

Facilities Agreement for Accredited Representatives of Recognised Employee Organisations.

Date of Issue

To

Purpose of Document

Summary of Main Points

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AGREEMENT ON FACILITIES FOR ACCREDITED REPRESENTATIVES OF RECOGNISED EMPLOYEE ORGANISATIONS

1. Introduction

This agreement is made between Derbyshire County Council (the Authority) and the recognised County Employee Organisations. The facilities outlined in this document are to be made available to those employees, not being paid officials of any of the recognised Employee Organisations, who are representatives of those Employee Organisations.

1.1 General Principles

- a) This agreement is based on the belief that both the Employee Organisations and the Authority accept their joint responsibility for ensuring a well ordered system of trade union organisation and industrial relations, and on recognition of the contribution that can be made by the Employee Organisations and their local representatives to the smooth running of the education service at local and national levels. It is agreed that in jointly determining the nature of and extent of the facilities required, and in their use, the parties to the local agreement will have regard not only to the value of the agreed facilities for effective employee representation as a means of promoting good industrial relations, but also to the need to avoid unnecessary costs, to maintain the effective running of the schools where the representatives are employed and to recognise that the provisions of the agreement will have to be introduced within the resources available to the Authority.
- b) An accredited representative of a recognised Employee Organisation will be an employee who is:
 - i. A member of the National Executive or other national committee of a recognised Employee Organisation, or a representative of a recognised Employee Organisation appointed by the National Executive to serve on a national body;
 - ii. A local officer of a recognised Employee Organisation whose necessary official duties are effectively at Local Authority level, i.e. county branch secretaries. The relations and negotiations with the Authority shall be the sole responsibility of the main unit of local organisation. The activities in which these local employee representatives will be jointly involved with the Local Education Authority will include both individual and collective issues. In order to act effectively, these employee representatives will need to put views to the Authority concerned as appropriate, to conduct correspondence and to consult members of their Employee Organisations individually or collectively;

- iii. A local officer whose duties are at the lower level of an Employee Organisation within the area of the main unit of local organisation (local branch secretaries of the Employee Organisations);
- iv. A school representative whose duties will be limited to activities which are a necessary part of the duties for a recognised Employee Organisation and its members within the school in which the representative is employed.

In certain circumstances a representative may have responsibility for more than one of these functional levels. For their part the recognised Employee Organisations undertake to ensure that their accredited representatives locally understand the extent of their authority and responsibility as employees' representatives.

- c) It will be the responsibility of the recognised Employee Organisations to notify the Authority and individual Headteachers of the names of its accredited representatives and it will be to the accredited representatives only that the opportunities and facilities are extended. It is appreciated that in very large or split site schools Employee Organisations may wish to appoint more than one representative while in those areas where there are very small schools, Employee Organisations may wish to have one representative to service more than one school.
- d) In accordance with the responsibilities defined in paragraph 1.1 c) the principal matters which the appropriate accredited representative will deal with are:
 - i. Matters arising out of the use of grievance, competence, capability, disciplinary, redundancy, or other procedures and disputes which have been agreed between the recognised Employee Organisations at Authority and Local Education Authority level;
 - ii. Responsibilities of the employee representatives to their Employee Organisations (e.g. to attend as delegates to their national conferences);
 - iii. Responsibilities of the employee representatives to, and in connection with the interests of, their members in the schools;
 - iv. Functions connected with the training of employee representatives, including attendance at training courses arranged by the recognised Employee Organisations at national, regional or authority level for this purpose. The Authority will encourage accredited representatives who wish to attend training programmes, and Employee Organisations should have regard to the needs of schools in arranging such programmes. When organising them they should consult the Authority before making any arrangements to hold a training course in term time. In these respects, consultation with the Authority will be part of those functions.

- e) It is expected that 1.1 d) iii above will include the attendances of members of the local committees of the recognised Employee Organisations at meetings of those committees, which will normally not meet earlier than 4.00pm on any school day, other than in exceptional circumstances. Where meetings called for 4.00pm would adversely affect the school day, as might be the case when committee members in rural areas might have to travel significant distances to attend meetings, a later starting time should be arranged. Convening meetings of newly appointed employees to explain the advantages of membership of a recognised Employee Organisation is also included in 1.1 d) iii and will not interfere with the school day.

2. Facilities for Accredited Representatives

The facilities which will be provided to accredited representatives of the recognised Employee Organisations are set out below.

2.1 Local Officers and Representatives

- a) Arrangements for carrying out the responsibilities of a recognised Employee Organisation within schools and for obtaining permission to leave the school where a representative is employed so that they can perform the duties of an accredited representative;
- b) In compliance with the Data Protection Act, provision, on request, of lists of newly appointed employees in the Authority's area and arrangements for communication direct with the new employees.
- c) In compliance with the Data Protection Act, provision annually, on request, of a list of the employee employed in the schools of the Authority by the means most convenient to the Authority;
- d) Arrangements for use of accommodation in schools or other premises of the Authority for Employee Organisation meetings;
- e) Arrangements to use the Authority's distribution system to schools for the purpose of official communication with their members, as long as there is no additional cost to the Authority. The Authority reserves the right to review the arrangement from time to time;
- f) Arrangements for the deduction of membership subscriptions at source where this is requested by any local organisation of a recognised National Employee Organisation. It will be for individual members to decide whether to opt for deduction at source.

