

Consultation on the Schools Block Funding Arrangements and Service De-delegations 2026/27



Executive Summary

In recent announcements, the Department for Education (DfE) confirmed the school funding arrangements for 2026/27 will be published in the autumn term and issued an initial [summary policy document for 2026 to 2027](#). As part of the annual consultation with schools & academies, and due to the timescales to set the school budget, this consultation seeks views on the assumptions that the National Funding Formula (NFF) will continue to allow local discretion on the Minimum Funding Guarantee (MFG) rate and service de-delegations. The DfE have also confirmed that as in previous years, local authorities will be allowed to transfer up to and including 0.5% of the schools block into another block, with schools forum approval, without submitting a disapplication request. For a transfer exceeding 0.5%, or without schools forum approval, a disapplication request must be submitted to the Secretary of State.

The local authority (LA), therefore, anticipates that the National School Funding Formula (NFF) arrangements will continue for 2026/27 and be mirrored, but the LA's local formula still applies in making actual allocations to primary and secondary schools.

In previous years following consultations, funding has been transferred from the Schools Block to help mitigate pressures in other funding blocks. **Due to the ongoing pressures within the High Needs Block, this document also seeks views on a proposed transfer of 0.5% from Schools Block to the High Needs Block in 2026/27.**

If there are any further proposals to transfer funding between funding blocks in 2026/27 that emerge once we have modelled allocations from the DfE on the schools funding arrangements, a further consultation will be issued seeking schools' views.

Following a previous consultation with schools and the Schools Forum, Lancashire has adopted to mirror the NFF methodology as the local funding formula. This document seeks views on the level of MFG that should be applied in Lancashire for 2026/27.

This consultation is also seeking views about the continuation of service de-delegations in 2026/27, which are:

- Staff costs – Public Duties/Suspensions
- Heritage Learning Service (Museum Service) - Primary Schools Only
- Schools Requiring additional Support
- Children's Champions

Note – There is no proposal for inclusion hubs to continue as a de-delegation in 2026/27. The LA are looking into options regarding this.

It is extremely important to the County Council and the Schools Forum to be able to reflect the views of Lancashire schools when making decisions about block transfers, MFG level, and de-delegation arrangements for 2026/27, as these decisions are binding on all primary and secondary schools.

De-delegations are not permitted for academies, special schools, nursery schools or PRUs, however, some services will be offered as a buy-back and separate information will be provided about these options, where appropriate.

Please let us know your views on the proposals for 2026/27, by completing the consultation questionnaire available [here](#), **3 October 2025**, so that responses can be reported and voted on by the Schools Forum on **14 October 2025**

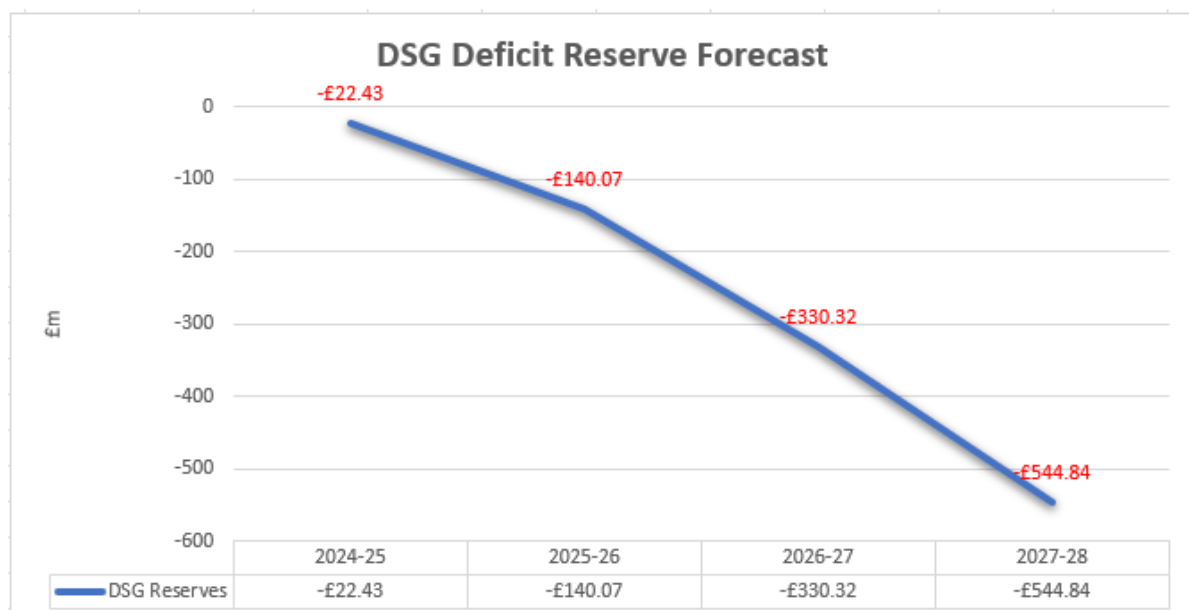
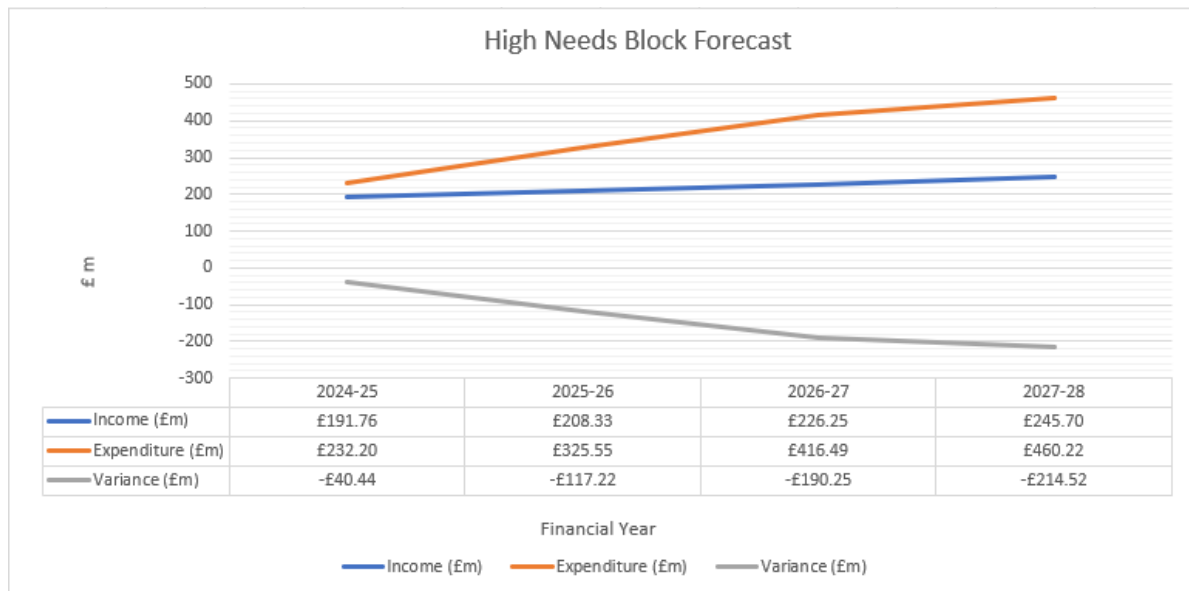


PART A 2026/27 SCHOOLS BLOCK FUNDING ARRANGEMENTS

Schools Block 0.5% Transfer to High Needs Block

In previous years, following consultations with schools, funding has been transferred from the schools block to help mitigate pressures in other funding blocks. LAs can transfer up to 0.5% of their Schools Block funding to other blocks with the agreement of the Schools Forum, following a consultation with schools. Transfers of more than 0.5% may be allowed in certain circumstances but additionally require agreement from the Secretary of State.

As recently reported to cabinet and to schools forum, for the first time the DSG reserve has become a negative balance (termed a deficit) of **£22m** due to pressures on the High Needs Block, reflecting pressures in Special Educational Needs, which reflects the national picture amongst local authorities of insufficient grant resources to meet increasing need. Whilst the Council has plans to improve SEND services in 2026/27, these will not reverse the pressure on the High Needs Block. Projections based on current growth, and the implementation of the SEND recovery plan show that the HNB is forecasted to further overspend by **£117m** in 2025/26, with a forecast negative/deficit cumulative DSG balance of **£140m** by March 2026.



A transfer of 0.5% (circa £5.1m) from the schools block to the high needs block would help to mitigate some of the pressure within the high needs block in 2026/27.

To achieve this and remain with the NFF regulations, the schools block operational guidance states local factor values within 2.5% of the respective NFF values are deemed to be mirroring the NFF and within the NFF regulations. Modelling has been undertaken meaning that the LA would be unable to fully pass through the factor values in 2026/27 and would be reduced as necessary to achieve the 0.5% block transfer.

To apply this consistently the LA are proposing to reduce the basic entitlement and lump sum factors by the full 2.5% as is allowable within the NFF regulations. If the 0.5% block transfer is not achieved by using the basic entitlement and lump sum factors, the remaining factors within the NFF will be reduced accordingly. The LA do however need to emphasise that modelling can only currently be undertaken using 2025/26 data, and 2026/27 data will only be available in late December. If there is any natural headroom within the schools block following the 2026/27 DSG allocation this will be used in the first instance to support the block transfer. Unfortunately, however, in recent years no headroom has been available, and it is assumed at this time that to achieve the 0.5% transfer, the LA will need to utilise the 2.5% reduction in NFF formula factors.

It is important to note that block transfers from schools block impacts on both LA schools and academies. The summary of the initial modelling has been provided below showing the forecasted average impact on schools & academies, and has already been shared with schools forum. There are however NFF protections with the minimum pupil funding and minimum funding guarantee, which limits any budget reduction from change in pupil characteristics. As a result, the impacts on individual schools & academies will vary.

2.5% Schools Block to High Needs Block Transfer			
School/Academy Type	No of Schools/Academies	Difference in Funding	Average Impact
Primary	481	£2,929,262	£6,090
Secondary	80	£2,172,677	£27,158
All-Through	2	£17,978	£8,989
Average Impact	563	£5,119,917	£9,094

If there are any further proposals to transfer funding from Schools Block to other funding blocks in 2026/27 that emerge in December once we have modelled allocations from the DfE on the schools funding arrangements, further consultation will be issued seeking schools' views.

Any decision taken about a Schools Block transfer would only relate to 2026/27 and a further consultation would be held if a similar proposal was being suggested for 2027/28.

Financial and Risk Implications of DSG Deficit

Currently there is a statutory override in place, which is a legal mechanism that allows local authorities to disregard certain financial liabilities or accounting rules when preparing their budgets or financial statements.

The DSG statutory override specifically allows councils to exclude deficits related to Special Educational Needs and Disabilities (SEND)/HNB from their main revenue accounts. This means these deficits do not count against the council's general fund and councils are not required to immediately balance these deficits by reducing budgets to finance the shortfall. The override was introduced in financial year 2019/20 and has recently been extended again, until March 2028 due to the growing scale of SEND-related financial pressure.



Whilst the impact of a DSG deficit on the council's revenue budget is mitigated by the statutory override, the council is still required to finance the deficit as expenditure is being incurred without the cash being received to fund it.

Ordinarily councils are not allowed to borrow for revenue expenditure. Under the Local Government Act 2003 local authorities are however able to borrow for the purpose of prudent management of their financial affairs. The government has legislated for a temporary statutory override meaning that the deficit is neither capital expenditure nor revenue expenditure for the time being, implying a solution will be found soon. Borrowing in the meantime can be undertaken to ensure the prudent management of financial affairs, the cost of borrowing will need to be met from the council's revenue budget.

According to the County Councils Network, local authorities are collectively carrying over £6 billion in DSG deficits, which is forecasted to rise to £10 billion by March 2028.

The statutory override has been a necessary stopgap, but it is not a solution. The conclusion of the sector is that without decisive reform and sustainable funding, local authorities will face escalating financial pressures that threaten both SEND provision and wider council services.

Q1. Do you agree with the proposal of a 0.5% transfer to the high needs block from schools block to assist with pressures facing the high needs block?

- **Yes;**
- **No;**
- **Not Sure.**

Please let us know your views on the de-delegations proposals for 2026/27, by completing the consultation questionnaire available [here](#), by **3 October 2025**, so that responses can be reported to the Schools Forum on **14 October 2025**.



Schools Block Minimum Funding Guarantee (MFG) 2026/27

In 2025/26, Local Authorities had had the freedom to set the MFG in local formulae between -0.50% and 0.00% per pupil. Following consultation with schools, the Schools Forum agreed to set the MFG in Lancashire at the maximum 0.00%, as this provided the maximum allowable protection for Lancashire schools and academies, and matched the funding floor protection included in the NFF.

