



Dear Director

We are writing on behalf of all employees working in your local authority area who are members of the National Association of Head Teachers (NAHT), the Association of School and College Leaders (ASCL) and the National Education Union (NEU).

Acting in accordance with advice from the Local Government Association (LGA) and the National Employers' Organisation for School Teachers (NEOST), most schools made the right decision last year by agreeing - through their Schools Forum - to 'de-delegate' funding for supply cover costs, including trade union facilities time.

We believe that the central retention and distribution of this funding remains the most effective and efficient arrangement, and we would welcome the opportunity to work with you to ensure it continues.

Discussions are now taking place within your authority regarding funding arrangements for supply cover costs from April next year. We ask that you share the information in this letter with members of your Schools Forum and encourage them to vote in favour of de-delegating funding for supply cover costs.

Successive governments have recognised the importance of good industrial relations and have legislated to provide a statutory basis for facilities time as follows:

- Paid time off for union representatives to accompany a worker to a disciplinary or grievance hearing.
- Paid time off for union representatives to carry out trade union duties.
- Paid time off for union representatives to attend union training.
- Paid time off for union 'learning representatives' to carry out relevant learning activities.
- Paid time for union health and safety representatives during working hours to carry out health and safety functions.

These provisions are contained within the Employment Relations Act 1999, the Trade Union Labour Relations (Consolidation) Act 1992, and the Safety Representatives and Safety Committees Regulations 1977.

NAHT, ASCL, and NEU have members and union representatives in both maintained schools and academies within your local authority area. In addition to seeking your

support for de-delegation, we are also asking for your agreement to formally extend the local trade union funding arrangement to academies within your authority.

As acknowledged in the DfE's advice on trade union facility time, the trade union recognition agreement between the local authority and the recognised unions transfers to each academy school as the new employer of transferred staff under TUPE. We believe that, following conversion, academies should also become parties to the local authority's trade union facilities arrangements.

The academies within your authority will have received funding for trade union facilities time in their budgets and they are permitted to use that funding to buy-back into local authority arrangements. Indeed, many academies across England have already agreed to buy in to local authority trade union facilities arrangements.

Pooled funding will help the local authority and all schools to meet their statutory obligations on trade union facilities time. Setting up a central funding arrangement will allow academies to pay into a central pool if they wish to. Most importantly, it will help maintain a coherent industrial relations environment, where issues and concerns, whether individual or collective, can be dealt with more effectively. All these points are echoed in the advice issued by the LGA and NEOST.

Therefore, we urge you to support the de-delegation of funding for trade union facilities time and to continue or establish (if you did not do so previously) a mechanism whereby academies within your authority are able to buy into a central fund for trade union facilities time. If you agree to implement this, we will write to academy principals to encourage them to buy in to your arrangement.

We will be writing to you again later in the year to find out the decisions made by your Schools Forum.

Yours sincerely



**General Secretary
ASCL**



**General Secretary
NAHT**



**General Secretary
NEU**