

Appendix B

This matter is being dealt with by:

Name: Andy Wilson

Reference: AW/BB

T 0115 9773286

E andy.wilson@nottscc.gov.uk

W nottinghamshire.gov.uk



Private and Confidential
To be opened by addressee only
Joint Secretary

Dear

14 May 2019

Name of Trade Union:

Allocation of budget 2019-20 Trade Union Facilities :

Further to my email dated 2.5.19 confirming the proposed allocation to the trade union for the year 2019-20 on the following lines:

NEU	=	34.4%	34,018
NASUWT	=	28.9%	28,579
NAHT	=	7.5%	7,416
ASCL	=	4.1%	4,054
Unison	=	22.4%	22,151
GMB	=	2.7%	2,670

The allocation should now be used by the union to decide how it will be allocated for the period 1.4.19-31.3.20. You must act in accordance with the Section 251 Guidance detailing how funds de-delegated from schools should be used. The relevant section is set out in section 1.1.9 Staff Costs – supply cover for facility time: include expenditure in making payments to, or in providing a temporary replacement for, persons:

- carrying out trade union duties or undergoing training under section 168 and 168A of the Trade Union and Labour Relations (Consolidation) Act 1992
- taking part in trade union activities under section 170 of the Trade Union and Labour Relations (Consolidation) Act 1992 (although such activities should attract unpaid time off)
- who are officials of a recognised trade union acting as safety representatives under the Safety Representatives and Safety Committee Regulations 1977
- who are officials of a recognised trade union acting as employee representatives for the purposes of Chapter II of Part IV of the Trade Union and Labour Relations (Consolidation) Act 1992 as defined in section 196 of that Act or regulation 13 (3) of the Transfer of Undertakings (Protection of Employment) Regulations 2009
- who are appointed learning representatives of recognised trade unions, in order for them to analyse training requirements or to provide or promote training opportunities, and to carry out consultative or preparatory work in connection with such functions

The de-delegation formula rules state this money is not to pay for the cost of the employee but to contribute towards replacement cover can you please let me know as a matter of urgency how you want this money to be allocated. For teachers you will need to anticipate and increase to the teachers' pay range wef 1.9.19. You should bear the following issues in mind that the following are conditions of allocating the funds from the budget:

1. In line with the TUF Agreement financial support may only be allocated to individual employees who are released to undertake county – wide Trade Union Facilities duties across Nottinghamshire schools for no more than 50% of their contract of employment at their substantive school.
2. All employees must submit a termly log of their activities as previously discussed and agreed. Failure to do so will lead to claw back of funds.
3. For teachers it is our view that in accordance with the Trade Union Facilities Agreement the cover costs to fund release time will be based on the maximum point of the Main Pay Range exclusive of on costs using the following salaries. Current rates are:

1.4.18 £ 33824

1.9.18 £ 35008

4. Once you have made your decisions you will need to negotiate the release with the schools concerned and confirm names and schools to the council.
5. Most importantly, If there are colleagues who will no longer be supported by the trade union for release time from September 2019 then you must inform their school immediately so that the school can make immediate arrangements to notify staff who will no longer be required to cover for trade union colleagues in time for the start of September 2019.
6. The following employees are currently funded from the scheme so please complete and return the attached:

Union allocation 2018-19			Allocation 1.4.19- 31.3.20		
1	2	3	4	5	6
Name	Current FTE released	School	FTE	Period for cover costs	£ Allocation
Discussed with School Contact Name and position					
Email					
Total allocated					
7. In submitting this proposal, I confirm the following;					
a). The trade union has agreed the release time for each representative and financial contribution to the school for the replacement cover with the above-named person at the school / head teacher of the school					
b). I (the trade union official) have discussed current colleagues who will no longer be required to undertake TU Duties with the with the above-named person at the school / head teacher of the school.					
8. Signed			Date		
9. Print Name			Position in the Trade Union		
10. Contact Tel no			Email		

11. Please complete column 4 ,5,6,7a and b ,8,9 and 10. Return the form to Andy Wilson andy.wilson@nottscc.gov.uk
By Thursday 23 May 2019.

Yours sincerely

Andy Wilson
Senior HR Business Partner
Nottinghamshire County Council