Whilst the DfE have not yet released information regarding the MFG range for 2026/27, the LA proposal included in the consultation will be for the MFG to mirror and be set at the funding floor protection recommended in the NFF in 2026/27. At this stage it is anticipated that the rate will be within the same parameters as 2025/26. If there are any significant MFG changes once the 2026/27 NFF guidance is published, the LA will consult schools further. On this basis, the LA would propose the MFG to be set at the maximum funding floor allowable, assumed to be 0.0%.

Please remember whilst the MFG will offer protection for per pupil funding levels between years, individual school budget allocations can still go down if your pupil numbers reduce.

Views are sought from Lancashire primary and secondary schools and academies in the consultation.

Q2. Do you agree that the Minimum Funding Guarantee (MFG) level should mirror the National Funding Formula in the Lancashire formula in 2026/27?

- **Yes;**
- **No;**
- **Not Sure.**

Please let us know your views on the de-delegations proposals for 2026/27, by completing the consultation questionnaire available [here](#), by **3 October 2025**, so that responses can be reported to the Schools Forum on **14 October 2025**.



PART B 2026/27 DE-DELEGATION PROPOSALS

It is anticipated that the school funding framework will continue to allow service de-delegations in 2026/27. As per the funding arrangements in recent years, de-delegated services must be allocated through the formula but can be de-delegated for maintained mainstream primary and secondary schools, subject to consultation with schools and with Schools Forum approval.

De-delegations apply to a limited range of services where central provision for maintained schools (but not academies) may be argued for on the grounds of economies of scale or pooled risk. These services and their funding are delegated to schools and academies in the first instance, however if maintained primary and secondary schools of a phase agree, via a majority vote through the Schools Forum, the services can be provided centrally by returning the funding to the Local Authority. The final net delegated budget available to each school would then exclude these amounts.

For 2025/26, the Schools Forum approved several de-delegations, following consultation with schools. However, service de-delegations must be approved on an annual basis and this consultation document sets out proposals for 2026/27 and seeks your views.

For 2026/27 the following proposals have been received from the relevant services, with a change to the Schools Requiring Additional Support de-delegation, however there is no proposal from the service in relation to the inclusion hubs and as such this will cease to be a de-delegation in 2026/27:

- Staff costs – Public Duties/Suspensions
- Heritage Learning Service (Museum Service) - Primary Schools Only
- Schools Requiring additional Support
- Children's Champions

This consultation document also provides information on all the proposed de-delegation service offers and charging structures from April 2026, and possible service options where these are available. Supplementary information providing additional details around the proposals are included in various appendices and annexes.

Decision taken by the primary and secondary school members of the Schools Forum will be binding on all schools in that phase, so it is important that members are aware of the views of schools when they are making the de-delegation decisions.

1. Staff costs – Public Duties/Suspensions

The 2025/26 de-delegation consultation presented several Staff Costs options, particularly around the trade union duties following a review of the Trade Union Facilities Time Agreement. In accordance with the most popular option from school responses, the Forum agreed to support the 2025/26 staff costs de-delegation at the level of service provided in previous years.

For the 2026/27 consultation, various options are again presented for consideration by schools and information on the different possibilities are included below and in the appendices.

Background information, which was shared with the Schools Forum in summer term 2025, provided an update about the Trade Union Facilities Agreement and a copy of this



report is attached at [Appendix A](#). The report includes information about the historical position of the facilities time agreement, the legal requirements, recent union amalgamations and number of school staff supported from the de-delegation and how this has changed in recent years.

Further Information from Trade Unions

In response to the consideration of the de-delegation options for 2026/27 trade union colleagues have submitted further information setting out their positions on the facilities time issue and the advantages the agreement provides.

The teacher trade unions have produced two joint papers. The first is a paper titled 'In Defence of Pooled Facility Time' and provides a summary of the legal context and some practical advantages of the current system from the unions' perspective. This paper is attached at [Appendix B](#).

A second document on behalf of the teacher unions is a position paper that sets out the union's view about the benefits of the facilities time agreement in more detail, including some possible costings at school level if the agreement were not in place. This document is attached at [Appendix C](#).

A third document received from the union secretaries on behalf of all employees who are members of NAHT, ASCL and the National Education Union (NEU), provides a summary of the importance of the pooled service. This document is attached at [Appendix D](#).

In addition, an supporting information document has been produced and provided from UNISON. This document is attached at [Appendix E](#).

2026/27 De-delegation Options

Having considered the information provided, the options available for this de-delegation in 2025/26 are:

- a) Continue the 'Staff Costs - Public Duties/Suspensions' de-delegation using the same policy as 2025/26.
- b) Continue the 'Staff Costs - Public Duties/Suspensions' de-delegation but with a reduced Trade Union Facilities Time contribution to reflect a smaller workforce.
- c) Continue the 'Staff Costs - Public Duties/Suspensions' de-delegation but without any Trade Union Facilities Time contribution.
- d) Completely discontinue the 'Staff Costs - Public Duties/Suspensions' de-delegation.

Further details on each of the options are provided in the following sections, which also includes the relevant adjustments to the de-delegation charges that are proposed for 2026/27 under each of the options.

a) Continue the 'Staff Costs - Public Duties/Suspensions' de-delegation using the same policy as 2025/26

One option available in 2026/27 is to continue the existing de-delegation arrangements using the same policy as applied in 2025/26.

The 2026/27 'Staff Costs - Public Duties/Suspensions' de-delegation incorporated reimbursement to schools for staff costs associated with duties including:

- Magistrates/Justices of the Peace.



- Jury Service.
- Attendance at Court/Tribunal as a Witness.
- Teachers who are Governors of schools other than their own.
- Territorial Army/Royal Naval Reserve/Royal Air Force Reserve.
- Trade Union Duties under the County Council's Facilities Time Agreement.
- Member of staff is suspended from duty.

The total 2025/26 de-delegation budget equated to circa £689k, including public duties, trade union duties and suspensions.

To account for the pay increase from September 2025, from April 2026 the charge will increase by 4% (with the equivalent increase in the per pupil element) the revised de-delegation rates for 2026/27 are shown below:

	Primary	Secondary
Rate per pupil	£6.00	£6.88

Advantages of this option

- The Facilities Agreement for teacher trade unions demonstrates the commitment that the schools and Schools Forum have towards fostering and maintaining good relations with employee representatives.
- Continuing the 'Staff Costs - Public Duties/Suspensions' de-delegation will assist in maintaining the very positive relationships with the trade unions when dealing with issues affecting staff in schools in addition to financially supporting schools for staff undertaking other public service duties.
- In the current financial climate in the school sector, with significant numbers of schools facing financial difficulties, the input from trade union representatives to assist with school reorganisation proposals will be in continued demand and it may be counterproductive to reduce the support available by decreasing the level of the de-delegation.
- This option minimises the risks financially and otherwise on individual schools of needing to provide time off for school-based trade union representatives during working time to deal with casework in their own school and of bearing such costs, which would need to be met from individual schools budgets.

Disadvantages of this option

- The number of school staff covered by the de-delegation has reduced in recent years as the number of academies in Lancashire has increased, but this option does not reflect that change (figures are provided below in option b).
- Other options for the Staff Costs de-delegation reduce its costs, which would release some funding back to individual school budgets.
- It does not take into account Trade Union members paying fees and subscriptions to their associations that provide for Regional Officials to deal with very serious casework matters;
- From 1 April 2018, the County Council withdrew all funding for trade union representatives. From this date, workplace representatives have been required to undertake the role within their service areas, supported by regionally/nationally funded colleagues. The continuation of any Facilities Time Agreement funded by the de-delegation is not necessarily consistent with the County Council's decision.



b) Continue the 'Staff Costs - Public Duties/Suspensions' de-delegation but with a reduced Trade Union Facilities Time contribution;

A second option for consideration proposes to continue the Staff Cost de-delegation in 2026/27, but to reduce the Trade Union Facilities Time contribution.

FTE teacher numbers in Lancashire in 1999, the year after Blackpool and Blackburn LAs went unitary, are broadly similar to those in 2010. Since 2011, the number of teachers covered by the Facilities Time Agreement has been affected as schools convert to academies.

Based on the most recent School Workforce data, the number of teaching staff in Lancashire Schools is 9,631. Of these, 26% (2,498) are based in Academy (former maintained) schools. When a school converts to become an Academy, they are no longer able to draw on the Facilities Agreement funding, unless they arrange a separate buy-in arrangement. Despite this, there has been no equivalent reduction in the number of funded FTE trade union representatives.

This option proposes to reduce the financial contribution to support the Facilities Time Agreement in line with the % of staff now employed in academies (26%).

A UNISON post, which provides support for support staff in schools, is also funded from this de-delegation, and this proposal would require a reduction in their allocation equivalent to 26%.

In 2025/26, the trade union budget represented circa £430k of the total Staff Costs de-delegation. A realignment of the trade union costs element of the de-delegation would equate to the following school level savings in 2026/27 compared to the cost of maintaining the de-delegation at 2025/26 service levels, as set out in a) above. (Based on 2025/26 pupil numbers):

- £0.72 per pupil in primary schools.
- £0.83 per pupil in secondary schools.

Advantages of this option

- This option realigns the costs of the 2026/27 Facilities Time Agreement to one equivalent to that when the agreement was originally created in terms of teaching staff supported and reflects the number of staff now employed in academies that are no longer covered by the agreement.
- All parts of the school sector are facing considerable cost pressures and this proposal shares that burden with the unions benefitting from the de-delegation.
- A significant level of funding would still be provided for the Facilities Time Agreement, so the existing benefits of the de-delegation arrangements should, for the most part, be able to continue.
- A reduced amount of funding would be deducted from individual schools budgets, as set out above.
- Going forward, if de-delegations remain allowable, the level of contribution for the Facilities Time Agreement could perhaps be reviewed annually on the basis of any changes to the number of staff being supported and the budget position of Schools Forum.



Disadvantages of this option

- The level of funding released on a school-by-school basis is relatively small and given that demand for union support in budget driven reorganisations is likely to increase as school funding gets tighter, it may be a better use of resources to leave the de-delegation at the 2025/26 level.
- Any decrease in the level of funding provided for the Facilities Time Agreement risks increasing demand on individual schools to provide time off for school-based trade union representatives.

c) Continue the 'Staff Costs - Public Duties/Suspensions' de-delegation but without any Trade Union Facilities Time contribution;

Another option for consideration is to continue the Staff Costs de-delegation, but without the Facilities Time Agreement contribution.

This option would release circa £430k costs associated with the Facilities Time Agreement into individual school budgets. This would equate to the following school level savings in 2026/27 compared to the cost of maintaining the de-delegation at 2025/26 service levels, as set out in a) above. (Based on 2025/26 pupil numbers):

- £3.61 per pupil in primary schools.
- £4.14 per pupil in secondary schools.

Advantages of this option

- This option would provide a more substantial level of funding to release into individual school budgets.
- It would mirror the decision taken by the County Council to withdraw funding for trade union representatives.
- Regional Trade Union officials would still be available to provide support with serious casework matters.
- The de-delegation would still provide insurance type cover to schools for other 'public duties and suspensions.

Disadvantages of this option

- The relationships with Lancashire level trade union officials could be lost, as would considerable local knowledge and expertise that benefits employee relations in Lancashire schools.
- There would be greater demand on individual schools to provide time off for school-based trade union representatives during working time to deal with casework in their own school, the costs of which would need to be met from individual schools budgets.
- Delays could be caused in resolving HR issues in schools, particularly where the school must rely on the availability of regional officials to manage HR casework.
- The occurrence of costs on individual schools would not be even, and schools facing the prospect of reorganisations due to budgetary constraints would face a higher risk that their budgeted resources would be needed to release staff to undertake trade union duties and activities.



d) Completely discontinue the 'Staff Costs - Public Duties/Suspensions' de-delegation

A final option for consideration would be to discontinue this de-delegation completely. This would mean that no staff costs de-delegation funding is collected from schools in 2026/27 and would equate to the following school level savings in 2026/27 compared to the cost of maintaining the de-delegation at 2025/26 service levels, as set out in a) above. (Based on 2025/26 pupil numbers):

- £6.00 per pupil in primary schools.
- £6.88 per pupil in secondary schools.

However, it is important to note that if this service is not de-delegated the County Council has no proposals to develop a traded service and schools would need to make their own arrangements.

Advantages of this option

- This option provides the largest saving against the 2026/27 de-delegation costs.
- Each year, some schools do not benefit from this de-delegation, if they have no cause for trade union involvement, no staff undertaking public duties and do not suspend anyone from duty.
- This option also mirrors the decision taken by the County Council to withdraw funding for trade union representatives.
- Regional Trade Union officials would still be available to provide support with serious casework matters.

