

TRADE UNION FACILITIES REPORT

July 2023

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1.0 INTRODUCTION

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

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

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

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

2.0 DEFINITIONS

Under the regulations the following definitions apply:

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

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

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

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

Relevant period means a period of 12 months beginning with 1st April, the first relevant period begins on 1st April 2017;

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

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

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

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

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

3.0 SCOPE

Most public authorities are in scope. This includes:

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

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

4.0 CENTRAL FUNCTION EMPLOYEES

4.1 Table 1- Relevant Union Officials

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

4.2 Table 2 - Percentage of time spent on facility time

Percentage of time	Number of employees
0%	0
1-50%	6
51-99%	0
100%	0

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

	Figures
The total cost of facility time	£3,291.54
The total pay bill	£9,307,058
The percentage of the total pay bill spent on facility time, calculated as: (Total cost of facility time ÷ total pay bill) x 100	0.04%

4.4 Table 4 - Paid trade union activities

Time spent on paid trade union activities as a percentage of total paid facility time hours calculated as: (Total hours spent on paid trade union activities by relevant union officials during the relevant period ÷ total paid facility time hours) x 100	69.87%
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5.0 Data Analysis

5.1 Central Function Employees

The data in table 1 identifies that during the relevant period up to 31st March 2023 there were 6.0 FTE trade union officials in GBC.

The figures in table 2 require some clarification due to the breadth of the percentage ranges. For example, all employees who record any facilities time fall into the 1-50% range, however this does not mean that the representatives are spending 50% on trade union activities, but rather, that 6 representatives spent more than 0% but less than 50% on facility time. Therefore, because this is greater than 0 it is captured in the 1-50% bracket.

The total cost of facility time in table 3 is low in comparison with the number of representatives as all employees spent an average of 1.35% (less than 4%) of their working time on facility time, meaning that the associated costs are minimal. The amount of time spent on facility time remains low in comparison to last year, which was again, less than 4%.

Table 4 highlights that 69.87% (the equivalent of 109 hours) of the total facility time is paid trade union activity. This compares to the 30.13% (the equivalent of 47 hours) that is spent on trade union duties. This is an increase in time spent on trade union activities from last year which saw 57.23% (the equivalent of 91 hours) spent. This increase may be attributed to the return to regular activities following the coronavirus pandemic however, there could also be a lack of understanding of the definitions of what constitutes trade union 'activity' and 'duties'. A reminder has of what these definitions is being sent out to the relevant trade union officials to ensure that during the reporting period trade union facility time is being correctly recorded.