

## **Trade Union Facilities**

### **Purpose of the Report**

1. A verbal report was presented to the Schools Forum at the last meeting on 15<sup>th</sup> June 2023 which confirmed the arrangements for the 18-month period April 2023 to August 2024 regarding the Trade Union Facilities income and expenditure budget arrangements. Based on the allocations identified in that report it was confirmed that **£16,965** had been received into the budget from maintained schools for the period 1.4.23-31.3.24 and **£24,658** had been received from the academy and special schools buy in to the scheme for the 18-month period 1.4.23-31.8.24 for academies at their request to fit in with their financial year. The update provided at that meeting confirmed the predicted surplus in the budget, if the decision was to move to a reimbursement rate of UPR 3 to be **£163,439** as at 31/8/24 after taking account of the payment of release cover payments to schools releasing Trade Union Representatives at this higher rate.
2. Since the last report to the Forum, there has been further discussion with the recognized trade unions at the JCNP staffing regulations meeting on 9th July 20203. At this meeting there was unanimous agreement to increase the trade union reimbursement rate from the current Main Pay Range 6 to Upper Pay Range 3, excluding oncosts. Subsequent to this agreement the model adopted was questioned and a request has been made for the rate to be reviewed again so that schools releasing their staff are reimbursed at full cost recovery (ie actual salary including on costs).
3. The purpose of this report is to provide information / options to the Schools Forum for a decision to be made on an agreed approach relating to the reimbursement of salary costs for schools who release their staff as trade union representatives and the per pupil de delegated costs for 2024-25. The financial implications/projections for the options over the next 5 years are shown below, and three example scenarios are shown. In deciding a way forward, it is important to consider both the financial stability of the scheme but also the financial impact on schools who release staff. The scenarios are based on the following assumptions:
  - a. Maintained schools' income will diminish year on year– assumes 14 maintained schools per year will transfer to academy status (starting with 160 maintained schools in June 2023)
  - b. Academy schools' income – assumes 3 / 14 maintained schools who transfer will buy into the scheme as part of an academy trust
  - c. Expenditure on salaries – assumes a 5% increase in costs every year.
  - d. Measured use of the current underspend and the need for financial stability.

- 3.1 **Option 1** Continue with trade union cover reimbursement rate at UPR 3 excluding oncosts and leave the de-delegation rate at a cost of £1.56 per primary pupil and £1.69 per secondary pupil. This projection indicates the surplus will be removed and result in a deficit from 31.8.30.
- 3.2 **Option 2** provides a projection based on an increase to the trade union cover reimbursement rate to full cost recovery (based on current salaries projected forward) and leaves the de-delegation rates at current levels. This projection indicates the surplus will be removed resulting in a deficit from 31.8.28.
- 3.3 **Option 3** provides a projection based on an increase to the trade union cover reimbursement rate to full cost recovery (based on current salaries projected forward) and an increase to the de-delegation rates to £2.00 for all schools. This provides certainty over the budget for the next 4- 5 years (as in option 1) and results in the surplus being removed and deficit from 31.8.30. This option means that schools who release their staff to undertake trade union duties on behalf of all other Nottinghamshire schools are not financially disadvantaged by their support and co-operation with the scheme.

The table shows the impact in each case on the projected carry forward each year.

			Estimate					
			1.9.24-31.8.25	1.9.25-31.8.26	1.9.26-31.8.27	1.9.27-31.8.28	1.9.28-31.8.29	1.9.29-31.8.30
Option 1 MPR3	1.56/1.69 per pupil	Total Income	106,104	102,781	99,549	96,316	93,083	89,850
		Total Expenditure	98,216	103,127	108,283	113,697	119,382	125,351
		Carry forward	164,876	158,363	143,656	120,495	88,611	47,719
Option 2 Full Cost	1.56/1.69 Per pupil	Total Income	106,104	102,781	99,549	96,316	93,083	89,850
		Total expenditure	118,900	124,845	131,087	137,682	144,524	151,750
		Carry forward	114,889	86,659	49,147	2,042	(54,983)	(122,274)
Option 3 Full Cost	2.00 per pupil	Total Income	132,343	128,142	123,942	119,741	115,541	111,341
		Total Expenditure	118,900	124,845	131,087	137,682	144,524	151,750
		Carry Forward	139,638	135,247	120,665	95,581	59,666	12,576

## Information and Advice

4. The Nottinghamshire scheme, which meets the requirements of the DfE Guidance: Trade Union Facility Time in Schools (Ref DFE-00007-2014), ensures that all schools who contribute to the scheme can progress and manage employee relations matters

effectively by providing access to locally elected accredited trade union representatives. These trade union colleagues provide support and representation to school-based employees (their members) at hearings, appeals, consultation meetings, TUPE transfers and the whole range of employee relations matters. Those academy schools who choose not to contribute must make their own arrangements for trade union consultation and representation and liaise with the respective Regional Trade Union Representatives. is the basis on which the school's forum make a decision about de-delegation costs. This document is the basis of decision-making responsibility for de delegation costs and states "the Schools Forum is responsible for decisions on proposals to de-delegate funding from maintained primary and secondary schools, e.g. for staff supply cover including facility time."

## **RECOMMENDATION/S**

### **That the Schools Forum:**

It is recommended that the Schools Forum consider the options set out above and agree a preferred approach for 2024-25. Based on the financial information the forum could decide to leave the current agreement in place (Option 1) and the de delegation rate at the current level or move to one of two full cost recovery models. Option 2 leaves the de delegated rate the same) and Option 3 shows the impact of increasing the rate from £1.56 per pupil for Primary and £1.69 per pupil for Secondary Schools to a flat rate of £2.00 per pupil for all schools. This option would provide financial security to the scheme until August 2030 and enable schools who release accredited trade union representatives to be reimbursed at full cost recovery.

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