consultations (all relevant unions)
- equality and discrimination issues
- introduction of new or revised policies and procedures
- health and safety issues

It also allows local officers to respond to the large proportion of queries for informal advice from members, via phone and email, which result in issues being dealt with without having to involve the school or without escalation to any formal procedure. We strongly believe that this de-escalation saves head teachers a substantial amount of time and helps to enhance school cohesiveness.

To enable a certified union representative to be available, facilities time allows for:

- time off for relevant training
- time to prepare for the meeting
- travel time
- “follow up” time

Elected County Union representatives – currently Tony Chong (TC) (NASUWT) and Sarah Murphy (SM) (NEU)

County representatives are trained in current employment law and related matters, have an excellent working knowledge of procedures and have considerable experience in bringing matters to a speedy conclusion, resolving disputes. They also have an understanding of how disputes and employee issues have been resolved in a mutually acceptable way elsewhere in the county. This expertise is supported by high-level regular training arranged and funded by the respective

teacher unions (not by facilities funding). They have access to resources, colleagues and solicitors at regional and national level who provide information and advice on policy and professional matters and on employment relations issues.

What are the implications of not buying this service?

Without this service LA schools would be responsible for meeting all statutory obligations (eg individual right to representation and legal obligation to consult on redundancies and staff changes) from their own budget. Schools would be taking on responsibility for agreeing, co-ordinating and paying for release time and paid time off for duties and training of their own school-based reps.

This release would be in addition to the normal training required by School Representatives and would need to replicate the training undertaken by County representatives to enable those functions to be fulfilled at school level rather than through the buy-in scheme.

This would be necessary if the school is to meet its statutory obligations in respect of trade union duties for which money is delegated to schools through the funding formula. The cost of training school reps to this level would, however, be considerably greater than that of the current facilities arrangements. In addition, these trained school-based reps would have to be released from lessons to provide the support required by their colleagues.

LA facilities funding pays for the availability of county representatives to respond to schools' issues. All other areas of trade union work and representation are paid for by member subscriptions. With minor variations, this is the same for all recognised teacher unions including the Headteacher associations. Some examples of work paid for by subscriptions are:

- Regional staffing team including regional officials who undertake serious and high-level case work (eg NCTL cases, exam malpractice, employment tribunal cases).
- Legal advice and support including solicitor teams
- Campaigning and policy work – locally, regionally and nationally
- National telephone advice line for all members and reps to access seven days a week
- Website advice and resources
- Workplace reps training programme
- Advance training programmes for county representatives
- CPD programmes and courses for members

NEU and NASUWT Gloucestershire officials (TC and SM) receive paid release time from this funding to provide advice, support and representation (a summary to follow). The time is allocated on the basis of the respective membership of each

union in the county. We promote and maintain partnership working, best practice and consistency across the county. We work with schools and academies to facilitate early resolution of difficulties to reduce the risk of disputes or legal claims. TC and SM work collaboratively within schools in many instances.

How facilities time was spent in 2018-2019 by NEU and NASUWT

Report for Schools' Forum by Sarah Murphy (District and Branch Secretary Gloucestershire NEU)

From September 2018 I have been carrying out casework on behalf of National Education Union Members for 3.5 days per week funded through Union Facilities Time. Membership total (on 3/9/19) 4756.

We currently have 97 Work Place Representatives (Reps) who have also supported their colleagues in schools.

I receive casework via our AdviceLine, our Regional Office and direct from members. During the past year I have supported teaching assistants, HLTAs, teachers (including supply), TLR holders, assistant head teachers and head teachers. I have also represented support staff including librarians and an IT manager.

The analysis below pulls together data from AdviceLine referrals and direct email contact from members. It is not definitive because I support a substantial number of members (100+) in 'one off' contacts via the phone and email whose queries I can answer immediately and therefore whose issues do not become a substantive piece of casework.

Breakdown of cases:

- Disciplinary 12
- Sickness/ R to W/ absence 19
- Restructuring/ Redundancies 25
- Flexible working 8
- Grievance 2
- Capability 14
- Contract Issues 4
- Other 18

Total 102

Educational Institution:

Primary 36, Secondary 17, Independent 10, FE 2, APS/Special School 8, Advisory Teacher service 2

There have been eleven collective cases centering on redundancies, restructuring and withdrawal from the TPS.

It is important to recognise that as union representatives and caseworkers we see it as a priority to resolve issues within education settings swiftly and constructively for all those involved. We visit schools to speak to members on a collective and individual basis, members contact us directly by email on a daily basis, we speak over the phone and meet with members out of school.

Advice is sought via email from us 24 hours a day with the nature of the query or incident being completely unpredictable. Our role will often involve 'coaching' with the result that teachers return to the classroom ready to teach again without the headteacher probably even being aware that their staff member had a concern.

NASUWT Gloucestershire Federation - NASUWT is a Lay Led Association.

Report for 2018 to 2019 by Tony Chong (Gloucestershire Federation and Negotiating Secretary and Local Association Secretary for Gloucester Severnside)

An Accredited Caseworker with two days a week funded through Union Facility Time.

From September 2018 a second colleague receiving one day a fortnight has been included due to the ever- increasing amount and complexity of casework in Gloucestershire.

Work Placed Representatives have also contributed to supporting member colleagues.

Nature of work: The face and voice of NASUWT in Gloucestershire, providing a point of contact for members - regardless of their setting - concerning every aspect of their present and possible future working conditions and pay as qualified professional educators.

The benefits of the role to members: For members the benefits are many but crucially it is having an easily contactable local point of contact with a person who has an in-depth understanding and knowledge of the Gloucestershire Education landscape. That contact is then in turn able to access the expertise and knowledge of a National professional organisation dedicated solely for Teachers.

Individual cases: During the period 1st April 2018 to 31st March 2019, some seventy-five individual member cases [an increase of 20% from last reporting period] were supported and they were from across educational settings.

The following list indicates the type of educational institutions members worked.

Secondary	14	Independent Schools	3
Primary	7	Special Schools	3
Infant	4	Further Education	2
Gloucestershire LEA [Advisory Teachers Service and Alternative Provision]			2
Gloucestershire Alternative Provision			2

This Casework ranged from – redundancies arising from internal re-organisations prompted by financial pressures, parental complaints, staff grievances, Directed Time Calendar – not being made available or indeed completed, Maternity Leave, Performance Management, and latterly specifically the implementation of increased employer contributions to the T.P.S. [Teachers’ Pension Scheme] through to implementation of NASUWT’s Action Short of Strike Action.

In addition some one hundred and sixty eight ‘one off’ member contacts were made an increase of almost 20% from last year.

Collective Cases: Nine

Two cases concerned - redundancy proposals and procedures

Two cases concerned – New School policies [Performance Management / Appraisal]

Five cases concerned – possible withdrawal from T.P.S

General Policy requests: Ten - these have included areas such as: Pay Progression, Performance Management, Redundancy, Attendance and Competency.

Mr. A. Chong

17th July 2019

On behalf of thousands of workers in education across Gloucestershire, we ask Schools’ Forum to vote for facilities funding to be de-delegated for 2019-20.

Many thanks Sarah and Tony

