



 VWV Plus

# Trade Union Recognition and what it might mean for your school

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## Agenda

- Context
- What is union recognition?
- Handling requests
- Collective bargaining
- How to work effectively with Trade Unions

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## Trade union recognition in independent schools

- Increase in union activity in independent schools.
- Increasing number of requests for recognition.
- NEU - recognised in more than 160 independent schools.
- Over 32,000 members – including support staff
- NASUWT – support *many* in the independent sector



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## What is meant by 'recognition'?

- Process by which a trade union is recognised by an employer as entitled to negotiate on behalf of the workers in a particular "bargaining unit".
- Known as 'collective bargaining' and is usually captured in a recognition agreement.
- Bargaining unit tends to focus on teaching staff although wider bargaining unit possible



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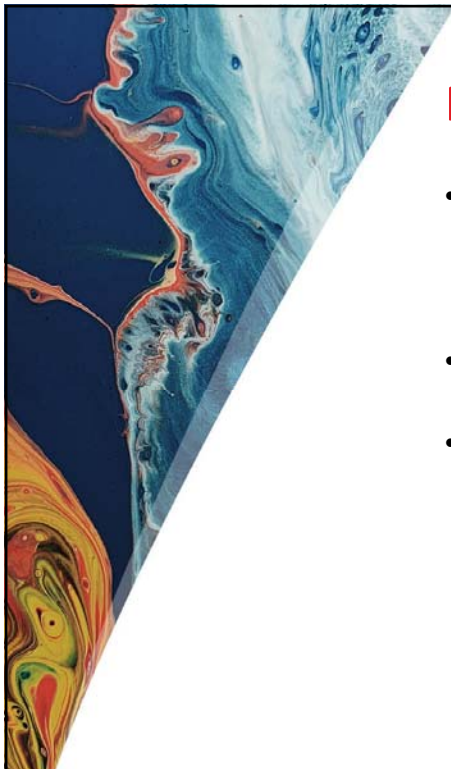


## Voluntary and compulsory recognition?

- Voluntary recognition:
  - No formal statutory request for recognition is made
  - The school agrees to recognise the union/s for the proposed group of staff (the bargaining unit);
  - agreement can be negotiated to limit the scope of the collective bargaining rights
- Statutory recognition:
  - Ordered by the Central Arbitration Committee (**CAC**).
  - If successful, the union has the right to collectively bargain on behalf of the relevant “bargaining unit” in respect of pay, hours, and holidays.



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## Process

- If a valid request is made employer can either:
  - Accept within 10 working days
  - Negotiate for up to 20 working days
  - Reject request
- What is the bargaining unit – agree or CAC decide (20 working days)
- Is there sufficient support?
  - Majority of staff in the bargaining unit are members of the union
  - Or – ballot – supported by 40% of bargaining unit and majority of those voting



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## Collective bargaining

- Pay, hours and holidays – negotiate with a view to reaching agreement
- Collective redundancies and TUPE transfers
- discipline and grievance matters
- Consultation on broader issues – other work place policies, work load etc.
- Time off for trade union activities and training
- Provision of facilities



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## Working with the trade unions

- Bespoke independent schools recognition agreement
- Scope – which staff, what topics?
- Set out expectations around confidentiality
- What happens in the event of stale mate – use of ACAS



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CHELTENHAM  
LADIES'  
COLLEGE

# Working with Trade Union Recognition

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## Scene setting

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In place since 2002

- ATL – NEU
- Purpose

“ To enhance the commitment to working jointly for the mutual benefit of staff, both individually and collectively and of the College”

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## Recognition Agreement

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- General Principles
- Procedures
- Facilities
- Confidentiality
- Termination

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## How it works at CLC – Primary function

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JTCC established (Joint Teacher Consultative Committee)

- Comprises of 2X NEU Reps – elected from within representative group, by staff
- Chaired by the Principal or Vice Principal (or more often than not me!)
- Attended by the Principal wherever possible, the Vice Principal , HRD and the 2 x JTCC Reps, other attendees will be driven by the agenda – often this will be the FD, COO or others.
- The RA does make allowance for an NEU official to be in attendance as an adviser/observer with 5 days' notice given in advance, of their intention to attend.
- Meet termly, formally as the JTCC for 1.5 hours
- Pre- meeting, a week/10 days prior – formal agenda agreed
- Meetings minuted

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## Then and Now

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### Then

- Was very formal
- Very “them and us” – old school approach
- Very lengthy meetings
- Repetitive and packed agenda

### Now

- Less formal – more discursive
- Agenda relevant
- Open and transparent
- Clear level of trust

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## Partnership working

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### A Partnership approach:

- A joint commitment to the success of College
- Joint recognition of each other’s legitimate interests
- Joint commitment to employment security
- Joint focus on the quality of working life
- Joint commitment to transparency
- Joint commitment to add value

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## Topics that come up at JTCC

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### **Big ticket items**

- Pay negotiations - annually
- TPS consultation
- APP – changes to teachers pay and terms and conditions

### **Termly Meetings**

- Staff dining
- Working practices/work life balance
- Pensions
- Benefits
- Car Parking
- CPD

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## Benefits - college

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- Change can be implemented with assistance rather than resistance
- Can deal with issues before they become problems
- Leads to improved decision making – different lens
- Less bureaucracy
- Less conflict
- Fewer tribunal claims
- Better understanding of staff engagement/hot spots

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## What the JTCC say

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- Mutually positive working relationship
- Proactively work through problems
- Manage communications to improve impact
- Triage issues in house
- Reduce litigation
- Set context for Unions

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## Hints and Tips

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- Don't fear it
- Take a partnership approach
- Allow appropriate time
- Trust the reps – give them the capability to underate their roles effectively – access.
- Train the reps – no personal agendas needed
- Encourage active listening
- Optimum number of reps
- Don't forget/miss the opportunity to engage with the reps

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## Moving Forward

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- Review of meeting schedule – aligned to Council and Committee meetings
- Appropriate time allocated
- Facilities improved
- Access to Governors
- SSCC (formerly Staff Association)

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## Questions

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