



TRADE UNION FACILITIES REPORT

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Contents

| | Page |
|--|-------------|
| 1.0 Introduction | 3 |
| 2.0 Definitions | 3 |
| 3.0 Scope | 4 |
| 4.0 Central function employees: | 4 |
| 4.1 Table 1 - Relevant union officials | 4 |
| 4.2 Table 2 - Percentage of spent on facility time | 5 |
| 4.3 Table 3 - Percentage of pay bill spent on facility time | 5 |
| 4.4 Table 4 - Paid trade union activities | 5 |
| 5.0 Education function employees: | 5 |
| 5.1 Table 1 - Relevant union officials | 5 |
| 5.2 Table 2 - Percentage of spent on facility time | 5 |
| 5.3 Table 3 - Percentage of pay bill spent on facility time | 6 |
| 5.4 Table 4 - Paid trade union activities | 6 |
| 6.0 Data Analysis | 6 |
| 6.1 Central function employees | 6 |
| 6.2 Education function employees | 6 |

1.0 INTRODUCTION

The Trade Union (Facility Time Publication Requirements) Regulations 2017 came into force on 1st April 2017 and were introduced as part of the Trade Union Act 2016. These regulations place a legislative requirement on "relevant public sector employers" to collate and publish, on an annual basis, a range of data on the amount and cost of facility time within the Council.

Relevant public-sector employers are those where the employer has at least one trade union representative and 49 or more employees for seven months during the reporting period, which is the period of 12 months beginning 1 April each year.

The first report must be published by 31 July 2018 on the employer's website, a Government maintained central website and, where the employer publishes an annual report, it must be included in the annual report.

The regulations specify how the data should be reported (as set out in the tables in sections 5 and 6) and require the Council to report separately on the functions as specified under these regulations, namely its central function employees and its education function employees.

2.0 DEFINITIONS

Under the regulations the following definitions apply:

Central function employees are employees of the authority or Council, other than those in the education function.

Education function employees are those employed by community, voluntary controlled, community special and maintained nursery schools. For any other employees that may be considered as education function, but do not fall under the definition in accordance with the regulations they will be included in the central function employee report.

Paid facility time hours means the number of hours spent on facility time by an employee who is a relevant union official during a relevant period (excluding any time undertaken for which the employee does not receive any wages by the employer).

Total paid facility time hours is the total number of hours spent on facility time by TU representatives during a relevant period and when a representative would normally receive wages.

Paid trade union activities is the time taken off in respect of which a relevant union official receives wages from the relevant public sector employer.

Relevant period means a period of 12 months beginning with 1st April, the first relevant period begins on 1st April 2017 and annually thereafter.

Wages (and **Gross amount** in relation to wages) has the meaning any sums payable in connection with the relevant union official's employment and in accordance with section 27 of the Employment Rights Act 1996.

Working hours is in relation to any time when an employee is required to be at work in accordance with their contract of employment.

Total pay bill is the total amount of (the total gross amount spent on wages) + (total pension contributions) + (total national insurance contributions) during the relevant period.

Hourly cost for each employee: (the gross amount spent on wages) + (pension contributions) + (national insurance contributions) divided by the number of hours during the relevant period.

Total cost of facility time For each employee who is a TU representative during the relevant period, facility time cost is calculated by: (hourly cost for each employee x number of paid facility time hours). Total facility time cost is calculated by adding together the amounts produced by the calculation of facility time cost for each employee. In calculating this figure wages of any employee who can be identified from the information being published must be expressed as a notional hourly cost to represent the employee's wages.

3.0 SCOPE

Most public authorities are in scope. This includes:

- An authority listed, or of a description, in Schedule 1 of the regulations
- Local Authorities
- The National Health Service
- Maintained schools and other educational institutions
- Police staff
- Any department of the Government of the United Kingdom (excluding the Secret Intelligence Service, the Security Service and the Government Communications Headquarters)
- The Scottish Ministers

The regulations only apply to employers that have at least one TU representative and which have more than 49 full time equivalent (FTE) employees during any seven months of a 12 month relevant period.

