

Midlands Academies Trust

MEETING OF THE EXECUTIVE TEAM

Title of Paper:	Facility Time Legislative Reporting
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Purpose of the Paper:	To outline legislative requirements of Facility Time Reporting introduced by the UK Government and provide details of the MAT position.
Recommendation & Decision Required:	Members are asked to review and agree report content and written statement for publication
Summary of Key Issues:	The Trade Union (Facility Time Publication Requirements) Regulation 2017 was introduced by the UK government for all employers which took effect from 1 April 2017. The MAT has a legislative requirement to meet the strictly defined criteria and publication deadline, the enclosed data provides information to assist.
Strategic Priority: (Strategic Plan Ref)	No direct link
Implications The following implications have been considered and the resulting impacts / risks (reference to risk reports where relevant) are as follows:	
Improving the Learner Experience	No direct link
Financial	Indirect link
Legal	Legislative requirement
Safeguarding	No direct link
Equality & Diversity	No direct link
Health & Safety	No direct link
Strategic Plan	No direct link

Release of Papers and Confidentiality Issues	
The Corporation is committed to open and transparent decision making and therefore its policy is to minimise the restriction on the release of papers to situations where there is a justifiable need.	
Part A: Recommendation:	
X	It is recommended that the paper be released following the meeting.
	It is recommended that the paper be kept from publication following the meeting.
Part B: Reason for Confidentiality:	
	Personal information relating to a named individual or individuals
	Information provided in confidence by a third party who has not authorised disclosure
	Information where ongoing negotiations may be prejudiced.
	Information where financial budgeting may be prejudiced.
	Information regarding the MAT's financial position, where disclosure may harm it or its competitive position.
	Information where a proposal concerning staffing matters are at an early stage of discussion.
	Legal advice received from or instructions given to, the MAT legal advisers.
	Information planned for publication in advance of that publication.
	Information not otherwise covered above, but considered to be commercially sensitive.

1. Introduction and current position

The trade union (facility time publication requirements) regulations 2017 came in to force on 1 April 2017 and the Midlands Academy Trust (MAT) should have been recording facility time for the period 1 April 2019 to 31 March 2020. In line with the new regulations, the MAT must publish information on facility time, which is agreed time off from an individual's job to carry out a trade union role, by the 31 July 2020. Due to the Covid-19 Pandemic the deadline has been extended to 30 September 2020.

There is a legal requirement to publish this information, and employers are preparing to publish their information on their website by the 30 September 2020 deadline.

The purpose of these regulations is to promote transparency and allow for public scrutiny of facility time. They create scope for sensible savings by improving public accountability, which will ensure taxpayers' money is only spent on justifiable and accountable trade union work that represents value for money.

2. Proposal

It is important that MAT meets the full requirements of the regulations (not just the requirement to publish on a website). The regulations state that employers must:

- publish the information in the form indicated in schedule 2 of the regulations
- place this information on their website before 30 September 2020
- include this information in their annual report which covers the relevant period (April 19 to March 20)
- place the information on a website maintained by or on behalf of the government before 30 September 2020

3. Recommendation

It is recommended that the MAT approve the report (appendix A) and this report be placed on the MAT public-facing website in addition to the data being reported on the government portal by 30 September 2020 in order to comply with the legislative requirements.

APPENDIX A

Relevant union officials

What was the total number of your employees who were relevant union officials during the relevant period?

<i>Number of employees who were relevant union officials during the relevant period</i>	<i>Full-time equivalent employee number</i>
4	3.8

Percentage of time spent on facility time

How many of your employees who were relevant union officials employed during the relevant period spent a) 0%, b) 1%-50%, c) 51%-99% or d) 100% of their working hours on facility time?

<i>Percentage of time</i>	<i>Number of employees</i>
0%	4
1-50%	
51%-99%	
100%	

Percentage of pay bill spent on facility time

Provide the figures requested in the first column of the table below to determine the percentage of your total pay bill spent on paying employees who were relevant union officials for facility time during the relevant period.

<i>First Column</i>	<i>Figures</i>
Provide the total cost of facility time	£472
Provide the total pay bill	£14,389,000
Provide the percentage of the total pay bill spent on facility time, calculated as: (total cost of facility time ÷ total pay bill) x 100	0.003%

Paid trade union activities

As a percentage of total paid facility time hours, how many hours were spent by employees who were relevant union officials during the relevant period on paid trade union activities?

100%