

## Facilities for Representatives of Recognised Teachers' Organisations

### 1. Introduction

This agreement between the Walsall Metropolitan Borough Council (the LEA) and those professional associations of teachers which are represented on the Joint Negotiation Committee (Schools) of the Authority (the Associations), contains the principles and practices in respect of facilities to be made available to teacher representatives of the Associations who are not paid officials of the recognised teachers' organisations.

The teachers' organisations recognised by the LEA for the purpose of negotiating are:

National Association of Headteachers	NAHT
National Association of Schoolmasters Union of Women Teachers	NASUWT
National Union of Teachers	NUT
Association of School and College Leaders	ASCL
Association of Teachers and Lecturers	ATL

### 2. Legal Framework

This agreement takes into account the relevant statutory framework as follows:

TULR(C)A 1992  
ACAS Code of Conduct 2003  
ERA 1996 (s61, s62)  
ERA 1999 (s10)  
Employment Act 2002

### 3. General Principles

The LEA recognises that it is important for good employee relations that its workforce is properly represented by the recognised professional associations. The Authority accept their joint responsibility for ensuing a well ordered system of trade union organisation and employer/employee relations, and on a recognition of the contribution that can be made by the teachers' organisations and their local representatives to the smooth running of the education service at local and national level.

It is agreed that, in jointly determining the nature and extent of the facilities required locally, and in their use, the parties to the local agreement will have regard not only to the value of the agreed facilities for effective employment representation as a means of promoting good employer/employee relations, but also to the need to avoid unnecessary cost, to maintain the effective running of the schools where the teacher

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representatives are employed, and to recognise that the provisions of the agreement will have to be introduced within the resources available to the employing Authority.

### 4. Accredited Representatives

An accredited representative of a recognised teachers' association will be an employee who is:

- a) a member of the national executive or other national committee of his/her organisation, or a representative of his/her organisation appointed by the national executive to serve on a national body
- b) a local officer of such an organisation whose necessary official duties are effectively at Local Authority level. The relations and negotiations with an LEA or representative shall be the sole responsibility of the local organisations. The activities in which these local representatives will be jointly involved with the LEA will include both individual and collective issues. In order to act effectively, these representatives will need to put views to the Authority concerned as appropriate, to consider proposals, to conduct correspondence, and to consult members of their associations individually or collectively
- c) a local officer with other duties within the area of the local organisation of an association
- d) a school representative whose duties will be limited to activities which are a necessary part of his/her duties for his/her organisation and its members within the school in which he/she is employed

### 5. Union Learning Representative

A Union Learning Representative (ULR) will be allowed reasonable time off to undertake the duties of a ULR provided that the union has given the LEA notice in writing that the employee is a learning representative of the trade union and the training condition is met. (See paras 22-27 of the ACAS Guide for further information on the training condition.)

The functions for which time off as a ULR is allowed are:

- Analysing learning or training needs
- Providing information and advice about learning or training matters
- Arranging learning or training
- Promoting the value of learning or training

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- Consulting the employer about carrying on any such activities
- Preparation to carry out any of the above activities
- Undergoing relevant training

The Authority/Education Walsall have in place well established training and development programmes. ULR's should liaise appropriately to ensure that their respective training activities complement one another and that the scope for duplication is minimised.

### 6. Notification

It will be the responsibility of each recognised teachers' organisation to notify the LEA and individual headteachers of the names of its accredited representatives and it will be to the accredited representatives only that the recommended opportunities and facilities are extended. It is appreciated that, in very large or split site schools, organisations may wish to appoint more than one representative whilst in those areas where there are very small schools, organisations may wish to have one representative serving more than one school.

### 7. Responsibilities of Accredited Representatives

In accordance with the responsibilities defined in paragraph 3, the principal matters with which the appropriate accredited representatives will deal with are as follows:

- a) matters arising out of the use of procedures which have been agreed between the associations at authority level and the LEA
- b) responsibilities of the school representatives to their unions eg attendance as delegates to their national conferences or the involvement of members of local committees of recognised teacher organisations in attendance at the meeting for those committees which will be expected to meet not earlier than the end of the normal school day, other than in exceptional circumstances
- c) responsibilities of the school representatives in connection with the interests of their members in schools (the teacher associations undertake that such a meeting will be called so as not to interfere with the normal functions of the school). This may also include, without interfering with the normal functioning of the school, the convening of meetings of newly appointed teachers for the purpose of meeting them and explaining the advantages of membership of a recognised association