4.0 CENTRAL FUNCTION EMPLOYEES

4.1 Table 1- Relevant Union Officials

| Number of employees who were relevant union officials during the relevant period | Full-time equivalent employee number |
|---|---|
| 16 | 14.92 |

4.2 Table 2 - Percentage of time spent on facility time

| Percentage of time | Number of employees |
|--------------------|---------------------|
| 0% | 0 |
| 1-50% | 15 |
| 51-99% | 1 |
| 100% | 0 |

4.3 Table 3 - Percentage of pay bill spent on facility time

| | Figures |
|---|-----------------|
| The total cost of facility time | £41,732.57 |
| The total pay bill | £113,652,253.05 |
| The percentage of the total pay bill spent on facility time, calculated as: (total cost of facility time ÷ total pay bill) x 100 | 0.04% |

4.4 Table 4 - Paid trade union activities

| | |
|--|-----|
| Time spent on paid trade union activities as a percentage of total paid facility time hours calculated as: (total hours spent on paid trade union activities by relevant union officials during the relevant period ÷ total paid facility time hours) x 100 | 26% |
|--|-----|

5.0 EDUCATION FUNCTION EMPLOYEES

5.1 Table 1- Relevant union officials

| Number of employees who were relevant union officials during the relevant period | Full-time equivalent employee number |
|--|--------------------------------------|
| 6 | 5.8 |

5.2 Table 2- Percentage of time spent on facility time

| Percentage of time | Number of employees |
|--------------------|---------------------|
| 0% | 0 |
| 1-50% | 5 |
| 51-99% | 0 |
| 100% | 1 |

5.3 Table 3 - Percentage of pay bill spent on facility time

| | Figures |
|---|----------------|
| The total cost of facility time | £39,888.88 |
| The total pay bill | £43,881,556.95 |
| The percentage of the total pay bill spent on facility time, calculated as: (total cost of facility time ÷ total pay bill) x 100 | 0.09% |

5.4 Table 4 - Paid trade union activities

| | |
|---|-------|
| Time spent on aid trade union activities as a percentage of total paid facility time hours calculated as: (total hours spent on paid trade union activities by relevant union officials during the relevant period ÷ total paid facility time hours) x 100 | 3.47% |
|---|-------|

6.0 Data Analysis

6.1 Central Function Employees

The data has found that during the relevant period up to 31st March 2019 there were 14.92 FTE trade union officials in PCC. None of these spend 100% of their time on facility time. There are a number of trade union representatives whose time is funded by the Council (services are reimbursed their employment costs for this time). This is as follows: Unite has 1 representative funded for 2.5 days per week, Unison has up to 3 representatives funded for 3 days per week in total (one is a reimbursement to an Academy for representation of PCC employees). GMB do not currently have any council funded representatives.

The figures in this table require some clarification due to the breadth of the percentage ranges. For example, the majority of employees who record any facilities time fall into the 1-50% range, however the average percentage of time that these employees spend on facility time is 3.48%, with only one employee in this group spending more than 10% of their time on facility time. In the 51-99% range, one employee spent 60% of their time on facility time.

6.2 Education Function Employees

For Teaching staff there are a small number of trade union officials that represent these groups of staff and these are the ones who have been captured in the education function data.

The data for the education function employees found that during the relevant period up to 31st March 2019 there were 5.8 FTE trade union officials. Two of these

representatives are Headteachers. One representative is funded for 4 days per week for the NEU. The remaining representatives are reimbursed at a daily rate of £165 plus on costs if the employee is reimbursed directly or at a flat rate of £165 per day if the reimbursement is paid to the school.

In table 1 the number of employees is made up of five representatives for NEU and one for NAHT and includes all trade union representatives that are employed during the relevant period, but excludes casual workers.