Disadvantages of this option

- The relationships with Lancashire level trade union officials would be lost, as would considerable local knowledge and expertise that benefits industrial relations in Lancashire schools.
- There would be greater demand on individual schools to provide time off for school-based trade union representatives during working time to deal with casework in their own school, the costs of which would need to be met from individual schools budgets.
- Delays could be caused in resolving HR issues in schools, particularly where the school must rely on the availability of regional officials to manage HR casework.
- The occurrence of costs on individual schools would not be even, and schools facing the prospect of reorganisations due to budgetary constraints would face a higher risk that their budgeted resources would be needed to release staff to undertake trade union duties and activities.
- The 'insurance' type cover offering protection for individual school budgets from this de-delegation would be lost, and some schools risk considerable additional costs if they have staff who undertake significant levels of public duties or who are suspended.



Q3. What is your preferred de-delegation option for 'Staff Costs - Public Duties/Suspensions' in 2026/27?

- **Continue the 'Staff Costs - Public Duties/Suspensions' de-delegation using the same policy as 2025/26;**
- **Continue the 'Staff Costs - Public Duties/Suspensions' de-delegation but with a reduced Trade Union Facilities Time contribution to reflect academisations and union amalgamations;**
- **Continue the 'Staff Costs - Public Duties/Suspensions' de-delegation but without any Trade Union Facilities Time contribution;**
- **Completely discontinue the 'Staff Costs - Public Duties/Suspensions' de-delegation;**
- **Not Sure.**

Please note that charges quoted in this section may vary marginally, based on pupil numbers from the October 2025 school census.



2. Heritage Learning Team - Primary Schools Only

The Schools Forum have historically supported the work the Heritage Learning Team undertakes for primary schools to help meet the national curriculum and to support wider cultural learning and learning outside the classroom aims. With the emphasis being placed on cultural education by the government's Culture White Paper, it is proposed that this budget continues to be de-delegated in 2026/27 to ensure that this service is maintained.

The de-delegated budget is used by the Heritage Learning Team to pay for the creation, design, curriculum development and resourcing of the learning sessions provided across LCC's museums, schools outreach, Lancashire Archives and a range of partner museums across the county. Learning is therein offered both at the museums, cultural venues and as outreach into schools. The money also covers staff training for the freelancer delivery team and the on-going monitoring/evaluation of the quality standards. The funding also enables new sessions to be developed in response to fluid curriculum changes. Free monthly and whole school CPD events are offered to teachers at the Preston Conservations Studios or as sessions within school. The Heritage Learning Team also offer a free curriculum development service to help inspire and engage. The Heritage Learning Team holds five Sandford Awards for excellence in Heritage Education, recognising the high quality and relevance of the sessions it offers to schools. The service has also been able to offer long term projects to schools including music programmes 'Turns and Tunes' and 'The People Versus'. 'The Lancashire Schools Magic Fest' focussed on numeracy, literacy, self-confidence, creativity, and the now annual 'Lancashire Schools Storytelling Festival'. Recent developments include new STEAM sessions at the Lancaster Maritime Museum and Clitheroe Castle Museum, a range of new special events, and new funded projects covering a range of cross curricular themes.

The Heritage Learning Team also deliver a range of digital learning opportunities- Our Niche Academy packages include Shakespeare, Storytelling, Explorers, and WWI. The 'Whole Lot of History Podcast' provides entertaining and exciting pathways into various historical topics designed solely for young people. We also offer a range of video guides and activities through our YouTube Channel.

The schools' loans service offered by the Heritage Learning Team is a subscription scheme, the charges are kept to a minimum, covering delivery and collection of loans boxes. Support from the de-delegated money enables development and resourcing of new loans boxes in line with the curriculum and teacher requests. During the last academic year, this has included new resources linked to Prehistory, Anglo Saxons, WWI, Romans, Seaside, Vikings, and Explorers.

Schools will continue to receive a small charge for museum visits, but only to cover the cost of paying the freelance delivery staff. Continued de-delegation will mean current charges for school visits, outreach sessions and loans boxes will again be held during the coming academic year.

Due to museum transition the learning team have ensured Lancashire schools can still access high quality sessions at Helmshore and Queen Street mills, the Museum of Lancashire, Judges Lodgings and Fleetwood Museum. The Heritage Learning Teamwork with a range of external educational associates as critical learning partner to bring the best of learning to schools. We are delighted to announce they will be delivering the learning provision at the Harris Museum and Art Gallery.

If delegated, this service would only allocate just under £2.00 per pupil. If a traded service were to be offered the central service would only remain viable if all schools entered into



the arrangement. On this basis, the authority would suggest that if schools wish the service to continue, the primary school museums budget should be de-delegated.

The proposed cost of this de-delegation in 2026/27 is provided in the table below (based on 2025/26 pupil numbers).

At the request of schools forum members, further information has been provided at [Appendix F](#)

	Primary
Rate per pupil	£1.97
Total De-delegation	£161,891

**Q4. Do you support the de-delegation of funding for the Heritage Learning Team in 2026/27?
(Primary schools only)**

- Yes;
- No;
- Not Sure.

Please note that charges quoted in this section may vary marginally, based on pupil numbers from the October 2025 school census.



3. Schools Requiring additional Support (SRaS)

Currently schools requiring additional support will be in line with the SRaS delegation, which is offered in several ways:

- Brokering school to school support with schools sharing expertise at various levels e.g. leadership, teaching, subject leadership, assessment, curriculum models.
- Providing teaching and learning support through teaching and learning consultants e.g. bespoke professional development for teachers.
- Providing financial management support for schools e.g. complex recovery plans.
- Providing HR and financial support to enable schools to reduce staffing.
- Providing one off financial support, via a bid to the schools forum to enable the school to develop a sustainable recovery plan.

The de-delegation arrangement is aimed to support schools in financial difficulty where additional support is deemed necessary for staffing reorganisations (HR), Intervention support (MIT) and finance support (SFS) based on a set of long-established principles. It aims to encourage schools to operate on a self-managing, self-sustaining strategy with schools in the worst situation receiving the greatest support, but still contributing, with those schools which take early preventative action also entitled to support based on the RAG rating system.

There are occasions when schools do not have sufficient resources available to meet the needs of their pupils and in these cases the Schools in Difficulty fund provides schools with the resources to help them overcome the challenges they are facing. There is clear, published eligibility criteria for access to these funds and these are managed on behalf of Schools Forum by the School Improvement Group (SIG). The funds are provided to help schools to raise achievement and create sustainable improvements in the quality of provision.

The de-delegation also includes some Termination of Employment costs (formerly Premature Retirement Costs), which can be a useful mechanism to facilitate staffing reorganisations in schools, particularly when they are in financial difficulty.

If Schools are classed as a School Requiring Additional Support as defined in the handbook, their current budget will impact how much of the fund they can access as in previous years.

- Schools who are in deficit or have a surplus balance below 1% CFR income pay 20% of the cost, the de-delegation provides 80%.
- Schools who have balances between 1% and 4% CFR Income pay 50% of the cost and the de-delegation provides 50%.
- Schools with a budget above 5% CFR pay 80% and the de-delegation provides 20%.

A proposed change to the SRAS de-delegation in 2026/27 to 2025/26 is that the delegation will also fund the work of the MIT team who provide the professional advice and guidance to the schools that require support, and the advisors who provide financial and governance support outside of the SLA arrangements that schools sign-up for individually. It is not possible for the County Council to provide this for free due to the removal of the school monitoring and brokering grant from the DfE. Instead of asking for a separate de-delegation request for this function (as is normal in many other Local Authority areas) we are rolling this into this de-delegation and not increasing costs to schools. This will increase in-year costs to the fund by c£850k but will keep the fund well within budget for the next few years, whilst maintaining a low rate of de-delegated funds, helping schools to manage in a difficult financial landscape.



Current evidence indicates that this approach is well received and highly valued by headteachers and governors. The partnership between schools and the local authority has also proved invaluable in helping schools to improve the quality of provision in a sustainable way.

It is important to note that if this service is not de-delegated, the County Council has no proposals to develop a buy-back service to support schools in financial difficulty and schools would need to make their own arrangements.

The proposed de-delegation rates will be held at 2025/26 levels to reflect the reserves held. It is expected that the surplus will allow the de-delegation rates to stay low for the next couple of years, but in future years the rate may need to increase.

	Primary	Secondary
Rate per pupil	£2.00	£3.00
Total De-delegation	£164,266	£97,281

Q5. Do you support the de-delegation of Support for Schools in Financial Difficulty in 2026/27?

- **Yes;**
- **No;**
- **Not Sure.**

Please note that charges quoted in this section may vary marginally, based on pupil numbers from the October 2025 school census.



4. Children's Champion

The children's champions enable schools to gather young people's voice when they were struggling to access mainstream education. This could be if they were at risk of permanent exclusion, breakdown of a relationship with school leading to non-attendance, working with families where they are considering home education but this may not be in the best interests of the child and assisting in reintegrating some of our children missing education cohort who are often new to country/area and therefore may need extra support on transition into school. Their work has been in all sectors primary, secondary, PRU and special.

[Alternative provision: children's champions - Lancashire County Council](#)

This de-delegation supports additional children's champions to maintained schools.

- 1x Grade 9 Children's champion, brokering support and supporting children across Lancashire for maintained schools
- 4x Grade 7 officers, to support operational support for reintegration and admission for children and young people who have been or are at risk of permanent exclusion

Referral into the new children's champions will be by the same referral mechanism as the current system where cases will be triaged and assigned appropriately. The proposal is to ask schools forum to support the continuation of these posts to support the authority's goals of inclusivity and to reduce permanent exclusions across Lancashire.

In the Summer term 2025, the Schools Forum received an update of the work of the Children's Champions, and it is proposed that the de-delegation rate increases by 4% to reflect the recent pay award

A copy of this information is provided at [Appendix G](#)

	Primary	Secondary
Rate per pupil	£1.64	£2.74
Total De-delegation	£134,961	£88,686

Q6. Do you support the de-delegation of funding for Children's Champion Functions in 2026/27?

- **Yes;**
- **No;**
- **Not Sure.**

Please note that charges quoted in this section may vary marginally, based on pupil numbers from the October 2025 school census.



Responding to the consultation

It is extremely important to the County Council and the Schools Forum to be able to reflect the views of Lancashire schools when making decisions about de-delegation arrangements for 2026/27, as these decisions are binding on all primary and secondary schools.

Please let us know your views on the de-delegations proposals for 2026/27, by completing the consultation questionnaire available [here](#), **by 3 October 2025**, so that responses can be reported and voted on by the Schools Forum on **14 October 2025**.



REPORT TO SCHOOLS FORUM - TRADE UNION FACILITIES AGREEMENT (May 2025)

The Facilities Agreement for teacher trade unions demonstrates the commitment that the Schools Forum and Council have towards fostering and maintaining good relations with employee representatives. As an Authority, we enjoy very positive relationships with the trade unions when dealing with issues affecting staff in schools.

Each year a report is submitted to Forum for consideration of the level of trade union facilities agreement funding, set in 1998 and which had remained at the same level, despite the fact that each year a number of teachers transfer from maintained schools into academy schools that are not covered by de-delegation decisions, including access to paid local trade union officials via the Facilities Agreement.

Since October 2018 and on an annual basis, Forum have elected to continue the de-delegation at the existing levels. This had also been the option receiving the highest overall response from schools during the Forum consultation process.

However, Forum members agreed to keep the contribution level of the facilities time agreement under review, as over the years, some members had supported the option to reduce the level in line with the teacher numbers/union reorganisation adjustment. This report has been prepared to provide the current position and allow Forum members to re-consider this issue.

Historical position

As has previously been reported to Form, current levels of TU facilities funding were set in 1998, when Blackburn and Blackpool became unitary authorities and 25% of Lancashire teachers transferred out of Lancashire Authority. At this time, the number of FTE facilities posts was reduced from 15 to 12.

In approximately 2010, the Council took a decision to reduce the number of centrally funded UNISON representative posts by 2 FTE. At that time, due to the increasing numbers of support staff in schools and the fact that the Equal Pay and terms and conditions reviews were ongoing, Schools Forum agreed to fund one post for a schools UNISON officer. This arrangement has remained in place ever since.

Funding position

On an annual basis, schools are asked whether they wish to de-delegate funding for Public Services duties. Most of this budget funds facilities time equating to 12 Full Time Equivalent (FTE) teaching posts for the four main teaching unions – NAHT, ASCL, NASUWT and NEU, and the 1 FTE post for UNISON.

In addition to the representatives funded by the Schools Forum, many schools have workplace representatives who may deal with HR casework for their school. The cost of any release for school representatives is met by the school budget and not by de-delegated funding.

