

Renfrewshire Joint Negotiating Committee for Teachers

To: Renfrewshire Joint Negotiating Committee for Teachers

On: 26 April 2022

Trade Union Facility Time for School Reps A reminder of current arrangements.

Report by
Joint Secretary (Teachers' Side)

Background

The extant agreement on facility time for school trade union reps is long-standing and pre-dates, by ten years, the break-up of Strathclyde Region into the 12 Local Authorities in 1996. The same agreement is in place despite the changing nature of education and the increasing obligations placed on trade unions in the intervening years as well as the restructuring of curriculum and working arrangements.

With changes in personnel over time it is useful to re-state the extant agreements that are in place and remind all users of the obligation to abide by agreements. An extract from the original agreement from 1986 is attached below for your information.

The teachers' side would also like to draw attention to the standing agreement that exists with the trade unions and Renfrewshire Council around time allowed for trade union meetings. That is stated in JNC 11 which states at point 3 that:

TRADE UNION MEETINGS

Two hours will be set aside for trade union meetings. Agreement on the duration and timing of individual meetings should be reached between head teachers and union representatives at school level at some time in the course of the five in-service days.

It has also been custom and practice where the need arises to allow teachers to participate in collegiate Local Authority working groups and this has been facilitated using a Code 74 budget line to provide for cover.

Extract from 1986 agreement:

THE PROVISION OF TIME OFF FOR TEACHERS FOR TRADE UNION DUTIES (EXTRACTS)

1 SCHOOL REPRESENTATIVES

- 1.1 A school representative is a member of a teacher trade union elected by members of that union within a school's staff as a lay official to carry out trade union duties such as the following:-
- a informing union members in the school about negotiations or consultations with management;
 - b meetings with other lay officials or full-time union officers to discuss business of an industrial relations nature;
 - c interviews with and on behalf of union members at school level on grievance and disciplinary matters;
 - d explanations to new employees or new union members of the role of the union at school level;
 - e arranging for the balloting of school union members including the dissemination of related information to members prior to balloting.

- 1.2 To assist in essential preparation for and final discharge of these duties not all of which need necessarily be carried out during the school day for pupils, the following standing weekly allocation of time-off within the school day for pupils, to be spent within the school itself should be made.

No. of members represented	Amount of time off
8 - 20	40 minutes
21 - 40	60 minutes
41 - 60	80 minutes
61 and over	100 minutes

- 1.3 The above allocation of time-off within the school day for pupils additional to that amount of non-class contact time per week to which all teachers are entitled in terms of their conditions of service.

Union Learning Reps also have statutory recognition under the Employment Act 2002. This means they have got equivalent status to a health and safety representative, which includes a legal right to paid time off to carry out their duties. Currently there is no agreement in place and we seek to remedy this.

The ACAS Code of Practice (3) 2003 states that Union Learning Reps are permitted 'reasonable' time off to undertake their duties.

Action.

- That a reminder be issued to all schools of the current agreements to allow all school reps time within the pupil day to enable them to undertake their trade union duties.
- That a reminder be issued to all head teachers when planning in-service programmes of the requirement that time should be given to facilitate trade union meetings during in-service days.
- That a meeting be arranged to agree facility time that is allocated to our Trade Union Learning Reps.