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- d) function connected with the training of school representatives, including attendance at training courses arranged by the recognised teacher organisations at national, regional or authority level. This should be arranged in consultation with the LEA

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- a) an Association Officer will be granted facilities for carrying out association responsibilities within the school and for obtaining permission to leave the school in which he/she can perform his/her functions as a accredited representative. The Associations will undertake that unreasonable requests to leave school will not be made.
- b) Association Secretaries will be provided by the LEA with lists of names of appointments to the authority of newly qualified teachers on receipt of a completed consent forms from the individuals.
- c) Associations will be allowed the use of the Authority's distribution system to schools for official union communication with their members, provided that such use does not hinder the normal business of the Authority. The item(s) for circulation must show a clear indication of their source of origin and will be regarded as confidential.
- d) Associations will be allowed the reasonable use of available accommodation in schools and other premises of the Authority for Association meetings. Normally, no charge will be made, except that if the Authority is involved in extra expense, a charge will be made on the basis of the actual expense incurred.
- e) membership subscriptions will be deducted from salaries at source, if so requested by an Association on behalf of their members who may opt for that method of subscription payment, The cost of providing this service will be agreed between the Association and Payroll.
- f) Association Secretaries will be provided with access to all information relating to the employment conditions and regulations which apply to teachers employed by the Authority at the same time as they are available to schools and teachers. Access to other documents may be requested from the Managing Director of Education Walsall.

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- g) release from teaching duty, without reduction in pay, will be granted to Association representatives on the basis of Association membership, as follows:

Association Membership	Release from Teaching Duties Per week
0-100	1 day
100-300	2 days
301-550	3 days
551-850	4 days
851-1500	5 days
1501-2500	6 days
2501 and above	7 days

The scale is based on the size of the Association's membership amongst teachers employed by the Authority. The allocation of time to individual officers of each Association will be determined by Association Secretaries in consultation with the Managing Director of Education Walsall/Director of Lifelong Learning and Community Development. Where an Association officer is granted release in accordance with the terms of this paragraph, the school will be reimbursed accordingly.

- i) an Association officer who has additional regional or national responsibilities or secretarial duties for the JNC may be granted additional time off according to the merits of his/her case
- ii) for the purpose of paragraphs 8(a) and (g) above, members of the Joint Negotiating Committee (Schools) are regarded as Accredited Association Representatives
- iii) Accredited Representatives must be a serving employee of the Authority. Existing accredited representatives who have retired from their post with the Authority will be paid a maximum salary of UPS 2 or equivalent.

**9. Facilities for School Representatives**

The accredited school representatives of the recognised teacher associations will be permitted reasonable opportunities and be given necessary facilities to discharge their duties as provided for in the ACAS Code of Practice, namely:

- a) Union matters such as, recruitment, maintaining membership, and communicating with members

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- b) within the responsibilities conferred on them by their respective organisations, employer/employee matters within the individual school such as those related to suspensions, grievances, disciplinaries, terminations and negotiation/consultation on general terms and conditions discussions.

The above mentioned facilities are:

- i) notice board facilities will be provided without charge. The name of the Associations will be inscribed on the board(s). The Associations undertake to use multi-association boards wherever possible
- ii) the use of school telephones on Association business, provided no hindrance is caused to school business. Reasonable privacy will be accorded where possible. Out-going calls will be charged to the Association
- iii) the use of a room for a private meeting with the Association's members as required, providing reasonable notice is given
- iv) the use, where available, of typing, duplicating and photocopying equipment for essential Union work within the school, providing this does not interfere with the work of the school, and providing the cost of materials used is charged to the Association
- v) Access to documents setting out the Instrument and Articles of Government of their own schools and to documents necessary to undertake their role as Association Representatives

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Agreement signed:

Management: Helen Denton

Date: 1 November 2006

NAHT: R. [unclear]

Date: 16/10/06

ASCL: L.T. [unclear]

Date: 01/11/06

NUT: R. [unclear]

Date: 16/10/06

NASUWT: D. [unclear]

Date: 18/10/06

ATL: U.A. [unclear]

Date: 16/10/06