

**Oxfordshire County Council**  
**Schools Forum – 12 January 2017**  
**Trade Union Facilities Administration**

<b>Settings</b>		<b>Sector</b>	
Academies		Foundation Stage	
Maintained Schools		Primary	
PVI Nurseries		Secondary	
Special Schools		Special	
Local Authority		16+	
Schools Forum		High Needs	

## 1. Item for Information/Decision

## 2. Purpose of Report

2.1 This report is to provide a final update to Schools Forum on financial administration of Trade Union Facilities arrangements post April 2017.

## 3. Recommendations/Actions/Decisions for Schools Forum

- 3.1 Schools Forum is asked to note this report.
- 3.2 Maintained Schools representation are asked to agree that allocation, identified below, be de-delegated from maintained school budgets (paragraph 4.7).
- 3.3 The levy to academies to be at the same per pupil rate as that used for maintained schools (see paragraph 4.7).

## 4. Background and Current Position

4.1 Over the last two years a series of meetings involving local authority, school and union representation and brief papers to Schools Forum (13 January, 24 June, 22 September 2015 and 24 February 2016) along with verbal updates to the Schools and High Needs Sub-committee, have involved review of income generation methodology, service provision, complications of the academy conversion programme on service delivery and provisional proposals put forward by academies for the academic year 2015-16.

4.2 It has been agreed by Schools Forum that the current administration and operating processes would continue to April 2017 and be available to all maintained schools and academies including Meadowbrook College. In addition it was also confirmed that

4.2.1 The financial administration would remain with the local authority until end of March 2017

4.2.2 Individual union costs to be managed within a cash equivalent of their “days” allocation and

4.2.3 That the operating budget for this facilities arrangement would be based on actual costs and not the restricted Historic Commitment identified in the local authority’s Dedicated Schools Grant (DSG) from 2013-14.

4.3 The trade union facilities budget is calculated as follows:

Spend	Amount £	Comment
School staff engaged on Trade Union Facilities Duties	10,200	Maintained school related staff costs directly charged to cost centre, as proportion of employee’s actual salary costs Any educational related allowances agreed by the school are excluded.
	69,500	Academy staff costs, charged by invoice to cost centre, as proportion of employee’s actual salary costs Any educational related allowances agreed by the academy are excluded.
	30,000	Casual claims submitted for ad hoc union work, fixed amount £146 per day or pro rata
Administration	1,300	Based on scale 7, one day per month plus on-costs
<b>TOTAL</b>	<b>111,000</b>	

4.4 As long as actual costs are properly reflected in the income available it has been agreed previously that the current reimbursements processes should continue. Unions would continue to deploy their manpower resources as they see appropriate. However, the unions do appreciate that any change of arrangements must be met from their cash allocations rather than days figure. For information, annex 1 includes a brief outline of the summary of Facilities Time for Representatives of Recognised Teachers’ Unions (compiled by Ian Jones COTO Secretary).

4.5 The majority of union work is undertaken by employees based in academies, not surprising as around 55% of pupils in Oxfordshire now attend voluntary converted and sponsored academies.

4.6 The working group considered a number of options as to how the financial management of this facilities arrangement could be managed in practice along with and who by; what potential impact both the pending National Funding consultation and Council decisions during the last two years may have; how funding should be processed in practice and other issues being identified as the group works through this matter.

4.7 To recover the required income, and to keep administrative work to a minimum, the above cost would be charged on a per pupil basis of £1.32 (original estimate was £1.40 per pupil).

## **5. Working Group Deliberations**

5.1 A brief summary of some of the more agreed discussion points and issues are outlined below.

5.1.1 The continuation of the facilities arrangement was identified as imperative and non-negotiable. Union facilities colleagues have indicated that discussions with schools and academies have indicated that there will close to 100% continued buy-in to these arrangements.

5.1.2 Any funding identified as a Historic Commitment within the DSG will be delegated from April 2017 (previously agreed by Schools Forum).

5.1.3 The use of the de-delegation methodology, as offered through the formula funding model in respect of maintained schools is considered an appropriate and simple way to collect the annual contribution. Maintained School representatives on Schools Forum are asked to agree this.

5.1.3 Academies, would be invoiced for their annual contribution while maintained nursery and special schools would be charged through either the internal trading or journal facilities available in their local authority provided finance package. Again, to keep administration to a minimum, multi-academy trusts will be charged as a single entity.

5.1.4 The union representation on Schools Forum has been actively seeking a school but preferably, given the comment in 4.3 above, an academy to take over the administrative function. Unfortunately, at this time to no success but should no volunteer come forward the local authority will continue in this role but only for 2017-18.

5.1.5 An obvious consequence of the above is should schools and academies not make contribution then the facilities agreement will cease and advice and support will have to be sought in the market place and costs being probably based on a case by case basis.

## **6. Future Review by Forum in:**

Confirmation of the arrangements for 2017-18 will be presented to Schools and High Needs sub-committee.

## 7. Contact Details of Lead Officer/Author

If you have any queries or comments in advance of the Schools Forum meeting about this report, please contact:

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## Annex 1: Summary Facilities Time for Representatives of Recognised Teachers' Unions

### Oxfordshire Facilities Reimbursement Fund

1. Under ACAS guidance, elected Trade Union Officers with countywide responsibilities are permitted paid time away from their teaching to discharge their Union duties. Their salary continues to be paid by their employer.
2. As the duties are of general benefit - policy negotiation, representation at hearings, liaison with HR providers - the costs are currently recoverable from a central fund which schools already pay for through de-delegation by OCC.
3. This ceases in April 2017.
4. Without a shared fund to which all schools contribute, reimbursement of individual schools could not be guaranteed, and the cost burden will be unequally shared.
5. The Oxfordshire Facilities Reimbursement Fund (FRF) will be based on a simple flat rate per pupil of £1.40. (National research shows a variation from £1.20 to £3.75). This rate to include administration costs.
6. This will provide a fund capable of matching the current Oxfordshire Facilities budget.
7. It will operate to a Service Level Agreement replicating the provisions of the current Facilities Agreement between OCC and the recognised Teachers' Unions.
8. The fund should be held and administered by a contributing Academy.
9. It will be run by a small management committee.

### Benefits to Schools and Academies include:

- Reimbursement for supply cover when releasing Union Area Officers employed by the school for wider duties out of school.
- Contribution and reimbursement rates exactly mirror the current arrangements for OCC schools and Oxfordshire Academies.
- Academies gain access to centrally negotiated model policies.
- Close and effective liaison with HR consultants by trained and experienced Area Officers of the recognised Trade Unions.

This proposal has been drawn up through agreement at the Oxfordshire Workforce Steering Group drawn from the representatives of all recognised Trade Unions (including Heads' unions), OASSH, OPHTA, OSSHTA, Governors' representatives, OGA, Governor Services, Schools' HR and the OCC CEF Directorate.

### Full documentation:

1. Scheme descriptor
2. Administration
3. Service Level Agreement
4. ACAS code of practice 2010

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