

Trade Union Facility Time – Rights & Responsibilities

Trade union representatives are entitled, by law, to reasonable paid time off from their regular job to enable them to perform their union duties and to undertake relevant training. (Trade Union and Labour Relations (Consolidation) Act 1992)



Employees who are union representatives of a trade union recognised by their employer are entitled to reasonable time off, **during working hours and without loss of pay**, to carry out union duties and undergo relevant training.

Trade union duties include:

- Negotiations with the employer, or other functions connected with the subjects of collective bargaining, such as terms and conditions, redundancy and dismissal arrangements.
- Preparations for negotiations, including attending relevant meetings.
- Informing members of progress and outcomes of negotiations.
- Matters of discipline (e.g. accompanying employees to internal hearings).
- Attending training in aspects of industrial relations relevant to carrying out their trade union duties. (This training must be approved by the Trades Union Congress or by the trade union of which he/she is an official.)

Aimed at simplifying this process, Local Authorities often administer a joint facilities time fund, paid into by schools and academies, which can be utilised by trained representatives from the recognised trade unions in order to fund release from their teaching obligations. This is beneficial for the schools as it provides an easy to use, fixed cost and secures timely, trained representation utilising established, local reps.

Middlesbrough Council administers the scheme within the Middlesbrough Local Authority area where currently local authority schools all buy in to the scheme each year and academies have the option to buy in. The money in the pooled fund is then divided between the recognised trade unions to fund the release time required.

The pooled resource is then used by the local reps and their schools in order to fund their release time from teaching, with no detriment to the rep or their school. Local reps who have established “facility time” away from teaching are not able to use that time to support members in academies which have chosen not to pay in to the scheme as their facility time is effectively paid for by contributing schools. This can present challenges in providing representation to members, however the trade unions work hard to ensure that any issues are handled by local agreement.

In cases where academies choose not to buy in to local arrangements it is possible to establish local, trust-based arrangements. These local arrangements will be established by paid officials and representatives of the trade unions in conjunction with the academies to ensure that members continue to be supported and represented and that positive, constructive industrial relations are maintained.

It is important therefore that schools are able to make informed decisions when assessing their options whilst also meeting their statutory responsibilities.