

THIS ITEM IS FOR INFORMATION ONLY

(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)

Title of meeting:	Employment Committee
Subject:	Trade Union Facilities Time 2021/22
Date of meeting:	7 th July 2022
Report by:	Director of Corporate Services
Wards affected:	N/A

1. Purpose

To present the outcome of the Trade Union Facility Time Report 2022 ensuring the Council can fulfil its statutory obligations in respect of the Trade Union (Facility Time Publication Requirements) 2017.

2. Recommendations

It is recommended that the Employment Committee:

- 2.1 Note the data in Appendix 1 and the fact that the Appendix will be the report published on the PCC website, and the Government maintained website.
- 2.2 Note that the data will be included in any relevant Annual Report and Accounts that are published by PCC.

3. Background

- 3.1 The Trade Union (Facility Time Publication Requirements) Regulations 2017 came into force on 1st April 2017 and were introduced as part of the Trade Union Act 2016. These regulations place a legislative requirement on "relevant public sector employers" to collate and publish, on an annual basis, a range of data on the amount and cost of facility time within the Council.
- 3.2 Relevant public sector employers are those employers where the employer has at least one trade union representative and 49 or more employees for seven months during the reporting period, which is the period of 12 months beginning 1 April each year.

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3.3 The Regulations specify how the data should be reported and require the Council to report separately on trade union facility time for its central function employees and its education function employees. These are defined in the report contained within Appendix 1.

4. Collection of data

4.1 Details on how the calculations are made and the definitions and scope of the regulations are outlined in Appendix 1.

4.2 To comply with the regulations from 1 April 2017 the trade unions have been requested to record their time spent on trade union duties or trade union activities with effect from this date.

5. PCC recognised trade unions and facility time arrangements

5.1 PCC recognises Unison, Unite and GMB trade unions for central function staff and Unison, Unite, GMB, NEU, NASUWT, ASCL, Voice and NAHT trade unions/professional associations for education function staff.

5.2 Funding for the teaching trade unions in the education function is delegated to all schools and academies as a traded service for them to decide how and when to spend the money, this function is no longer held centrally by the Council. The agreement between the Council and schools is for reimbursement to be made on a daily rate of £165. If this is paid directly to the school, it is paid as a flat rate but if it is paid to an individual this is paid at £165 plus on costs. Non-teaching school employees have the facility to be represented by PCC's central function trade union officials under the Council's current Facilities Agreement, however the schools do not contribute towards the costs of funding these union representatives.

5.3 For Central Function employees the Council previously funded 1 FTE trade union official for each union at a total cost of £75,000 per annum. In April 2017, this funding was halved to £37,500 per annum. The funding was reviewed and increased to £75,000 with effect from 1st April 2020 and continues at this level until 31st March 2022. The Director for Corporate Services supports the continuation of funding arrangements at the higher level. Experience over the last two years has shown that higher funding levels provide unions with greater capacity to engage with management; this level of engagement has led to a positive relationship which has enabled us to move forward in a partnership approach through the pandemic and continues through the recovery phase saving time, money and effort and resulting in a constructive industrial relations climate.

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6. Reasons for recommendations

6.1 To comply with the legislative requirements to collect and publish data on trade union facilities time.

7. Integrated impact assessment

7.1 The contents of this report do not have any relevant equalities and environmental impact and therefore an Integrated Impact Assessment is not required.

8. Legal implications

8.1 This report is required to meet the relevant legislative requirements as set out in the body of the report. The requirement to release trade union officials for facilities time is also enshrined in legislation.

9. Director of Finance's comments

9.1 There are no direct financial implications arising from the recommendations in this report.

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Signed by: (Director)

Appendices:

Appendix 1: Trade Union Facilities Report June 2022

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location