Each of the Teacher trade unions also has regional officials, funded by their association. Within Lancashire, regional officials deal with very serious casework matters, usually where a member's employment is at risk.

Contractual position

All LCC-funded trade union representatives retain the terms and conditions of employment associated with their substantive post, including their grading level, any contractual

enhancements and access to the pension scheme that applied to their substantive post. There is not a single set rate for the role of trade union representative.

The exception to this is those representatives that do not have a substantive school post and are therefore placed on casual contracts with the council, included retired representatives who are able to undertake facilities time for two years. These casual representatives are currently paid at Main Pay Range 6 (£43,607 per annum) and have access to the Local Government Pension Scheme.

Current allocations

The current allocations to the teacher unions (from the 12 FTE) were determined as a result of membership numbers when the initial agreement was written in 1998, and were not changed following the amalgamation of NUT and ATL in 2017. These allocations are as follows:

Union	NAHT	ASCL	NEU	NASUWT	UNISON
No. of FTE representatives	1.6 FTE (13%)	1.2 FTE (10%)	6.0 FTE (50%)	3.2 FTE (27%)	1 FTE
Membership numbers*	608 (5%)	204 (2%)	6,480 (49%)	5,868 (45%)	5,886

* Membership numbers have been taken from historical reports over the period 2013-18

Each union determines how its allocation is split between its nominated representatives. Currently the representation is provided by 11 serving teachers, 7 retired teachers, 1 supply teacher and 1 member of support staff. 9 of the 20 representatives are currently engaged on facilities time for more than 50% of their working hours.

Based on the most recent School Workforce data, the number of teaching staff in Lancashire Schools is 9,631. Of these, 26% (2,498) are based in Academy (former maintained) schools. When a school converts to become an Academy, they are no longer able to draw on the Facilities Agreement funding, unless they arrange a separate buy-in arrangement. Despite this, there has been no equivalent reduction in the number of funded FTE trade union representatives.

Academy schools

Since 2013, Academy schools have been able to purchase the LCC Facilities Agreement at a per pupil cost of £4.03. The cost was determined by dividing the total facilities budget at that time by the number of pupils in maintained Lancashire schools when the model was established. Only schools that were former-LCC Maintained schools can buy-in, because in most cases, academies have retained their former terms and conditions of employment. Currently 61 academies purchase this agreement.

Trade Union duties and activities

The legislation in relation to trade unions provides examples of Trade Union Duties and Trade Union Activities.

Trade Union Duties include:

- Providing advice and guidance to trade union members relating to recruitment and selection, discipline, grievance, capability and attendance issues, and terms and conditions of employment
- Formal and informal consultation and negotiation - this includes the County Union Secretaries forum

- Restructures, reorganisations and redundancy consultation
- Preparing for and representing trade union members at formal hearings

For representatives, Trade Union Activities may include:

- Branch, area or regional meetings of the union where the business of the union is under discussion;
- Meetings of official policy making bodies such as the executive committee or annual conference;
- Meeting full-time officials to discuss issues relevant to the workplace;

The legal position in relation to trade union duties and activities and whether representatives are entitled to be paid for them is outlined below.

Legal position

There is no statutory requirement to provide specific funding solely for trade union duties and activities. The law requires that individual schools allow reasonable time off for trade union representatives during working time to be released from their workplace to undertake trade union duties and activities. If this occurs, the school will be compliant with the Trade Union and Labour Relations (Consolidation) Act 1992.

An employer who permits union representatives time off for trade union duties must pay them for the time off. However there is no statutory requirement that union representatives be paid for time off taken on trade union activities.

In addition, employees can take reasonable time off to undertake the duties of a Union Learning Representative (ULR), provided that the union has given the employer notice in writing that the employee is a ULR. The functions for which time off as a ULR is allowed include analysing, arranging, promoting and undergoing training.

The Conditions of Service for school teachers in England and Wales (Burgundy Book) requires individual local authorities to negotiate locally on the maximum amount of leave with pay that can be permitted for carrying out trade union duties.

The Trade Union (Facility Time Publication Requirements) Regulations 2017 came into force on the 1 April 2017. These regulations placed a legislative requirement on relevant public sector employers to collate and publish on an annual basis:

- Number of employees who were relevant union officials during the relevant period
- The percentage of working time that employees who were relevant union officials spent on facility time
- The percentage of the total pay bill that is spent on facility time
- The time spent on paid trade union activities as a percentage of total paid facility time hours

Financial implications

The total annual budget provision for funding under the Trade Union Facilities Agreement amounts to £430,000 including oncosts. If a decision is taken to reduce the current level of funding, it would result in a saving to the Schools Forum. However, there may be indirect costs incurred by schools, as they may need to release their school-based representatives to undertake trade union activity within their school, including providing representation to members to fulfil the statutory obligations.

Approximately 15% of the total allocated funding was not used during the 2023-24 academic year. This equates to over 1.7 FTE (340 days).



County Council's position

With effect from 1 April 2018, the County Council withdrew all funding for trade union representatives. From this date, workplace representatives have been required to undertake the role within their service areas, supported by regionally/nationally funded colleagues.

HR implications

If Forum took a decision to reduce funding for the Facilities Agreement, then the serving teacher-funded officers that would no longer be funded would return to their substantive posts in their schools. Any retired/supply teacher funded officers in that position would have their casual contracts ended. The UNISON representative would return to their substantive role. It should be noted that some of the representatives have been away from a substantive teacher role for several years and therefore may require a period of re-introduction and/or training to enable them to transition back into a school-based role, in addition to being a workplace union representative.

Decision required

Forum is asked to consider whether the existing number of representatives (12 FTE) should be reviewed. Forum may wish to consider the fact that 19% of teachers now work in schools that do not fall under the facilities agreement, and 15% of the allocated facilities time was not used during the previous academic year. This is even though overall HR casework statistics within the Schools HR Team remain high.





1st September 2025

In Defence of Pooled Facilities Time

Dear Colleagues

There are provisions within The Employment Provisions Act 1999, The Trade Union Relations (Consolidated) Act 1992 and The Safety Representatives and Safety Committees Regulations 1977 for paid time off for the following:

- Trade union representatives to accompany workers to disciplinary, capability, attendance or grievance hearings.
- Trade union representatives to consult and negotiate with employer bodies.
- Trade union health and safety representatives during working hours to carry out health and safety functions.
- Trade union representatives to attend accredited trade union training.
- Trade union learning representatives to carry out relevant learning activities; and
- Trade union representatives to carry out essential administrative trade union duties.

This is a Legal Entitlement for the Recognised Trade Unions **ASCL, NAHT, NASUWT & NEU**

Currently, Lancashire schools do not have to be separately billed by individual unions for these legal responsibilities to be fulfilled each time there is a problem or a consultation involving any, or all, of the four recognised unions.

The pooled arrangements in place, because of de-delegation of the monies involved, allows this to take place with no disruption and no extra work for individual schools.

The extra workload on individual schools would be significant if we moved away from pooled arrangements.

- Imagine the costs to a school that had to have all its union representatives (including, of course, headteacher representatives) trained to a level that would allow them to negotiate with the Local Authority on policies and would allow them to support their members in that school with complaints and grievances.
- What would happen, for example, if two members of staff from the same union were involved in the same dispute? Where would the other union representative come from?
- How many school representatives would want to take on the responsibility of defending a colleague when their employment or career progression was at risk? That would be an overwhelming responsibility.



The present arrangements also allow for experienced trade union representatives, who understand the local context, without necessarily working in the school, to resolve issues, often informally, before they impact on schools.

Lancashire has significantly fewer employment tribunal cases than similar authorities because of the excellent working relationships between Schools' HR and the recognised Trade Unions.

It is especially pleasing to note that most academy chains and some stand-alone academies are now buying into the Facilities Agreement. From September 2025, the authority will automatically enrol academies that currently already buy into the facility time agreement. Other academies have also indicated that they will buy in from September 2025, further increasing the demand on recognised Trade Union representatives.

The Pooled Arrangements also support maternity leave and the release for public services, such as jury service and Councillor duties.

Effective negotiations and problem-solving would not be possible, in Lancashire, without the excellent industrial working relationships between the recognised trade unions and the employers. It is therefore imperative that facilities time is, at the very least, maintained at the current level.

Kind regards





POSITION PAPER ON BEHALF OF THE TEACHER TRADE UNIONS FOR LANCASHIRE SCHOOLS' FORUM ON THE FUNDING OF FACILITIES' TIME

1. INTRODUCTION

This paper provides detailed information about Facilities' Time for representatives from the teaching unions which we hope will serve as a reminder to those who currently pay into the facilities fund and persuade those who don't to reconsider their position, based on the huge benefits the system brings to schools. The Local Authority Facilities' Time Fund is currently collected by Lancashire Local Authority through the process of de-delegation by Schools' Forum for maintained schools and from Academies which decide to buy-in to the pooled arrangements rather than operate their own systems. This method of funding facility time for representatives is in place in all North West local authorities and is not only the most cost-effective method but also ensures smooth running of all employment related matters without delay and provides the foundation of professional, working relationships between employers and their employees' teacher trade unions.

This paper has been prepared following discussions at Schools' Forum meetings about future funding arrangements where further information has been requested. The current practice across the Local Authority enables schools to discharge their legal obligations in respect of release for trade union duties in a time-tested, practical and cost-effective way. It is also consistent with existing practice that is in place across the North West region.

2. THE LEGAL POSITION

Union representatives have had a statutory right to reasonable paid time off to carry out trade union duties since 1975, and most of the current provisions come under the Trade Unions and Labour Relations (Consolidation) Act 1992, introduced by the then Conservative government. Guidance on the practical application of these provisions is provided in the recently revised ACAS Code of Practice 'Time Off for Trade Union Duties and Activities'.

In Lancashire, local, elected trade union officials and representatives have used this legal entitlement to time off from their substantive posts to undertake trade union duties, including:

- negotiating with employers;
- resolving individual and collective casework;
- health and safety work; and
- training.

It is a legal requirement for all employers to provide a reasonable amount of time off with pay to undertake these very important trade union duties. It is not a question of whether an employer wishes to pay or not, but rather what the best mechanism is for employers to discharge this legal obligation.



3. THE BENEFITS OF FACILITIES TIME

Employers' organisations, including the CBI and NEOST, recognise the value of Facilities' Time and the work of trade union representatives using that Facilities' Time, estimating that for every £1 spent on Facilities' Time, the employer saves between £3 and £9 on reduced staff absence, informal early resolution of potential disputes, and avoidance of legal and industrial action (see Case Studies section later).

The Lancashire Facilities' Time arrangements have helped schools to save significant amounts of time and money through the pooled funding of Facilities' Time by de-delegation of school budgets money over the longer term. This is supported by a study carried out by the Department for Business, Enterprise and Regulatory Reform which found that:

- Dismissal rates are lower in unionised workplaces with union reps – this resulted in savings for employers related to recruitment costs of at least £107m per annum
- Workplace-related injuries are lower in unionised workplaces with union reps resulting in savings to employers of £126m-371m per annum.
- Employment tribunal cases are lower in unionised workplaces with union reps resulting in savings to government of £22m-£43m per annum.

Although the perception of employers is often that the trade unions exist simply to support employees who are under threat of a disciplinary procedure, many employees raise concerns in relation to whether their treatment by the employer is just and equitable. This is an area of employment relations over which the employer has significantly less control and if good employer/employee relations are not established and maintained, the employer can be surprised when the workforce expresses their discontent.

Employees who are dissatisfied with actions taken by their employer have the right, under Employment Law, to raise their concerns with their trade union and employer and this may be done individually, collectively or sometimes both. These concerns often relate to bullying and harassment, objections raised about restructuring proposals, claims of discrimination or that the employer has been negligent in their duty of care.

This report includes recently experienced case studies detailing an individual case of alleged discrimination, and a collective dispute case together with details of the costs that an employment tribunal awarded against one of the parties involved in another case.

These case studies show clearly that, in addition to the generally damaging issues for schools around the public arena that being taken to an Employment Tribunal represents, these situations can cost employers a great deal in time and money. The trade union representative has a vital role in working with the employer to achieve the best outcome and resolve issues as locally and informally as possible. This undoubtedly reduces the risks of litigation and is a benefit that assists all schools. We believe that the benefits of funding Facilities' Time centrally far outweigh the costs involved and are urging all schools and academies in Lancashire to make, or continue to make, this commitment in recognition of the universal benefits involved.

