

Subject Heading:

De-delegation of funding for central services 2024-25

Report Author:

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Eligibility to vote:

LA maintained school representatives

SUMMARY

This item invites feedback from clusters on the requests for de-delegation made previously and seeks the approval of de-delegation for Trade Union facility time.

RECOMMENDATIONS

That LA maintained primary school representatives

- (i) consider the de-delegation of funding for Trade Union facility time

REPORT DETAIL

At the meeting of Schools Funding Forum on 21st September 2023, LA maintained school representatives were asked to consider de-delegation of:

- (i) Insurance
- (ii) Free school meals eligibility checking
- (iii) Maternity leave insurance
- (iv) EAL service
- (v) Behaviour support service
- (vi) Statutory and regulatory duties

(vii) Core school improvement activities

and whether they wish to continue with a de-delegated fund for schools in financial difficulty.

A decision does not have to be made on de-delegation until the next meeting of the Forum on 30th November 2023, but any feedback from clusters at this stage would be welcomed by the LA.

Trade Union facility time

The de-delegation of Trade Union facility time was deferred from the last meeting as a task and finish group had been established to consider the topic. The first meeting of the group followed the meeting of the Schools Funding Forum on 21st September 2023. Following this, the LA is seeking to continue with de-delegation.

De-delegation benefits schools through the provision of support from locally based and accredited trade union officials. Further details on what is provided are contained in Appendix A.

The cost to schools in 2023-24 was £2.63 per pupil. If the price remained unchanged the figures for 2024-25 would be as follows.

2024-25	Primary
Formula factor	AWPU
Amount	£2.63
Total	£45,500

2023-24	£2.63
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Shown below are the figures if the sum per pupil was increased by 6.5% in line with the proposed rise in teachers' pay. This would bring the per pupil amount to £2.80. The figures would be as follows.

2024-25	Primary
Formula factor	AWPU
Amount	£2.80
Total	£48,400

2023-24	£2.63
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Trade Union facility time

Introduction

There is a legal obligation on schools as employers to ensure they have in place arrangements to negotiate and consult with accredited Trade Union representatives and to afford their employees Trade Union representation, in compliance with legislation. Such arrangements include paid time off ('facilities time') for accredited trade union representatives to undertake these duties.

This service provides confidence to participating schools that they are fulfilling their legal obligations and ensuring their staff have access to employee representation from local Union representatives from across the County.

The support from Union representatives, available through de-delegation, also ensures that sensitive issues do not spiral out of control into situations involving formal procedures which can be extremely costly in both senior leadership time and money.

The scheme helps avoid the risk of operational disruption and the cost of schools having to release their own staff for specific training to fulfil this role and other functions linked to Trade Union facilities time.

By not having access to this local experienced resource there is an increased risk of lengthy and stressful processes that could impact on the running of schools and the health of all staff involved.

There are also increased risks around the following:

- Schools not fulfilling their legal duty.
- Schools not having access to a local Union rep resulting in delays in case management and resolution.
- Application of HR Policies impacted due to lack of availability of Union support.
- Lack of local mediation/discussion with regional reps who know the area.
- Escalation of grievances and cases (including sickness absence management) which might otherwise be avoided.
- Schools having to provide training for staff to the standard of local branch secretaries in order to fulfil legal duties.
- Schools unable to find staff who want to take on the Trade Union representative role.

Trade union facility time and membership fees

There is also often confusion around individual member subscriptions to Unions and the facilities payments received from schools. There is a specific distinction between the two and what they cover:

- 1) **Individual membership fees** not only pay towards the overall running costs of unions, but members also receive a number of fringe benefits, from support and guidance, legal services, training, financial assistance, compensation, non-employment law and insurance.
- 2) **De-delegated Trade Union Facilities Time** from schools funds the release of local representatives within Havering. Unions work collaboratively with schools and the LA to enable a smooth and seamless service.

Service provision

School leaders and governors are likely to only see a glimpse of the activity and support provided by Unions and what actually takes place in terms of casework.

A great deal of time is spent by local reps dealing with employees' concerns and grievances 'behind the scenes' in a way which prevents things ever escalating into confrontation and formal procedures.

Local Union reps help members work through conflict and change to the benefit of the members themselves and of school leaders.

The pooled arrangements allow facility time for branch secretaries to provide support to their members in a range of areas including:

General Advice and Support

1. Access for members to advice and support on employment issues from local representatives who understand Havering school issues because they work within them.
2. Prompt response to all requests for contact or support from Trade Union/professional association representatives.
3. Joint working between Trade Union representatives, LA Officers, members and school leaders, supporting staff whilst working collaboratively with management for best outcomes - to reduce escalation; maintaining open channels of communication to create resolution in challenging and difficult circumstances.
4. Schools and their staff are kept abreast of issues on the national Trade Union agenda and pertaining to collective agreements. All Unions work at a national level, campaigning and lobbying the government to reform key issues within education to support children and their learning with the best possible outcomes for everyone.

Consultation, Compliance and Policies

5. Availability of a pool of specialist Trade Union representatives able to consult meaningfully with the Local Authority on proposed changes to HR policies on behalf of all maintained schools. This saves individual schools having to consult with the Trade Unions independently.
6. Assurance that model employment policies issued by Havering LA have been through formal negotiation and consultation with Havering Division/Branch Trade Union officials

Employee Relations

7. Employees' concerns and grievances are addressed informally wherever possible, in a way which prevents sensitive issues escalating into confrontation involving contracted formal procedures. This can be extremely costly in both senior leadership time and money as well as emotionally for all involved.
8. Matters are often addressed without recourse to regional officials.
9. Where the involvement of regional or national officials is required, named contact details are provided promptly by local reps.
10. Genuine support for the well-being of staff, through positive and productive working relationships.

Restructuring and Reorganisation

11. Specific support for staff restructurings and budget saving options.
12. Discussion about alternative individual employment options, including settlement agreements.

TUPE and Academy Conversion

13. Meaningful consultation over academy conversion.

Branch secretaries, whose facility time is funded through de-delegation are senior and experienced Trade Union representatives with a good level of knowledge and expertise on employment matters.