

Local Members' Interest
N/A

Schools Forum – 5 July 2016

Facilities Time Funding 2016-17

Recommendation

That Members:

1. Consider the one-off use of part of a projected underspend in the central contingency to fund additional TU facilities time for the 2016/17 financial year, at a cost of £32,039.

Report of the Deputy Chief Executive and Director for Families and Communities

PART A

Why is it coming here – what decision is required?

2. Schools members of forum vote annually on whether to de-delegate (i.e. retain centrally) a number of budget lines of which facilities time for recognised trades union representatives to carry out their duties is one.
3. Under the Trade Union and Labour Relations (Consolidation) Act, 1992 schools must arrange facility time for trades unions they recognise. Schools forum can take the decision for maintained schools in its area to de-delegate funding for recognised unions to provide facilities to their members, and forum has agreed every year to date, including the current (2016/17) financial year, to do this.
4. However, an issue has arisen relating to the quantum of funding for the current year. This is because Staffordshire county council had, until 31 March 2016, included funding for non-teaching unions in schools in its overall funding for trades unions, under its own facilities time arrangements.
5. For the current year, Staffordshire county council has achieved a saving by removing funding for school support staff unions (specifically Unison) from the central county council budget. It took the justifiable view that the funding of school-based staff should be a matter for maintained schools (through schools forum de-delegation) and academy schools (through the purchase of services from the unions on an individual basis).
6. The effect of this decision is that the schools facilities time budget is now (with effect from 1 April 2016) required to fund Unison and therefore to cover the costs associated with six unions, rather than just the five teaching unions (as had been the case previously).
7. There are two separate budget reductions that affect the overall allocation to the trades unions representing teaching and non-teaching staff in Staffordshire schools. These are:
 - a. A £5,140 income shortfall as a result of falling pupil numbers in maintained schools as some of these have become academy schools, and therefore not subject to de-delegation; and

- b. A £32,039 reduction due to the removal of county council funding for Unison staff who work in maintained schools.
8. The adequacy of the per-pupil allocation is subjective: a head teacher whose 875 pupil school has had almost £1,500 taken from his/her delegated budget (of about £3.5m) by virtue of a forum decision might have a different view of a local trade union branch secretary.
 9. The best proxy measure, therefore, is to compare the per-pupil allocation with other 'similar' LA areas. Annex 1 to this report shows the allocations made in Staffordshire's 'statistical neighbours' (SNs). This is the group of 11 LAs (including Staffordshire) that the DfE regards as similar in terms of population and other characteristics.
 10. The annex contains two tables: the first lists all SNs, the second excludes those that made a 'zero' return – which has the effect of reducing the per pupil allocation since their pupil populations are listed. The second table shows that Stafford is the median LA in terms of per pupil cost, but is 13p (7.6 per cent) below the mean.
 11. The second two tables comprise west midlands (WM) LAs, again with the second table excluding LAs with zero returns. Compared with WM authorities, Staffordshire unions are less well funded – 57p (25 per cent) under the median and £1.29 (43 per cent) under the mean.
 12. The alternative to forum providing extra funding is to reduce the workload of trades union representatives. This is a matter for the unions to consider, should forum fail to agree the additional allocation of £32,039.

Reasons for recommendations

13. The recommendation allows forum members to determine if they wish to allocate, on a one-off basis, £32,039 to maintain the level of facilities time for trades union representation in maintained schools. This sum matches that taken out of the allocation for Unison following the LA's decision not to fund union activities undertaken on behalf of schools.
14. The statistical and west midlands neighbour allocations gives members benchmarks to assist schools block members in making their determination about whether to allocate extra funds.
15. If forum decides to increase the allocation to this amount, the per-pupil allocation would be £2.04 –11 per cent above the mean for SNs, but still 32 per cent less than WM authority areas.
16. The provisional outturn for de-delegated funds for 2015-16 is anticipated to be £406,000 under the budget of £6.727m. The 2016-17 academy adjusted budget is £6.575m. Assuming the same level of underspend in 2016-17 an allocation of £32,000 for union duties would reduce this by 7.9 per cent to £374,000. The risk of the budget being overspent in the current financial year is negligible, but if this was to occur, the effect of this allocation would be to increase the overspend. In normal circumstances, this would result in an adjustment the following year, but the government's intention to commence the 'soft' national formula in the 2017/18 financial year creates uncertainty about this possibility.

PART B

Background

17. The background is set out in the main body of the report. In summary, there is a reduction in allocations to unions in the current financial year due to the council ceasing to fund Unison work relating to its members in maintained schools. The unions are seeking the schools block's support for a one-off contribution from the contingency to avoid mid-year cuts. It should be noted that the facilities time allocation for 2017/18 will be discussed in October 2016.

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