Although all unions employ regionally based staff to deal with high level cases, resolutions being found at the earliest opportunity are always the most beneficial to all parties. This is why supporting paid time off for local union representatives makes so much business sense. There would be no advantage to the employer in waiting for a paid official to become available every time a low-level negotiation needs to be carried out. Indeed, it is often a significant disadvantage because nothing can happen locally in the meantime and involving them prematurely tends to escalate any situation somewhat precipitously. Local union officers have a much better understanding of the schools in our area and can form positive working relationship with individual headteachers and key local authority officers such as the Schools' HR team.

Fortunately, in Lancashire, due to the tried and tested current Facilities' Time Agreement, the vast majority of cases are resolved at the informal, local level which prevents disputes



escalating to the Employment Tribunal level, saving very significant amounts of time, money and stress for all concerned.

4. CASE STUDIES

Case Study 1 - Costs for a Discrimination Case in a North-West School

The North-West may be thought of as an area with few black and minority ethnic teachers and a relatively low level of equality issues on a more general level. However, experience has shown that the frequency of cases where these teachers feel that they suffer from discrimination is actually relatively high, particularly when assessed against the local demographics. Discrimination claims can include not only race discrimination but also discrimination on the grounds of faith or belief which can be quite wide ranging. The legislation also allows claims for alleged discrimination on grounds of sex, disability, sexuality and age, all of which may also be pursued as separately identified cases against a school. Employees can also pursue claims for victimisation where they have made a complaint of discrimination (whether internally or externally) and feel they received treatment that victimised them in response to that complaint.

Other key pieces of legislation that teachers pursue claims under include the Fixed Term Employee Regulations, the Part Time Worker Regulations, the Agency Worker Regulations, Unfair Dismissal and Unfair Selection for Redundancy. These are the most common claims the trade unions generally handle for teachers, although there are other heads of law that could be relied upon.

This case study demonstrates the costs associated with a case where a teacher in a North-West school believed that he was being discriminated against on grounds of race and disability. This teacher raised the issue of race discrimination with the school but was not satisfied with the way in which his complaint was handled or resolved. This led to extreme stress and anxiety which, after a period of time, manifested itself in physical illness diagnosed as severe and chronic irritable bowel syndrome and severe migraines. This teacher was then off sick for a considerable length of time resulting in the school commencing procedures to dismiss the teacher on grounds of ill health. This teacher was convinced that his illness was caused by the racial discrimination he experienced in his workplace and intended to take a claim for unfair dismissal and discrimination on the grounds of race and disability to employment tribunal. There was medical evidence to support this view for legal purposes.

The case was eventually settled by way of a settlement agreement after more than 18 months of meetings and negotiation.

The local union representative spent in the region of 168 hours or approximately 24 days over 18 months on this case. The associated cost of release from normal duties at the respective supply rate is £5,088.

Had the member not had union representation, he would undoubtedly have taken the case to tribunal. The union would have covered the member's legal costs but the school would have had to prepare and defend themselves in an employment tribunal which would have been listed as a 5 day hearing. The legal costs for the school would have been solicitor's fees of approximately £20,000 plus VAT. Since the case involved two strands of discrimination, the school would have considered using a barrister. Barristers' fees are at least £1,500 per day (and may be much more) so including preparation time this could easily have been in the region of a further £10,000 plus VAT.

The potential costs of this case had it not been resolved by the intervention and support of the trade union concerned has been assessed as follows:

Union rep	24 days @ £212 per day supply rate	£ 5,088
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Solicitor's fees		£ 24,000
Barrister's fees		£ 12,000
TOTAL		£ 41,088

Further associated costs for the school would have been the time for staff in the school in preparing for the case and being witnesses at the hearing. If we take conservative figures of:

Headteacher	12 days @ annual salary of £90,000	£ 2,959
Admin support	12 days	£ 657
Witnesses x 8	2 days per person @ supply rate	£ 3,392
TOTAL COST		£ 7,008

If the school in question had been a maintained school or an academy paying into the facilities budget, their annual rate for this would have been **£2,040**.

If the school had been releasing its school rep to support this member at an hourly rate, the cost would have been **£6,232**. This represents a saving of **£4,192** even with no additional costs as indicated above. However, a School Representative can neither advise on nor represent a member in an employment tribunal claim.

By settling via a settlement agreement, rather than having to represent themselves at employment tribunal, **the school saved at least £48,096** before consideration is given to any award that would have been made if the member won his claim. The teacher would not have signed a settlement agreement without union support and would certainly have continued to pursue his intended course through the employment tribunal if not given timely and competent advice regarding case prospects and settlement terms by his trade union. The employment tribunal service is well-known for being inundated with claims from unrepresented claimants with little understanding of legal processes and ultimately poor case prospects, whereas none of the teacher trade unions would ever support a member in pursuing a claim without reasonable prospects of success being clearly assessed and identified. The trade union officer's input into this at an early stage is a key element that needs to be supported properly by schools.

Paying into the facilities budget saved this school at least £46,056 after taking into consideration their contribution to the facilities budget.

Case Study 2 – Dispute Resolution Case

Whether they are an employer or a trade union representative, everyone is generally committed to transparent, effective and positive employment relations. This is stipulated under recognition agreements but, in any case, is a good practice model. Dispute issues do occasionally arise within a school, usually around working conditions or practices or the introduction of new measures, and the maintenance of positive employment relations in that context becomes especially critical.

It is in the interests of all employees and employers to resolve potential dispute issues as near to their point of origin as possible and with the minimum amount of conflict and disruption occurring. Schools want to see matters resolved in a timely and effective manner so that their focus can return to the proper business of teaching and learning and the management of their establishment. It is also the wish of every trade union to work in such a manner.

For these reasons, all parties always work hard to achieve agreement and constructively negotiated outcomes that are mutually beneficial and agreeable. If it is to be achieved successfully, this takes time (and therefore money.) Without that commitment to resources being given, any dispute that



came to the attention of the unions, no matter how trivial it may be in its origins, would translate immediately into collective balloting activity and/or collective employment tribunal applications, which we do not see as being in the interests of schools or members. This is particularly relevant in the initial stages as all evidence demonstrates that disputes are most capable of constructive resolution at their early phase.

Below is an outline of a dispute issue that arose in a school which we have analysed for time spent and costs to illustrate how and why we believe the intervention of trade union representatives saves schools considerable time and money.

Context and Progress of Dispute:

The school wished to change its Directed Time formula to lengthen the school day. In addition, there was a wish to introduce one late finish per week (5pm) for teachers in exchange for leaving earlier (2pm) on a Friday afternoon once a month. Although the members understood the school's rationale and were not totally unhappy about all the proposals, the effect of the school's proposal overall was to add 35 minutes to each teacher's contact time each week. This they were extremely unhappy about and the view of all three unions involved was that this would breach the relevant teacher conditions if implemented.

There was a mix of locally based representation, with two out of the three main teacher unions having a School Representative. Joint and separate members' meetings had been held to consult and discuss the issues and, in the case of the represented unions, indicative ballots had been conducted because there was a strong request made for industrial action in response to the proposal from members almost immediately. These meetings had demonstrated virtually unanimous support for action to oppose the proposals being requested and both the local reps were asked to take this up with the Headteacher immediately. There had been one local meeting to discuss the situation, but this had not gone well: the reps had essentially refused to discuss the proposals because it was outside of their union defined remit to do so, but had informed the Headteacher that everyone was upset, ballots were being requested and he had no prospect of implementing his proposal. The Headteacher had become extremely defensive and had stated that he intended to complain about the behaviour of both reps to their respective unions.

At this point, the matter was referred to the Local Secretaries, all of whom worked at other schools. There was also consultation with the Regional Officers of the unions, both paid and elected. A joint Secretaries' letter was produced detailing the concerns expressed by members and sent to the Headteacher and Chair or Governors. A meeting was requested as a matter of urgency to discuss the situation and see if it might be resolved. In the case of one union, there was also 'behind the scenes' involvement from their National Officers because of the potential for a formal dispute.

In tandem with this, the Headteacher wrote a letter to each of the unions formally complaining about the attitude of the local reps. This greatly complicated the situation and led to an almost irretrievable breakdown in relations locally because of the entrenchment of positions. However, it was believed he may have done this in the heat of the moment, so the Headteacher was contacted by telephone by one of the Local Secretaries and was persuaded to withdraw these complaints in favour of assistance towards a dispute resolution process, since no progress could ever have been made otherwise.

An initial dispute meeting was held with the Headteacher, three Governors, a Personnel Officer from the school and a HR Adviser from the relevant Local Authority. At the first meeting, the key issues from each side were explored in a controlled and appropriate manner, agreement was reached regarding how the negotiating process would be facilitated and barriers to progress each side felt existed were identified. This meeting took 4 hours and included specifications from each side for a joint document to agree how the resolution process would go forward. This was drafted and shared afterwards, outside of the meeting process and it was used to inform all the meetings that followed. The document took around 6 hours to produce, consult and come to agreement upon.

There followed a series of six further meetings, all of around 3 hours' duration, in which negotiations continued and progress was achieved. The trade union side also held a joint pre-meeting for an



hour before each of these to ensure continuity and assist progress of the dispute. Eventually, it was possible to come up with a re-negotiated proposal that met the needs of both the school and its teacher employees, and the school was able to implement this positively for the following September after an effective consultation exercise to complete the process.

Commentary and Costing

The involvement of the locally based Association/Branch contacts in this dispute was crucial to its successful resolution. Without it, there could not have been the same level of commitment to a joint process and partnership to succeed in getting to a satisfactory resolution. The local representatives at the school were under significant pressure from their members and the Headteacher found it very difficult to negotiate on his original proposal because of the way in which it had been introduced and responded to right at the beginning. All the reps' time was funded via the existing facilities arrangement, which would not be possible without the Facilities Agreement continuing in that Local Authority.

There was also considerable activity involved outside the meeting schedule, to ensure good liaison and communication at all levels and a continuing commitment to the process. This time also included the drafting and sharing of documents, for both the school and all the members the school was under an obligation to consult with. In this case, the three Secretaries met together and undertook those activities jointly, to maximise the best use of their available facilities time.

As travel time also had to be factored in, reps were absent from their schools for longer than just their contact time, for several this was a whole day at a time just to attend the meetings themselves.

Had the local representatives been unable to assist the situation because of the lack of appropriate facilities support, then the situation would have relied on the employed officials of the three unions becoming involved as an alternative. This would have inevitably made the dispute appear much more serious and high-level than it needed to be, particularly at the outset. In the case of at least one union involved, it would also have necessitated the direct involvement of the General Secretary because a dispute was declared and then the procedure outlined in the Burgundy Book would have been invoked, meaning nothing could be changed or negotiated upon until there had been a National/Local Deputation meeting. That involves a large number of people and can take months to see through to fruition. It is also likely there would be a simultaneous ballot for industrial action if this route were to be taken.

Had it been adopted, that approach would have severely limited capacity for resolution on both sides, it would have run the risk of missing locally based knowledge and intelligence and the whole situation would have taken much longer, become intractable and would have remained extremely difficult to resolve.

In addition, owing to their wider level of functioning and resulting commitments, it is highly probable that all the employed officials would have struggled to find many days and times on which they could all be available which would also suit the school. The school would then have had to meet with each union separately (in the case of at least one union after the National/Local Deputation process had taken place.) In that circumstance, assuming the pattern of meetings above, the Governors, the Headteacher, the Personnel Officer and the HR representative would have to attend three times as many dispute meetings – even if there were only the seven above that were actually needed to resolve this case, this would amount to twenty-one meetings to resolve the issue overall. That has a significant cost implication for the school, even without anything else being accounted for.

As it was, since facilities funding was available to the key local activists of each union, the costs to the school were as follows:

3 x secretaries attending 7 meetings, inc. pre-meets	NIL COST
Facilities funded – 84 hours total	



2 x local reps attending 7 meetings, inc. pre-meets Facilities funded – 58 hours total, inc. 1 hour for liaison/prep	NIL COST
Secretaries (3) and reps (2) consulting with employees Facilities funded 4 mtgs – 80 hours total	NIL COST
Secretaries drafting reports, agreements, updates etc Facilities funded – 30 hours total	NIL COST
Time spent travelling to/from school (assuming 1 hour each way) for Secretaries x 3 Facilities funded – 66 hours total	NIL COST

Had the school not been part of its local authority's Facilities Agreement, and assuming supply cover costs at a figure of £212 per day (approx. £34 per hour), these costs would have been:

3 x secretaries attending 7 meetings 84 hours total	£ 2,856
2 x local reps attending 7 meetings 58 hours total	£ 1,972
Secretaries (3) and reps (2) consulting with employees 80 hours total	£ 2,720
Secretaries drafting reports, agreements, updates etc 30 hours total	£ 1,020
Time spent travelling to/from school 66 hours total (assuming 1 hour each way)	£ 2,244
GRAND TOTAL COST TO SCHOOL	£ 10,812

(NOTE: Both tables assume that the consultation with employees is a cost that falls to the employer because of the legal obligation to consult where new contractual proposals are being negotiated in recognised workplaces.)

