

What union officers do

Union officers use 'facilities time' to work with members experiencing professional pressures and difficulties.(casework) and to support groups of members either in individual schools or through negotiation and consultation with the local authority acting on behalf of its schools (collective work).

Collective issues have in recent years become focussed on individual schools rather than the whole LA. Most decisions are made at the school level. We have noted a blurring of the distinction between casework involving the individual and that involving groups. As an example pressure placed on a Headteacher by a parent or governor has a knock on effect on the senior management team and beyond, especially in primary schools.

It is more efficient for there to be a core group of union officers who are trained (and in most cases very experienced), than for schools to release their own staff to undertake the work. Each school representative would need extensive and regular training and time off during the school day. He/she would also be unlikely to have the opportunity to gain the desirable experience in dealing with a broad range of issues.

The union officers spend most of the facilities time dealing with member teachers and headteachers. Teachers in West Berkshire schools are able to contact their union representative directly by email or telephone. Issues raised by members in this way are known as casework. Casework can be divided into capability; disciplinary; grievance; and contracts, pay and conditions including redundancy.

Whenever possible we give advice on how the member can try to resolve the matter for themselves. This is often successful, as local officers know individual schools well and are often able to advise teacher members how they can deal with a problem informally. However, there are a number of cases where the union officer has to make contact with school management, human resources provider or an LA officer directly. This may involve a face-to-face meeting. School policies confer a right for employees to be accompanied at most meetings by a union representative.

Capability, in its broader sense, now includes support through performance management as well as the formal capability procedure. The capability procedure may be invoked when the employer deems that an employee's performance is below that expected. An employee is entitled to be accompanied by a union representative at all stages.

Questions of capability also include incapability through illness. Usually an employee is referred for a consultation with an occupational health medical professional and advice to management is produced. This advice is discussed with the employee, who is entitled to be accompanied by a union representative. We have noted an increase in the number of ill health capability cases. This may not be due to an increase in staff illness but to management invoking ill health capability meetings earlier in a member's absence than before. There is no data available to enable comparisons to be made.

We have concerns that governors and headteachers are not always clear as to the distinct role each has in school management. This has led to casework in a worrying number of schools.

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Disciplinary, includes investigations of complaints and allegations as well as any formal hearings. An employee is entitled to be accompanied by a union representative at an investigative interview and at any hearing. We are concerned that headteachers and governors are increasingly inclined to pursue a formal route (hearing) rather than informal route (advice) when dealing with disciplinary issues.

Grievance is where the employee lodges a grievance against their employer. Formal grievances are quite rare, but very time consuming for all concerned. Problems that might lead to a grievance are usually resolved through informal discussion between school management and the member, supported by their union officer either in person (or, more frequently, through prior discussion between the member and the union officer). An employee is entitled to be accompanied at meetings.

Grievances can also be collective (a group of employees who are affected by the same issue) rarely reach the formal stage.

Contracts, Pay and Conditions issues such as pay determination appeals and questions of what teachers can be directed to do are becoming increasingly common but are often straightforward to resolve.

Collective cases

These include consultation on changes to working conditions such as pay policies, sickness absence policies, codes of conduct restructuring and redundancy.

This school year has again seen an increase in the number of school restructurings accompanied by the risk of redundancy, as school budgets come under further pressure. The redundancy procedure is complex and often involves multiple meetings. The threat of redundancy can quickly undermine morale in a school and often the role of union officers is to reassure and support employees as well as ensuring that correct procedures are followed. We often spend a lot of time working with school management to ensure that selection criteria are robust – no one wants to end up with a decision ending up before an employment tribunal.

Where schools elect, or are compelled, to become academies the ACAS guide to Transfer of Undertakings (Protection of Employment) regulations known as TUPE requires consultation with staff and union representatives through the process. There is always at least one meeting with staff and unions and often one or more change in employment practice that is consulted on.

LA Policies and guidance

In addition to the above, time has been spent on consultation on policy and guidance documentation that the LA to issue to schools (saving schools the need to consult/negotiate at a school level) and research, planning, inter-union and internal union consultation.

Union Work supported by 'Facilities Time' June 2016 – May 2017

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Activity

Number of contacts made to/by union officers

Casework	Email	Phone	In person	Meeting
Capability Issues ¹	2	6	4	21
Pay & Conditions	15	8	5	2
Contracts	6	1	0	0
Disciplinary Issues	8	6	2	3
Grievance	7	2	1	1
Redundancy**				18
Restructuring**	22			8

Collective	In Person
LA Meetings ²	32**
Deliver Training	6
Personal (estimated hours)	
Receive Training	140
Research	100
Union Briefing	40

¹ Includes formal support through appraisal

² Such as Joint Consultative Panel and Education Liaison meetings.

** Number of attendances or responses. Officers of several unions are normally present at each meeting

Notes

This is hierarchical, i.e. an email that leads to a meeting is not recorded.

Email: number of members supported by an exchange of emails

Phone: number of members supported through at least one phone call.

In person: number of members with whom a officer has met at least once

Meeting: number of members supported at a meeting with management.

Hearing: number of members supported at a hearing

Officers also spend time on internal union organisation such as attending, committee and general meetings. These activities are not undertaken in 'facilities time' Each union has a support infrastructure for its officers that includes reference resources as well as briefings and training courses included above.

Facilities payments to schools for 2016 - 2017

Payments are made to the schools that employ each union's principal officer. The payments accord to a formula, which takes into account membership and also reflects a basic level of activity that every union needs to undertake.