

25th September 2016

Dear Sara Williams and members of Lewisham Schools Forum

De-delegation funding for supply costs, including trade union facilities time

We are writing on behalf of all employees working within the boundaries of your local authority who are members of ATL, NUT and NASUWT.

You will recall that, from April 2013, local schools agreed through your Schools Forum to 'de-delegate' funding for supply cover costs going forward, including for trade union facilities time. Where de-delegation took place we believe this was the right decision and would like to see this replicated across both Primary and Secondary phases.

We believe that the central retention and distribution of the fund is the most effective and efficient arrangement and would like to work with you to ensure that this arrangement applies to all schools. Discussions are now taking place in Lewisham on funding arrangements for supply cover costs from April 2017 and we are asking you to consider the information in this letter and hope it will encourage you to vote again for de-delegation of funding arrangements for supply cover costs, including time off for trade union duties.

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

- 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 representatives' to carry out relevant learning activities.
- Paid time for union health and safety representatives during working hours to carry out health and safety functions.
- Paid time off for union representatives to accompany a worker to a disciplinary or grievance hearing

These provisions are contained within the Employment Relations Act 1999 and the Trade Union Labour Relations (Consolidation) Act 1992 and the Safety Representatives and Safety Committees Regulations 1997.

The trade unions have members and union representatives in academies as well as maintained schools within your authority and, in addition to seeking your support for de-delegation, we are seeking your agreement for the local trade union funding arrangement to be formally extended to academies within your local authority boundaries.

The trade union recognition agreement between the authority and the recognised unions will have transferred to the academy school as the new employer of the transferred staff as part of the conversion process to academy status under TUPE. We believe that, following conversion, academies should also become parties to local authority trade union facilities arrangements.

The academies within your boundaries will have received funding for trade union facilities time in their budgets and they are entitled to use that funding to buy-back into local authority arrangements. Indeed, many academies across England have already agreed to buy in to local authority trade union facilities arrangements.

Pooled funding will help the local authority and all schools to meet their statutory obligations on trade union facilities time. Setting up a central funding arrangement will allow academies to pay into a central pool if they wish to. But most importantly it will help maintain a coherent industrial relations environment where issues and concerns whether individual or collective can be dealt with more effectively.

We urge you therefore to support the de-delegation funding for supply cover costs, extending it, where necessary, across all schools and to continue a mechanism whereby academies within your boundaries are able to buy into a central fund for trade union facilities time. If you agree to do so, we will write to academy principals again to encourage them to buy in to your arrangement.

To aid your decisions, please see attached an update on government plans for schools funding in England.

Yours sincerely

Kim Knappett ATL, Kathy Duggan NASUWT, Lea Bonnell NUT

NATIONAL FUNDING FORMULA FOR ENGLAND

The Secretary of State for Education, Justine Greening, announced on 21 July that the Government will not be progressing to complete the review of the National Funding Formula until 2018-19 at the earliest.

As a result of Ministerial changes following the EU Referendum, the Government has decided to postpone the publication of its response to the stage one consultation on the national funding formula for schools and to launch the stage two consultation on the formula factors and weightings in the Autumn. It is expected that the Government will commit to a full consultation on the stage two proposals, probably lasting 12 weeks.

However, it should be noted that the Government's manifesto commitment to a new national fair funding formula remains in place.

The statement to Parliament from the Secretary of State confirmed:

- in 2017 to 2018, no local authority will see a reduction from their 2016 to 2017 funding (adjusted to reflect authorities' most recent spending patterns) on the schools block of the dedicated schools grant (per pupil funding) or the high-needs block (cash amount);
- the publication of detailed funding tables to enable local authorities to see the basis for funding allocations;
- final allocations for schools and high-needs blocks will follow in December on the basis of pupil numbers recorded in the October census;
- for 2017 to 2018, the Government will retain the current minimum funding guarantee for schools, so that no school can face a funding reduction of more than 1.5% per pupil next year in what it receives through the local authority funding formula.

The Government expects that these commitments will enable local authorities to begin the process of setting the budgets of schools in their area in time for the start of the coming financial year.

The Ministerial statement makes clear that the Government does not intend to proceed, for 2017 to 2018, with proposals to create a new central schools block, allow local flexibility on the minimum funding guarantee or to ring-fence the schools block within the dedicated schools grant. These matters will be covered, for 2018 to 2019 and beyond, in my response to the stage one of the consultation in the Autumn.

Detailed funding tables showing local authorities exactly how the funding has been calculated are available from:

<https://www.gov.uk/government/publications/schools-funding-arrangements-2017-to-2018>

Further details of the announcement can be found at:

<https://www.gov.uk/government/speeches/schools-funding>