Had the school been an academy paying into the facilities fund to support the resolution activity by the local trade union reps, their costs for this would have been the schools delegated sums – this would range from £1,209 for 300 pupils up to £3,627 for 900 pupils in a school.

On the figures above, this would represent a saving of between £9,603 and £7,185 in a single year, after taking into account the school's contribution to the fund.

Costs Not Included Above

These figures only represent costs for trade union and/or member consultation time, they do not include any time that was required for school or Local Authority representatives to engage in and seek to resolve the dispute amicably, so the true business costs would have been considerably higher, probably at least twice the amount indicated above. For the purposes of this case study, we have only assessed the trade union time and costs as these are the figures we would present to any school that decided not to purchase the facilities of the Local Union Representatives as invited.



Further to the costs indicated above, without local union secretarial intervention, it is extremely likely that this dispute would have proceeded into a legal arena at a very early stage, with the possibility of failure to consult claims being lodged by all three unions on behalf of each of their members (almost every teacher working there in this case). Instead of this, the facilities fund enabled constructive attempts to be made by our secretaries to resolve it as locally as possible. Had that not been available, the spectre of accumulating legal costs is raised immediately for any school, even before any tribunal process takes place, as in the case study example given above. Had such claims been lodged and won by the three unions involved, the award for failure to consult may have been quite considerable in a dispute case, as it is calculated based on the amount awarded for each member who is part of the relevant bargaining group.

This case study was costed only based on the real trade union time taken to resolve it. We believe it demonstrates clearly that the benefits to a school of purchasing facilities time far outweigh the costs of any significant dispute resolution activity, even where no recourse is taken to legal proceedings by either party. In that context, it represents very good value for money to a school.

5. FACILITIES TIME POTS VERSUS ALTERNATIVE MODELS

As explained earlier, it is not a question of whether an employer wishes to pay or not, but rather what the best mechanism is for employers to discharge this legal obligation.

It has been suggested that alternative systems of fulfilling the legal obligation to provide Facilities' Time for union duties should be explored. A common misconception is that local union officers are employed by their unions and funded by membership subscriptions – this is not the case. Local Officers are elected and are employed by local schools and released to undertake union work which is mutually beneficial to the employer.

a. 'Pay As You Go' System

One Multi-Academy Trust has suggested that schools/academies could be billed at an hourly rate of £30-40 per hour for any casework done in their establishments, perhaps with the option to book time in blocks of 10 hours and/or pay a small annual retainer (e.g., £200). We do not believe that this system is viable for the following reasons:

- It will not be possible for schools to budget for such costs as it cannot be predicted how much time will be needed for cases each year;
- Casework (like maternity leave) does not fall evenly between schools and between years. Some years schools may find they save money and do not need the service of union reps at all but in other years the costs could vastly exceed the current formula allocations;
- The time spent doing cases that involves meetings with Heads and HR etc is only the tip of the iceberg with union officers spending a great deal of extra time meeting with members and preparing for meetings;
- There is also a lot of time spent resolving members' concerns informally and management will not be aware that this has taken place until unions have to account for the time spent on these;
- There is a risk that it will create a perverse incentive to escalate rather resolve cases in order to ensure that there is sufficient funding to meet the current FT bill;
- It will create a great deal of extra administration in operating this invoicing system;
- This system does not provide any funding for the other duties of union reps such as meetings with the LA, Policy Development, Health & Safety etc.

b. 'Home Grown' Reps

Other MATs have suggested their preferred model is that, rather than paying into their LA Facilities' Time pots, members of their own schools' staff could become 'chain reps' and be given time out of



class to undertake union duties on behalf of their colleagues. This suggestion has some merit and is supported in principle by some unions.

However, there are some serious obstacles to making this work in practice:

- All the unions are struggling to find volunteers to act as official School Representatives, because many staff are afraid to ‘put their heads above the parapets’ and see becoming union reps as potentially detrimental to their personal career progression, let alone wishing to become ‘super reps’ for whole MATs;
- School/Chain Reps will need considerable training to develop the level of knowledge and expertise of our current team of local officers. A minimum of 10 days per year will be required for every rep for every union in every school for this to even begin to be feasible;
- There is a frequent turnover of school reps as staff move jobs which means finding and training new school-based reps is going to be a constant battle;
- Some casework is simply not appropriate for school-based reps to undertake, such as redundancy situations where reps have a vested interest in the outcome of staffing reduction consultations for example, or when reps themselves are involved in sensitive situations or concerns about confidentiality arise.

6. TRAINING

Should schools choose not to buy into collective facilities arrangements, each school rep will need to be trained to an appropriate level. All reps are entitled to paid time off for training.

The ACAS code for training of trade union reps’ states, “It is necessary for union representatives to receive training to enable them to carry out their duties. Such training will enable them to undertake their role with greater confidence, efficiency and speed and thus help them work with management, build effective employment relations and represent their members properly.”

The Burgundy Book states that accredited representatives of recognised teachers’ organisations are entitled time off for functions connected with the training of teacher representatives including attendance at training courses arranged by the recognised teacher organisations at national, regional or authority level for this purpose.

We would anticipate that each school would need a union rep, health and safety rep and union learning rep (ULR) for each union, although it is likely that the head teacher unions will not have a ULR or H&S rep in each school as well as a workplace rep. Whilst the provision of training for an equality rep has not been included, it is possible that there would be at least one equality rep from each union within the trust. These reps would need to be released for training as follows and this pattern reflects the costs in the table below:

Union Role	Year 1	Year 2 onwards
School Representative	10 days	4 days
School Union Learning Rep.	5 days	2 days
School Health & Safety	5 days	3 days

Table of associated costs for release of reps for training*:

Year 1	Days per rep per teaching union	Cost of supply per teaching union @£212/day	Days for four teaching unions	Cost of teaching supply per school

Union rep	10	£2,120	40	£8,480
ULR	5	£1,060	20	£4,240
H&S rep	5	£1,060	20	£4,240
Total	20	£4240	80	£16,960
Support Staff	Days rep per support union	Cost of Cover @£64/day per support staff union	Days for three support staff unions	Cost of support staff cover per school
Union rep	10	£640	30	£1,920
ULR	5	£320	15	£960
H&S	5	£320	15	£960
Total	20	£1,280	60	£3,840
Grand Total Year 1	40	£5060	140	£20,800

Subsequent years (approx.) †	Days rep per teaching union	Cost of supply @£212/day per teaching union	Days for four teaching unions	Cost of teaching supply per school
Union rep	4	£848	16	£3,392
ULR	2	£424	8	£1,696
H&S rep	3	£636	6	£2,544
Total	9	£1,908	30	£6360
Support Staff Unions	Days rep per support union	Cost of Cover @£64/day per support staff union	Days for three support staff unions	Cost of support staff cover per school
Union rep	4	£256	12	£768
ULR	2	£128	6	£384
H&S rep	3	£192	9	£576
Total	9	£576	27	£1728
Grand annual total subsequent years	18	£2277	57	£8088

*These figures represent minimum costs **per school** based on M6 and are subject to variation as the release of representatives of the Heads unions will be substantially more.

† These figures are for representatives who remain in post after year one. Should a new rep be elected each year then the year one figure would apply.

7. NATIONAL EXECUTIVE MEMBERS

Whilst the work of National Executive Members can be undertaken outside of Lancashire, the benefits of this work are reaped by Lancashire schools and the LA. Our ongoing efforts campaigning nationally to fight cuts to school funding have had a positive impact locally.

Likewise, over the years there have been a number of national funding streams we have helped LA officers to access, such as the Schools' Access Initiative, which have benefitted Lancashire schools.

We would support a joint funding agreement with other LAs in the North-West to spread the cost of National Executive Members more fairly and would encourage Lancashire to explore such a system with its NW neighbours.

8. CONCLUSION

We firmly believe that the current system of shared funding of FT, through de-delegation by Schools' Forum, remains the most cost effective and viable way of meeting this legal entitlement and will continue to benefit the schools, staff and pupils of Lancashire.

We hope that the case studies described above will provide sufficient detail for Principals, Headteachers and Governors to appreciate the real cost savings that paying into local authority facility time pots brings. The costs of de-delegation/buy-in are very modest compared to the very real risk of disputes escalating, and represent the most affordable, best-value option for schools. We believe that it is an essential investment to secure peace of mind and positive employment relations.

We are asking you to commit your schools to funding this agreement on an annual basis so the local officers of all unions can work with you in the best interests of the schools, the pupils, and our members across Lancashire Local Authority, for the future.

Thank you for taking the time to read this report we hope it has been useful to you and your school or academy.





Dear Director,

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

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

We believe that the central retention and distribution of this funding is the most effective and efficient arrangement, and we would like to work with you to ensure that this arrangement continues. Discussions are now taking place in your authority on funding arrangements for supply cover costs from April next year and we are asking you to pass the information in this letter to members in your Schools Forum and to encourage them to vote for de-delegation of funding arrangements 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 and 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 academies as well as maintained schools within your local authority area and, in addition to seeking your support for de-delegation, we are seeking your agreement for the local trade union funding arrangement to be formally extended to academies within your local authority boundary.

As the DfE Advice on Trade Union Facility Time acknowledges, the trade union recognition agreement between the authority and the recognised unions will have transferred to each academy school as the new employer of the transferred staff as part of the conversion process to academy



status under TUPE. We believe that, following conversion, academies should also become parties to local authority 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. But 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.

We urge you therefore 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 do so, 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**

UNISON Submission 2026/27

UNISON is the largest public sector trade union in the UK with 1.4 million members and has hundreds of thousands of members working in schools. UNISON represents and organises all non-teaching staff in schools (school support staff) and is the largest trade union for school support staff in the UK.

The current facility time arrangements are not reflective of today's school workforce. School support staff make up a very large proportion of the school workforce, yet facility time is granted almost exclusively to teaching trade unions. There should be a greater allocation of facility time to UNISON to acknowledge our membership numbers and the vital role of support staff in the school workforce.

UNISON believe the current system of shared funding of facility time through de-delegation is the most efficient system to operate facility time and allow schools to meet their statutory obligations on facility time. It also demonstrates the commitment of school employers towards maintaining good and constructive industrial and employee relations. UNISON's representation to the Schools Forum is that the de-delegation for Staff Costs – Public Duties/Suspensions be agreed without any further reduction to Trade Union Facility Time.

UNISON have also included an appendix which sets out the general benefits of facility time in greater detail.

Current allocations of facility time

UNISON has long stated that the current allocations of facility time are unfair on school support staff. The current allocation of facility time does not reflect the school workforce and does not recognise the important role of support staff. Schools employ both teaching and non-teaching staff, often in equal numbers, and both groups of staff are equally entitled to trade union representation and yet facility time is almost exclusively allocated to teaching trade unions.

A correlation between trade union membership in schools and amount of facility time would be fairer. Below is a table which uses Schools Forum figures (albeit a few years old). UNISON has amended the table to put UNISON on an equal footing, rather than treating UNISON as an "add on", to highlight the disparity between allocation of facility time and membership numbers in schools.

UNION	NAHT	ASCL	NEU	NASUWT	UNISON
Allocation of facility time by FTE Representatives	1.6 FTE (12%)	1.2 FTE (9%)	6.0 FTE (46%)	3.2 FTE (25%)	1 FTE (8%)
Membership Numbers	608 (3%)	204 (1%)	6480 (34%)	5868 (31%)	5886 (31%)

As can be seen UNISON receives only 8% of the facility time by FTE but has 31% of trade union members in schools. UNISON believe support staff are as important as our teaching colleagues and this should be reflected.

UNISON currently has the least amount of facility time (1fte). There is no correlation currently between membership numbers and facility time. Any review of School Facility Time should take this into consideration when looking at allocation of facility time to each trade union. The Schools Forum could also take into consideration the Schools HR casework statistics to examine the split between teaching and support staff if such figures are available.

If any portion of facility time has been unused then this unallocated facility time could be allocated to UNISON without any impact on other trade unions.

The failure to adequately recognise School Support Staff is made more absurd given the imminent creation of the School Support Staff Negotiating Body (SSSNB).

Cost of UNISON facility time

It is likely that any additional facility time granted to UNISON would cost less than a teacher trade union because UNISON members are in general on a lower salary. If cost of facility time were analysed then UNISON is receiving an even worse settlement than the FTE comparison highlights.

Overall level of facility time

UNISON opposes any further reduction in the overall level of facility time (with further detail on this set out in the appendix). Demand has remained high for Trade Union Representatives in Schools.

