

Trade Union Recognition and Facility Time Agreement review

Purpose of report

1. To outline the proposed changes to the revised and updated Trade Union Recognition and Facilities agreement (attached at appendix 1) in respect of all council staff and support staff in maintained schools.

Background

2. The Recognition and Facilities agreement that is in place between Wiltshire Council and the three recognised Trade Unions (UNISON, Unite and GMB) in respect of council staff and support staff in maintained schools was last formally revised in 2011.
3. Corporately Union membership currently stands at 743 staff based on those who pay by payroll deduction, although we do know that some employees pay the Unions directly by direct debit. This is approximately 16% of the non-schools workforce (excluding casuals), with Union membership split between Unite (14 employees), UNISON (723 employees) and GMB (6 employees).
4. Union membership numbers for support staff in maintained schools are less reliable as we know a number of staff pay by direct debit and some schools use other payroll providers. However 420 staff pay by payroll deduction with membership split between GMB (158 employees) and UNISON (262 employees) representing around 9% of support staff.
5. The recognition agreement outlines the facilities, time and funding allocated to the unions. The current agreement (attached at appendix 1) specifies facility time of 80 days per month (equivalent of 4fte per annum) and up to a total of £38,000 funding for UNISON. Unite and GMB do not have any specified facility time or funding.
6. This funding is currently fully used to pay the salary costs of the UNISON branch secretary post which has been evaluated using the council's job evaluation scheme. The UNISON branch secretary uses 20 days per month of the facility time, the remainder being used by UNISON representatives across services. These 60 days of facility time are not backfilled and therefore do not incur additional cost.

Reasons for formal review

7. The Trade Union Act 2016 has introduced some changes which need to be included as part of this formal recognition agreement meaning that the time is appropriate to conduct a formal review.
8. This formal review is supported by UNISON as they are currently going through a period of branch re-organisation, including the retirement of their longstanding Branch Secretary (Sue Anderson) in April 2017, and they have indicated that they would like

to ensure any changes to facility time are discussed and agreed ahead of this to ensure stability and continuity for a new branch secretary as they take up the post.

Main considerations and changes

Scope

9. The agreement has been updated to reflect that it applies to support staff in maintained schools and is available for adoption by academies. This mirrors the wording in the School and Academy Teacher Trade Union Recognition and Facilities agreement.

Combined JCC and Health & Safety committee meetings

10. The new agreement will combine the previously separate meetings of the Joint Consultative Committee and the Health and Safety Committee into a single meeting with a single constitution and terms of reference.
11. These meetings are currently held bi-monthly, on alternative months to Staffing Policy Committee meetings.
12. Health and Safety matters have been added to the list of items for consultation in the revised agreement.

Schools Safety Forum

13. This wording (which mirrors the wording in the School and Academy Teacher Trade Union Recognition and Facilities agreement) has been included as the recognised Council Unions will be invited to attend to represent support staff of maintained schools at this forum going forward.

Administrative facilities

14. The proposed agreement reduces the office space provided by the council from secure offices at each main hub down to team space for UNISON based at an appropriate location (currently the office is based at White Horse business park in Trowbridge). This recognises the council's reduced premises and desk space and the move towards a more flexible working environment.
15. The new agreement recognises that UNISON pays for postage, photocopying and printing, but uses the council facilities for these.

Trade Union deductions

16. In response to the Trade Union Act (2016), which outlines that payroll deductions for Trade Union subscriptions are only administered where the cost is not funded by the public, a new section within the agreement outlines that a reasonable charge will be made for administering payroll deductions.
17. As the council is still awaiting guidance relating to this part of the Trade Union Act no charges have yet been negotiated and it is envisaged that will be discussed separately and agreed through JCC.

Facility time

18. The current agreement (attached at appendix 1) specifies facility time of 80 days per month (equivalent of 4fte per annum).
19. The Trade Union Act is intended to ensure greater transparency and accountability relating to the use of public money for facility time.
20. Whilst it is unclear exactly how this is intended to be enacted the council have already taken steps to bring facility time levels down and in the proposed agreement the monthly facility time has been reduced by 25% - from 80 days to 60 days per month (equivalent to 3 fte per annum). This recognises the reducing size of the workforce and the pressure on council budgets. The 60 days facility time will still not be backfilled and will therefore not be an additional cost on staffing budgets.
21. In addition an appropriate method of recording time spent is being discussed through JCC to agree procedures which meet the requirements of the Trade Union Act and are acceptable to both the council and the unions.

Review period

22. The proposed agreement includes a requirement for informal review of the facilities agreement every 12 months and for formal review at least once every five years.

Financial considerations

23. The revised agreement confirms that the council will maintain the existing arrangement to meet the salary costs of the UNISON Branch Secretary role to enable the service to fully backfill the post of the person seconded to the post with no adverse financial impact.
24. The revised agreement also includes a requirement for the role description for the UNISON branch secretary post to be reviewed at a minimum every three years or whenever a new branch secretary is appointed within that three year period. Any substantial changes to the role description may lead to a re-evaluation of the grade of the role.

Recommendation

25. That Staffing Policy Committee agree the proposed changes to the Trade Union Recognition and Facilities Agreement.

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