2.2 School Representatives

The accredited school representatives of the recognised Employee Organisations will be permitted reasonable opportunities and be given the necessary facilities to discharge their duties as set out in the ACAS Code of Practice:

- (a) Union matters such as recruitment, maintaining membership, collecting contributions and communicating with members;
- (b) Within the responsibility conferred on them by their respective Employee Organisations, industrial relations matters within individual schools such as the handling of members' grievances.

- (c) The use of notice board facilities without charge with the titles of the Employee Organisations to be inscribed. Multi-Organisation boards will be used wherever possible;
- (d) The use of a telephone with reasonable privacy (if available), with payment for outgoing calls.
 - (i) Access: County Secretaries and Local Secretaries should be allowed to make telephone calls on approved County business. The Authority expects Heads to be aware of the private and confidential nature of aspects of the work of Employee Organisation Secretaries. It will, therefore be necessary on occasions to provide use of a school telephone in private surroundings to ensure confidentiality of calls.
 - (ii) Payment and use: County Secretaries and Local Secretaries using school telephone facilities for approved County business, eg responding to requests from the Chief Education Officer or representatives of discussing Employee Organisation business/arranging meetings with the Chief Education Officer's staff, will not be required to pay for the calls. Other school representatives and members of the Employee Organisations using school telephone facilities will make a payment to the school at the normal charge rate. It is the responsibility of individual representatives to claim reimbursement for the appropriate amount direct from the Employee Organisation concerned.
- (e) A room for meeting with the Employee Organisation's members as required, provided reasonable notice is given.
- (f) Use of school typing, duplicating and photocopying equipment, where available, for essential union work within the school provided this does not interfere with the work of the school. Payment for the materials used will be made by the Employee Organisation concerned.

3. Time Allowed for Trade Union Duties

The principles employed will be:

- (i) Disruption to the school's normal timetable should be minimised. As far as possible regular absences should be anticipated and schools' establishments should be adjusted rather than depend upon the employment of casual supply staff;
- (ii) In recognising that the internal organisation of the Employee Organisations differ, the decision on how any allocation is distributed should be a matter for each Employee Organisation to determine. The Chief Education Officer must be notified, as far as is possible and schools well in advance of the academic year to assist with timetabling arrangements;
- (iii) Although the Employee Organisations differ in terms of size and organisation an entitlement should be established with reference to:
 - The need for all Employee Organisations to have an equal block of time allocated to functions performed by the County Secretary; or
 - Membership, but with safeguards for the smaller Employee Organisations;

Release from school duties to carry out their duties as local representatives of the recognised Employee Organisation will be allowed without reduction in pay on a scale to be agreed with the Authority. The time allowed will be proportional to the number of members of the Employee Organisation concerned who are employed by the Authority and represented by the representatives in question. Accredited representatives should not unreasonably be refused the time necessary for the performance of their duties. The time which these duties are likely to occupy should be taken into account in respect of its effect on their school duties and in accordance with 3 (i) above.

3.1 Level of Time Off Entitlement for Local Officers and Representatives

- (a) Each Employee Organisation to be allocated 2.5 days per week to cover for the duties of the County Secretary.
- (b) Each Employee Organisation to be allocated the equivalent of one half day per week on the basis of its membership for every 250 members rounded to the next 250.

- (c) **National President**
The allocation is one year full-time leave (ad hoc arrangements before and after period of office).
- (d) **Member of National Executive**
The allocation is up to the equivalent of 50 school days per year.

3.2 Level of Time Off Entitlement for School Representatives

Number of members in addition to school representative	Time off for Employee Organisation business	
5 – 30	1 period a week	To be absorbed by internal arrangements in each school
31 – 60	2 periods a week	
Over 60	3 periods a week	
Training 1 day's leave for each school representative in alternate years or ½ a day's leave each year		

3.3 Level of Time Off Entitlement for Training of School Representatives

It is recognised that the Employee Organisations undertake training programmes of school representatives which assist in the work of the Authority and the relationship between the Authority and the work force. It is recommended that an entitlement of one day's leave for each school representative in alternate years to undertake training provided by the Employee Organisation is reasonable. This will normally be covered by the school's normal cover arrangements.

3.4 Level of Time Off Entitlement for Learning Representatives

The LEA recognises the valuable role that Union Learning Representatives have in contributing to employees continued professional development. The LEA has allocated one full time equivalent post for this responsibility. This will be shared by the Employee Organisations on a basis that they shall agree is the most effective use of this time.

Release time for Learning Representatives will also include their initial training and one day for each learning representative in alternate years.

4. Information Sharing

It is part of this agreement that the following information will be shared between the LEA and the recognised Employee Organisations.

4.1 To be Available to Representatives of the Employee Organisations

Local Officers will be provided with documents which set out the pay, conditions of service and the regulations of the Authority which apply to staff employed in the Authority's area. Accredited school representatives will have access to those documents and be provided with information about the structure and allocation of promoted posts applicable to their own schools along with the Articles of Government. These documents will be provided without charge.

4.2 To be Available to the Authority and Schools

In order that the Authority can allocate sufficient resources within its Annual Budget, and to appropriate schools, it will be necessary to verify the membership of each Employee Organisation as well as the names and place of employment of their officers each year. Similar information will also be required by schools' Governing Bodies for the same purpose.

- a) Each Employee Organisation will provide annually to the Local Education Authority:
 - (i) A list of its members
 - (ii) A list of its officers, their place of employment, and the facilities time which is requested for each officer.

- b) Each Employee Organisation will provide annually to the Governing Body of a school:
 - (i) A list of its members in their school
 - (ii) A list of its officers and school representative(s) working in their school.

This information will be used only for the purposes set out in this section unless there is agreement with the Employee Organisation(s) to do so.