UNISON faced difficulty toward the end of the academic year in covering all the meetings at which our presence was required. Schools HR have asked if we could provide additional representatives to help cover which highlights that UNISON require a fairer allocation of facility time.

Method of providing facility time

UNISON believe the current system of shared funding of facility time through de-delegation by Schools Forum remains the most efficient and viable way of Schools meeting their statutory obligations on facility time and it helps maintain good and constructive industrial and employee relations (further detail on this set out in the appendix).

Conclusion

- UNISON should receive a greater allocation of facility time than it currently receives. UNISON is currently under resourced.
- The allocation of facility time should not discriminate between teaching and non-teaching staff and there should be some correlation between facility time and membership numbers.
- Any unused facility time could be granted to UNISON.
- Additional facility time allocated to UNISON would likely cost less than teaching trade unions because support staff are paid lower salaries in general.
- The current system of shared funding of facility time remains the best way for Schools to meet their statutory obligations and maintain good employee and industrial relations.
- There should be no reduction in funding given case work remains high and expectations of demand on Trade Unions and employee/industrial relations are likely to increase.

Appendix 1

General Benefits of facility time and the shared funding of facility time.

Statutory rights to paid facility time

There are three main trade union roles with statutory rights to time off and these are the traditional trade union workplace steward/rep, union learning reps and union health and safety reps. There are also some other legal time off rights where someone is representing a trade union.

An employer must give trade union representatives paid time off to carry out their trade union duties as per the Trade Union and Labour Relations (Consolidation) Act 1992 (TULRCA). Examples of duties are;

- Negotiations with the employer;
- Functions which the employer has agreed may be performed by the trade union;
- Receiving information and being consulted on redundancies, business transfers or pensions changes;
- Training in industrial relations matters.

Time spent in negotiations/collective bargaining is set out in TULRCA as involving;

- Terms and conditions of employment or physical conditions of work;
- Recruitment, suspension, dismissal;
- Allocation of work;
- Discipline;
- Trade union membership or non membership;
- Facilities for trade union reps and officers;
- Procedural matters – eg consultation.
-

Trade union side meetings are also an example of a trade union duty as union reps need to meet separately from management to discuss and share information. In addition to statutory provision there is substantial case law which clarifies the right to paid time off and there is guidance set out in the ACAS Code of Practice.

Union health and safety reps have paid time off rights under the Health and Safety at Work Act 1974. Health and safety reps must be permitted time off under the Safety Representatives and Safety Committee Regulations 1977 (SRSCR). They have similar rights to time off as other representatives however the SRSCR defines safety reps as having “functions” rather than duties and an employer must permit them time off with pay “as shall be necessary”.

This time off covers;

- attending meetings;
- undergoing training;
- investigating hazards and dangerous occurrences;
- investigating complaints and welfare at work;
- making representations to the employer.



There other matters set out within the SRSCR also. The Health and Safety Executive (HSE) also provide guidance that adds to the time that union health and safety reps need to take off.

Union learning reps (ULR) help open up learning opportunities for union members and supports them during the learning along with encouraging and developing a learning culture in workplaces. ULRs have a right to paid time off under TULRCA to carry out their duties. ULR duties involve analysing learning/training needs, arranging and promoting learning/training and consulting with the employer about these matters.

All reps have rights to time off when acting as a companion. The statutory right to be accompanied at a grievance or disciplinary hearing allows workers to request and have a union rep/officer as a companion. Paid time off used in this way by a rep is equivalent to a trade union duty and is part of facility time and the employer must permit a rep to take the paid time off. This extends beyond the hearing to meeting with the employee in advance for example.

There are also extensive statutory obligations on employers to consult when making collective redundancies under TULRCA. This consultation is with the trade unions and must be sufficient and meaningful with a view to reaching agreement. The employer must provide specified information to the trade unions and the employer must consider representations from union reps and reply to them. Reps need reasonable paid time off in order for this to be achieved and the rights for this are set out in TULRCA.

There are similar statutory obligations on an employer under the Transfer of Undertakings (Protection of Employment) Regulations. Here employers are required to inform and consult with representatives. Again, paid time off is required to achieve this.

In addition, following the decision of the Court of Appeal in UNISON, Vining & Ors v LB Wandsworth & the Secretary of State, trade unions have a right to be consulted under article 11 of the European Convention on Human Rights on any workplace issue which affects their members.

Where reasonable paid time off is not granted claims can be brought in the employment tribunal and there is case law which expands upon the legislation as written. In addition where an employer fails to properly collectively consult over redundancies or TUPE transfers there exists a punitive measure called a protective award can be brought for each employee affected which can result in massive financial penalty to the employer of 90 days gross pay in collective redundancy situations or 13 weeks pay for transfers (although increases are proposed in the employment rights bill).

Benefits of facility time in general and the current shared funding system

The cost argument

UNISON recognises the obvious financial challenges facing schools. Trade union facility time is often described as a cost and in very simple terms a cost can be associated with a member of staff being fully or partly released on a permanent basis. There are two issues with that simplistic measure;

1. it does not factor in the benefits of trade union facility time in general and the efficiencies realised in shared funding of facility time through de-delegation , a matter which is elaborated upon elsewhere in this report; and
2. those released on facility time via this system, either partly or wholly, carry out duties which schools would be obligated to grant paid time off for anyway from their own budgets.

Therefore, simply reducing the amount spent on facility time would not generate expected savings for schools and would in UNISON's experience create additional costs, a matter elaborated upon elsewhere in the report.



Benefits of facility time

Notwithstanding that reps have a statutory right to paid time off as set out above there are benefits arising from paid facility time in general. The Trades Union Congress (TUC) has commissioned reports and analysis of the Government's own data from their Workplace Employment Relations Study (WERS). One such TUC report by Bradford University from 2016 is included as an appendix. Key points to note from this report are;

- Research commissioned by the trade union UNISON found that facility time;
 - Improved workplace relations and helped build the reputation of the employer as a good place to work.
 - Union representation enabled earlier intervention in relation to complaints, grievances and disciplinaries, which stopped them escalating which was less costly to the employer and the taxpayer as a result of reduced staff and legal costs.
 - Union reps enabled better communication with staff during restructuring and redundancy processes, which led to greater understanding of management's rationale for the changes and reduced industrial action.
- In 2007 the then Department for Business Enterprise and Regulatory Reform (BERR – now BIS Department for Business Innovation and Skills) found the following benefits from trade union facility time based on WERS data from 2004;
 - Dismissal rates were lower in unionised workplaces with union reps – this resulted in savings related to recruitment costs of £107–213m pa.
 - Voluntary exit rates were lower in unionised workplaces with union reps, which again resulted in savings related to recruitment costs of £72–143m pa.
 - Employment tribunal cases were lower in unionised workplaces with union reps resulting in savings to government of £22–43m pa.
 - Workplace-related injuries were lower in unionised workplace with union reps resulting in savings to employers of £126–371m pa.
 - Workplace-related illnesses were lower in unionised workplace with union reps resulting in savings to employers of £45–207m pa.
- This gave £327-977m in savings across all sectors with around 60% being public sector equating to £223-586m pa.
- Updating this to 2014 figures to reflect the reduction in the size of the public sector and taking into account changes in real values gives a benefit of £250-674m to the public sector.
- Using the Taxpayers Alliance estimated total cost of public sector facility time (£108m in 2012-13) means **that for every pound spent on facility time, the accrued benefits have a value of between £2.31 and £6.24.**

There are clear benefits based on the Government's own data of paid trade union facility time in improving the working environment, promoting good and safe working practices free from discrimination and working with the employer to save jobs, protect services, retain skills and avoid compulsory redundancies.

UNISON believes in maintaining decent working relationships with schools to resolve any issues at the earliest possible stage and in the main the above benefits have been borne out in schools through that relationship.

Benefits of shared funding of facility time and the issues and risks if reduced

There are clear benefits to trade union facility time in general. UNISON believe the current system of shared funding of facility time through de-delegation by Schools Forum remains the most efficient and viable way of Schools meeting their statutory obligations on facility time. If the current system were to be substantially changed or reduced, then the cost of facility time is a cost that individual



schools would ultimately incur through local school representatives having to be trained and released instead.

The current system ensures that there are highly trained and knowledgeable union representatives available for schools to work with to fulfil their legal obligations. It allows for good working relationships to be built between the reps and schools which assists in resolving workplace issues at the earliest possible stage. This then saves the school both the difficulty and cost of workplace issues escalating. UNISON believes that there are currently good working relationships with schools and UNISON have worked effectively and professionally with schools and LCC HR Officers. Given the pressures and challenges that schools face UNISON believe that having experienced and knowledgeable trade union representatives available will benefit Lancashire Schools.

If there were no de-delegation funding of facility time, then every school would need to have their own trade union representative and each school would have a legal obligation to release these staff during the school day with paid time off for any trade union duties required. Having to release representatives on an “as and when” basis for trade union duties and training would be an inefficient method to implement facility time arrangements for schools and cause additional difficulties around cover during the school day. This would also lead to disputes around granting of facility time and release of representatives.

Whilst some schools do already have local representatives it is usually those representatives with facility time funded through the current system that undertake the majority of trade union duties – for example representation or consultations – allowing for minimal disruption to schools.

UNISON expect that if the current arrangements are substantially changed or reduced then this will result in a need for UNISON to retrain existing representatives across Lancashire Schools and recruit and train new representatives. This will be necessary to ensure there are representatives available when members need them but also when schools need them too. Paid time off would have to be granted by each school for a substantial number of representatives to be trained.

In the event of a school not having a local rep there will be a considerable delay in having issues resolved or meetings heard. In UNISON there are no regional officials who would automatically step in to cover and this will result in delays addressing employee relations and industrial relations issues.

Considering the above the following risks of substantially changing the current arrangements are;

- The desired savings will not be realised, and it may actually increase costs;
- A possible worsening of industrial and employee relations;
- Disruption of day to day employee relations matters such as disciplinary hearings;
- Lack of staff engagement and consultation resulting in a less engaged and de-motivated workforce;
- More workplace issues, disputes and accidents resulting in greater cost through more demand on time and increased litigation against schools;
- Increased disputes and issues relating to requesting facility time itself, including increased claims brought against schools at the employment tribunal;
- Schools struggling to meet their legal obligations to consult, including increased claims brought against schools at the employment tribunal.



Appendix F

Heritage Learning Lancashire - Primary Schools

The Schools Forum has funded the work of Heritage Learning Lancashire (HLL) in primary schools since 1998. Much of HLL's work focusses on helping to meet the needs of national curriculum, local educational policies and to support wider cultural education and learning outside the classroom. With the emphasis being placed on cultural education via the new Government, it is anticipated that the budget continues to be de-delegated for HLL in 2026/2027 to ensure that this service is maintained and can continue to deliver valuable and impactful work.

If we continue to receive de-delegated funding, HLL would allocate £1.97 per pupil.

The HLL team comprises experienced teachers and educational specialists, proficient in educational practice, theory, training, and delivery. They are highly sought after as consultants, educators, and essential educational partners. The diverse expertise of Heritage Learning Lancashire offers numerous opportunities for schools, teachers, and learning institutions to actively engage with and benefit from the team.

The funding currently de-delegated is used by Heritage Learning Lancashire to enable the creation, design, curriculum development and resourcing of 84 education/learning programmes provided across LCC's museums, Archives, and a range of partner museums across the county. Learning is offered both on sites and as outreach into schools.

The funding also covers staff training for Heritage Learning Facilitators, the ongoing monitoring/evaluation of quality standards and enables new sessions to be developed in response to teacher requests and curriculum changes.

Free weekly CPD/teacher training seminars are offered to schools for the whole teaching cohort. These sessions are delivered face to face, twice a week and cover themes including- Substantive and Disciplinary skills, Chronology, Historical Enquiry, Oral Storytelling, Local History, Song writing, developing numeracy and literacy via a range of engaging learning activity including storytelling and magic.

Our monthly 'Teachers Guide to' CPD (Continuing Professional Development) programmes provide topic-based information on a range of subjects including, The Romans, Early Medieval Period, Mayans, The Stuarts, Tudors, etc. The aim is to support the knowledge and development of Lancashire's teaching staff and pupil learner journeys. HLL also provides a free curriculum development service to help inspire and engage.

The team holds five Sandford Awards for excellence in Heritage Education, recognising the high quality and relevance of the sessions it offers to schools. We will be applying for further awards during 2026-2027.

HLL has provided free longer-term projects to schools across Lancashire, including:

- Folky Feet to a Hip-Hop Beat
- Chris Fox Project – Chris is profoundly dyslexic and found music and songwriting as his way of navigating the world. The project focused on songwriting and supporting children with similar difficulties.
- Musical Myth Makers- using museum collections to create myths and legends.
- For 2025/2026 we will deliver the 'Missing Words' literacy project and 'Breaths and Beats' (music and wellbeing project).

