

Funding Reviews

1. Purpose Of This Report

Under the current funding regulations the budget for the next financial year (2015/16) has to be set in December. With this timescale, it is not possible for members to give full and appropriate consideration to all spending proposals if officers brought them to one meeting. As an alternative it was agreed that during the year, progress reports would be provided to the Forum. The report is provided to enable Forum members to decide on the future level of the budget to support for Trade Union.

2. Recommendations

- The Forum note the proportionally reducing cost of the union support shown in section 3.4
- The Forum agree to contain the costs within the current budget.
- The Forum ask officers to draw up a service level agreement for academies to buy into the trade union activities
- Ask officers to continue discussions with the unions and report back to the Forum on the treatment of national executive time and the inclusion of support staff unions within the DSG provision.

3. Trade Unions

3.1. Background

Trade union representatives are entitled to reasonable paid time off (known as facility time) to take part in trade union duties, such as negotiating with employers and representing members in grievance procedures. The DFE issued a consultation on 19 September 2013 to gather views from employers, school leaders, representative organisations, teachers and members of the public about trade union facility time.

The DFE were seeking views on the percentage of a school employer's pay bill that should be used to fund trade union facility time, and what could be considered reasonable time off for trade union duties for representatives working in schools. The DFE also asked whether trade union representatives should be accountable to employers and managers for the work carried out in facility time, and whether details of spending should be gathered and published and how facility time arrangements could be made more efficient.

3.2 The key findings and comments are as follows:

- There is substantial flexibility for maintained schools and, in particular, academies, to determine their own approaches to facility time to ensure positive workplace relations.
- All union representatives who receive facility time to represent members employed in schools should spend the majority of their working hours carrying out their main duties as school employees.
- Employers should ensure that spending on facility time is as efficient as possible.
- There should be full accountability and transparency on facility time given to trade unions

3.3 As with maintained schools, funding for trade union facility time is delegated to academies and free schools in the first instance. This gives them the flexibility to manage their own facility time budgets.

Where the employer (i.e. the academy trust) recognises trade unions, union representatives working in the academy or free school are entitled to reasonable time off. This could be agreed formally, or on an ad hoc basis as needed. A number of academies manage their own facility time arrangements at school level. Others have made the decision to buy into local facility time services by agreement, to be reviewed regularly. Some larger academy trusts have set up their own agreements directly with recognised trade unions. In some areas groups of academies share the cost of facility time, and review their pooled allocation on a regular basis

3.4 In Lewisham the funding for trade unions is delegated to schools but de-delegated and held centrally under the powers of the Schools Forum.

The current spend in Lewisham is as follows:

Year	Allocated Budget (excluding overheads)	Cost per pupil	Percentage of Teaching pay bill
	£'000	£	%
2009/11	126	3.89	0.12
2010/11	126	3.88	0.12
2011/12	126	3.91	0.12
2012/13	126	3.76	0.12
2013/14	126	3.70	0.11

From the above it can be seen that while the budget for trade unions has stayed at the same cash level over the past five years, in real terms when inflation is taken into account it has reduced. If we look at the unit costs in the above table it also shows a reduction as the budget supports more pupils and teachers.

The current support provided to the unions is as follows:

	Actual Spend £'000
Ass of Teachers & Lecturers	21
National Ass of Head Teachers	4
National Ass of Schoolmasters Union of Women Teachers	32
National Union of Teachers	73
TOTAL	130

In all there are 5 union reps based in schools. There is no support given to the administrative and support staff unions from this budget. Those costs are supported by the General Fund of the Council.

- 3.5** Published data on current facility time spending shows significant variation in spending; from £1.00 per pupil per annum in one local authority, to £5.70 per pupil per annum in a local authority of a similar size. The Department for Education having taken into account the need for flexibility according to local circumstances believes that this is an unacceptable level of variation. They take the view from their recent consultation that reductions in overall facility time spending can be made, whilst still allowing for flexibility according to local circumstances. If Lewisham was to reduce the funding support to £1.00 per pupil the budget would be £36k.

- 3.6** The department's review found that many local authorities and other employers have already reduced spending to approximately 0.1% of the pay bill, and others have made further reductions to 0.05% or less. This should include funding for all trade union representatives based in schools; representing support staff, classroom teachers and school leaders. The current percentage in Lewisham is 0.11%; to reduce the funding to 0.05% would mean a reduction of the budget to £63k.
- 3.7** Although it is not the case in Lewisham, most local authorities allow academies to buy into central facility time funds, but academy trusts report that charges range from less than £1 per pupil per annum to more than £7 per pupil per annum, and the benefits of buying into the service are often unclear. Some local authorities charge academies significantly more than the amount paid in by maintained schools, and some do not allow academies to buy into funding arrangements at all. The Schools Forum could ask officers to make provision for Academies to buy into the Lewisham arrangements.
- 3.8** Unusually in Lewisham, three trade union representatives sit on the national executive of their unions. This is not usually the case and most authorities while they may have one representative most do not have any. This of course comes at a cost to the schools in Lewisham with the benefit covering all authorities. As part of the recommendations in this report corporate discussions are proposed to be held with the unions on matters in the report and it proposed that this issue is also considered to see if a more equitable solution can be found for Lewisham schools.