Over the past three years, The Lancashire Schools Storytelling Festival and Lancashire Schools Magic Fest have been fully evaluated via summative and formative data, providing detailed evaluation and evidence of improvements in literacy and numeracy. Pupils benefit from various creative learning approaches and this engages both children who respond to more formal learning and those who respond to wider creative stimuli to reinforce numeracy and literacy skills.

Both projects will continue in 2026/2027. These projects are all free to LCC schools, including coach fares. This represents nearly £3,000 per school and less than a quarter of the delegated fund we receive from each.

Please see the attached evaluation documents for impact, achievement and feedback. All projects are free to LCC schools, with an average return of £1500 to £3,000.

2025 witnessed our new EYFS Stop Motion session at Helmshore Mills Textile Museums. Pupils use the theme of Wallace and Gromit to create their own stories, machines and characters, which are brought to life using digital animation software. The pilot session witnessed 40 Reception and Year 1 pupils animating their stories including the 'Lion that lost its Roar', 'The Dragon Rally' and 'The Rainbow Machine'.

Further SEND and STEAM site and outreach sessions are being developed for 2025/2026.

A range of new sessions are being tested across museums and via outreach including eight new sessions for the Harris Museum and Art Gallery. These include:

- Prehistory
- Greeks
- Visual Arts
- Tudor Outreach
- Preston Docks
- Storytelling
- Mystery Escape Room

HLL has developed the highly successful History Hunters Podcast programme. This complimentary service has produced and distributed over 110 bespoke podcasts, addressing questions generated through pupil inquiries. The 'Whole Lot of History' Podcast covers a diverse array of historical topics, including the Plague, Vikings, Stone Age, Living Memory, and the Titanic. Additionally, HLL has created an ongoing series of free educational programmes available on the Niche Academy platform. These lesson plans and schemes of work have been accessed over 19,000 times.

The school loans service offered by HLL is a subscription scheme. We have over 670 boxes which are delivered and collected as a door-to-door service. Charges are kept to a minimum covering delivery and collection of loan boxes, repairs and replacements. Support from the de-delegated funding enables the development and resourcing of new loan boxes in line with curriculum and teacher requests. During the last academic year, this has included new resources linked to Prehistory, Anglo Saxons, WWI, Romans, Seaside, Vikings, Titanic, People that help us and Explorers. Schools use the contents of the boxes to bring subjects to life. They make intangible thoughts, items and ideas a reality. Making learning authentic, hands on and experiential.

Academic Year	Number of Schools/ Subscribers	Number of Loans Taken
2024-25	140	1021
2023-24	136	828
2022-23	131	1052

2021-22	106	758
2020-21	74	540

Value for money-

During 24-25, HLL provided over 65 complimentary Continuing Professional Development (CPD) sessions to schools in Lancashire, amounting to a total value of £15,000.

Non-LCC (Lancashire County Council) schools are charged £250 per session.

Notably, some LCC schools have received multiple CPD sessions, which exceed their allocated de-delegated contribution. As this is a face-to-face service, we impact both smaller rural schools and larger triple entry ones.

Schools will continue to incur a nominal fee for museum and outreach visits, solely to cover the expenses associated with the learning delivery staff. The ongoing practice of de-delegation ensures that these charges remain significantly subsidised.

Owing to our expertise, quality, and cost-effectiveness, several academies have opted to reinvest in our services through the de-delegation process.

Site figures

Numbers of learners engaged.

2021/22 - 13,000

2022/23 - 15,139

2023/24 - 16,500

2024/25 - 20,196

Feedback from CPD

1. *Good afternoon, David,*

I wanted to start by saying a big thank you. I'm not sure you remember visiting us, but you delivered a staff CPD session on chronology in school a year or so ago, which inspired us as a whole school to develop the way we teach History; fast forward to last term and we very successfully survived an Ofsted inspection with History as a deep dive! Thank you!

We would love to book another whole staff CPD session to look specifically at historical enquiry within early years and KS1. I know these sessions get booked up pretty quickly, do you have any dates left for 24/25 please?

Deputy Head Teacher

2. *We loved it! The recent CPD led by David and John was amazing, as always.*

Channelling through music provided an innovative way for our children to retrieve information and develop and embed substantive and disciplinary concepts.

The way David and John suggested developing these skills will also help advance discussion, teamwork and collaborative learning amongst the children.

The different learning styles allow inclusivity, making the learning accessible for all children.



The skills taught and developed are transferable, so can be used not only in history but across the curriculum. Rhyming skills and many other skills were used that could be used within and across the curriculum.

David and John also demonstrated how humour can help children to access knowledge.

The team always provide CPD sessions which are thoroughly enjoyable for the staff. We always feel really enthused about using these new skills and embedding them into our curriculum. David and John are passionate about history and helping children achieve and this is very evident in their sessions.

3. We love it when Heritage Learning comes into school to deliver CPD. The sessions are always so informative, and staff leave knowing more. They can then use what they have learnt to improve their teaching. The Heritage Learning sessions are invaluable to a small school like us. We do not have any leftover budget for CPD, so these sessions allow us to develop. We can't thank you enough and can't wait to book another ones!

4. Thank you so much for another fantastic training session. David was engaging and informative and gives us the confidence to know we are on the right tracks and also where we can go next in our development of history as a school.

5. Hi David,

I hope you are well and are enjoying your Easter break.

Just in case you didn't know, we had Ofsted during the last half term. They were really pleased with History throughout the school, the children think like historians. Thank you so much for all your support regarding history training over the years; it has been great working alongside you; the school, teachers and pupils have gained lots of new knowledge and thinking around how to deliver History.

History lead Primary-Ribble Valley

Feedback from learning sessions

1. "Loved the Roman in role. His subject knowledge was brilliant. The Roman fish sauce, dressing up, battle formations and Latin were all a highlight. This is something we cannot replicate in the classroom".

2. "The two ladies who delivered the sessions were fantastic. They were knowledgeable and enthusiastic, just outstanding, this truly enhanced the children's learning journey".

3. " Hi David, what can I say? Professor Tuesday was an absolute sensation. We simply cannot replicate this in school. He left us with some much knowledge to build upon. Great session and value for money"

4. "We had a fantastic time when we went to Fleetwood Museum. The children were so enthusiastic about it and the ladies who were with us showed such care and patience when sharing their knowledge"

5. "Superb, the lady who ran the session was likeable, very engaging and understood the needs of the pupils with SEND"



Children's Champions

Summary:

The Alternative Provision Team within Lancashire consists of an AP Lead, 2 permanent Children's Champions, 3 further temporary Children's Champions and a Quality Assurance & Safeguarding Officer. The temporary Children's Champions and QA officer were recruited at the start of the academic year 2024 to support further developing Lancashire's Alternative Provision offer.

The Role of the Children's Champion:

- Children's Champions (AP officers) sit within the Alternative Provision team and support the implementation of Alternative Provision.
- Children's Champions may be requested to support where there is a strained relationship between family and school to support engagement in education.
- The Children's Champion Team support children and young people with reintegration back to school or educational settings following permanent exclusion. This support may take place in a range of settings and environments.
- The Children's Champions offer support to schools and children 'at risk of exclusion' via the referral system and through Section 19 protocols.
- Children's Champions will seek pupil voice to ensure a young person's views are considered and to support needs

[Alternative provision: children's champions - Lancashire County Council](#)

Lancashire Alternative Provision Context

Since September 2024, Lancashire have been developing an Alternative Provision directory including regulated and unregulated providers who have been quality assured. This is due to be shared with internal services, settings and school partners in June 2025 to support commissioning in line with Lancashire's Section 19 protocol and legislation. The Children's Champions have adjusted their service offer to support schools with commissioning alternative provision and improve understanding the Section 19 context.

In addition to supporting mainstream inclusion, the Children's Champions have been allocated to the Pupil Referral Units to support admission and reintegration of children who are permanently excluded or who required additional support accessing and engaging with their educational offer.

Impact Data

Since September 2024 – 15th May 2025, there have been 447 requests for support received into the Children's Champion mailbox. 227 of these requests have been received from school, 124 from other agencies / partners and 96 from LCC Section 19 panels. 343 were appropriate requests for

support and were allocated to a Children's Champion to gather pupil voice and support access to education. There were 104 requests received into the service where other more suitable services were required. The AP team have appropriately signposted these to the right team to access the support required.

Of these referrals, 243 were at risk of permanent exclusion, 51 require SEND support or are under statutory assessment, 9 require Section 19 support for attendance or engagement in education.

With all accepted requests for support focusing on obtaining pupil voice and utilising that to support reasonable adjustments and access to education have been the main outcome worked towards alongside school, families and other agency involvement. There have been no permanent exclusions for children supported by a Children's Champion who was at risk of exclusion when referred into the service.

Future Service Offer

As Lancashire is working towards an approved Section 19 protocol, schools will be able to access support from the Children's Champions to ensure legislation is adhered. In addition, the team will provide alternative provision commissioning support to schools and partners to ensure a suitable educational offer is in place for children and young people with health needs.

Testimonials

Please see the appendix for feedback from partners since September 2024 on the service provided.

Appendix 1

XX , just wanted to say thank you for all your support, advice and guidance over the last couple of months in respect of MS. I work with Local Authorities all of the country and rarely have I come across a team so helpful and willing to support me as in Lancashire. I have no knowledge of your schools, provisions or processes and therefore trying to source education for my Looked After Child in a complex situation was somewhat daunting; I expected this to be challenging to say the least! That hasn't been the case at all - - you have been able to help me navigate through process, offered advice and guidance, attended meetings and helped co-ordinate a school roll and a package of Alternative Provision Support. Without doubt you have made an impact on the progress of sourcing appropriate education and have offered a lifeline to a young person who has experienced significant trauma and difficult – I am not sure we would have got to this point without you; and certainly it would have taken a lot longer!

I hope that when XX reads her file when she is older she is able to recognise the contribution that you made to hopefully a more positive future for her

Thank you for all your help

XX Doncaster VS

Good afternoon

I am reaching out on a really positive note to provide some feedback and compliment the work of the council by the Children's Champions role.

I am aware that this role was a newly established role about 4 or 5 years ago, and how this role would evolve was something that was uncertain at the time.

Having worked with all four of the Children's Champions through our practice in our schools but also on specific projects that the team support us with, for example discussing supportive strategies for our vulnerable pupils across the Trust at a bespoke panel, the impact of the team has been immeasurable. All of the team have been diligent, professional and shown the highest level of



integrity and child centred values, advocating for children with tenacity and being their voice amongst some very challenging circumstances.

I wanted to share this so their impact can be formally recognised, both as four individuals, but also as a team and the benefit this team brings to children across Lancashire in our schools, but also beyond.

Having this team of four is an amazing resource that we're really grateful for.

Sending thanks and best wishes

XX Head of Safeguarding and Welfare

Endeavour Learning Trust

XX recently support us as a family, and our son XX when he was excluded from secondary school. This was a dark and confusing time for all of us and XX's mental health plummeted and he attempted suicide. As parents who do not work in education we were at a loss as to know what would happen, what support was available, and what XX's future held. XX's first appeal was rejected and he was sent to a PRU. We were told by a number of professionals that his exclusion was avoidable, illegal, unreasonable and unfair. This was what the independent panel confirmed at his second appeal. XX was a key in supporting XX at this time. From the offset he told XX that this exclusion would not define him. He was the only adult who told him that. We as parents failed to do this. XX gave him hope. He let that first ray of light through for XX to know that he could have a positive future. He did this with empathy, kindness and patience. He was in XX's corner. The impact on XX cannot be understated. In addition to supporting XX, XX helped us to understand the complexities of educational law, navigate the appeals process and support XX to reintegrate into mainstream school. Not every family have the funds to instruct legal representation, and without Champions like XX, those children who are from lower socioeconomic backgrounds stand less of chance of a fair and just appeal. XX heard XX's voice and represented him at the appeal. He was crucial in pulling XX, and us as a family out of turmoil. It was evident at the independent appeal that the school who excluded XX did not know of the services offered by the Children's Champion. Had they known, and XX been referred earlier, the exclusion may have been avoided. The role of the Children's Champion is indeed multifaceted, but also critical to our most vulnerable children. I cannot express our gratitude enough for the work XX has done with and for XX. Parent / Carer

Hi XX,

Thank you so much for everything that you are doing. XX is made up with the tutor that you have sorted for her, she said that she has really enjoyed the sessions. I'm so happy for her thank you they're like a match made pair how perfect am really over the moon I am so grateful.

XX - parental feedback

