

Academy Transformation Trust Trade Union Recognition Agreement

[Academy]

Introduction

This agreement is based on that agreed by the teacher unions (ATL, NAHT, ASCL, NASUWT and NUT) and the unions representing support and other professional school staff (GMB, UNISON and Unite). It is intended to assist the trade unions, Academy Transformation Trust and Academy Transformation Trust academies in confirming recognition of trade unions, establishing acceptable arrangements and facilities for trade union representatives and for the establishment of acceptable arrangements for consultation and negotiation.

This agreement provides for recognition of those unions which have existing recognition rights protected by TUPE, are signatories to this agreement and have members in Academy Transformation Trust academies. In situations where there are no members of one or more of the nationally recognised TUC affiliate unions recognition of such unions will be placed in abeyance but will automatically apply whenever they gain membership.

The agreement provides for Academy Transformation Trust academies to participate in local arrangements within the authority relating to time off with pay for any employee who is a trade union officer at branch or national level. While Academy Transformation Trust academies will adhere to this trade union recognition agreement there may be some local arrangements within individual academies in relation to, for example, funding or compensation for time off.

Academy Transformation Trust academies will employ staff on the national terms and conditions for school teachers and support staff (the STPCD and Burgundy Book for Teachers and the NJC Green Book for support staff) and follow all national agreements with the trade unions. Academy Transformation Trust academies will also follow all local agreements with the trade unions until and unless they are superseded by agreements between the trade unions and Academy Transformation Trust.

Academy Transformation Trust academies will seek HR advice as necessary so that they are sure of the interpretation and application of employees pay, the legal position and what has been agreed nationally.

Academy Transformation Trust will seek to work in harmony with its staff, their unions and staff associations and will aim to achieve good industrial relations based on good relationships and clear consultation systems and procedures.

1. Parties, Coverage and Definitions

1.1 Academy Transformation Trust recognises the following trade unions for individual and collective representation, consultation and negotiation purposes:

- The teacher unions (ATL, NAHT, ASCL, NASUWT and NUT) and the unions representing support and other professional school staff (GMB, UNISON and Unite).

1.2 This recognition agreement applies in respect of employees in the following categories:

- Teaching staff (ATL, NAHT, ASCL, NASUWT and NUT and any other recognised teacher union).
- Support staff and other professional school staff (GMB, UNISON and Unite and any other recognised support staff union).

1.3 Throughout this agreement, the following definitions apply:

- Academy Transformation Trust means the Trust responsible for running the individual academies and other persons or bodies having responsibility for the management of the academies in the network.
- The “trade unions” means the recognised trade unions listed above.

2. Principles and Objectives

2.1 Academy Transformation Trust recognises the independent trade unions identified in this agreement for the purposes of collective bargaining, consultation and individual staff representation on behalf of the whole workforce.

2.2 This agreement is intended to promote and assist in the establishment of:

- Jointly agreed pay and conditions of employment.
- Good practice with regard to matters of employment and health and safety.
- Effective communications.
- Participation and involvement of staff.
- Effective and prompt resolution of issues and disputes.
- Equal opportunities in employment
- Professional issues concerning teaching and learning, including issues relating to the curriculum, behaviour policy etc.

2.3 The trade unions recognise that it is Academy Transformation Trust’s responsibility, through their individual Local Governing Bodies, to plan, organise and manage the delivery of education to the students of Academy Transformation Trust academies.

2.4 In turn, Academy Transformation Trust recognises the trade unions’ right to represent and protect the interests of their members employed in Academy Transformation Trust academies both individually and collectively.

2.5 Academy Transformation Trust believes that representative trade unions help ensure good employee relations and will inform new appointees accordingly. Academy Transformation Trust, through its Local governing Bodies, will provide the trade unions with names and work locations of new appointees.

2.6 Academy Transformation Trust and the trade unions declare their commitment to maintaining good industrial relations and agree to make every effort to resolve any difficulties which may arise and to ensure that this agreement is effective.

3. Trade Union Representatives

3.1 For the purposes of this agreement, the term "trade union representatives" includes workplace representatives, health and safety representatives and learning representatives.

3.2 Trade union representatives will be appointed in accordance with the rules for the individual trade union concerned. The trade unions will inform Academy Transformation Trust in writing of the names of their appointed representatives.

3.3 The numbers of trade union representatives appointed shall be a matter for each union but the trade unions agree that the numbers shall be reasonable in relation to the number of members represented. Academy Transformation Trust will not decline to recognise appointed trade union representatives.

3.4 Trade union members shall be entitled to be represented by employed officials or local representation of the trade union, where the trade union considers this to be necessary in the circumstances.

3.5 Academy Transformation Trust undertakes that no trade union representatives will suffer any disadvantage as a result of undertaking this role on behalf of trade union members.

4. Facilities for Trade Union Representatives and Members

4.1.1 Academy Transformation Trust agrees to provide appropriate and reasonable facilities to trade union representatives and members in order to enable them to discharge trade union duties and undertake trade union activity and to facilitate the objectives of effective communication and consultation with employees and their representatives set out earlier in this agreement.

4.2 Time Off With Pay For Trade Union Representatives

4.2.1 Academy Transformation Trust will permit trade union representatives reasonable time off with pay during their normal working hours (including release from timetabled teaching and learning support in classroom) for the purpose of carrying out trade union duties.

4.2.2 Academy Transformation trust will permit trade union representatives time off with pay within their normal timetabled working hours (including release from timetabled teaching and learning support in classroom) where necessary, in particular to prepare for and/or attend meetings or to consult with employed officials of their union. Trade union representatives will give as much notice as possible of the need for such time off.

4.2.3 Academy Transformation Trust will seek to ensure that all meetings convened by the Academy Transformation Trust or its individual academies and involving trade union representatives take place within their normal working hours.

4.2.4 Academy Transformation Trust will participate in arrangements within the Local Authority area with regard to time off with pay for any employees of the Academy Transformation Trust academies who are local or national trade union officers in order to permit time off with pay for trade union duties undertaken in that capacity.

4.2.5 Academy Transformation Trust and trade unions are committed to ensuring that trade union representatives received appropriate training to allow them to discharge their trade union duties. The trade unions will provide appropriate training to their representatives. Academy Transformation Trust will permit trade union representatives reasonable time off with pay to attend relevant training courses run by their trade unions or by other appropriate bodies.

4.3 Other facilities for trade union representatives

4.3.1 Academy Transformation Trust will provide the following facilities to trade union representatives:

- Reasonable accommodation to hold meetings and to interview members in a confidential manner.
- Confidential access to, and reasonable free use of telephone, fax and e-mail facilities and computing and photocopying facilities as necessary.
- Reasonable access to administrative and secretarial services.
- Secure office/storage space.
- Individual notice boards in all staff rooms.
- Space on the Academy intranet.
- All relevant documents, including those which provide information as to the structure and allocation of promoted posts applicable in individual academies, the articles of government, the funding agreement and documents that set out the pay, conditions of service and the regulations of the Academy Transformation Trust academies which apply to employees.

4.4 Time off for trade union activities

4.1.1 Academy Transformation Trust will allow trade union representatives and members reasonable time off during working hours for the purpose of taking part in trade union activity, including in particular representing the trade union at external meetings and conferences. Time off

for trade union representatives and members to attend annual conferences and other policy making conferences of their trade union as a delegate will in all cases be paid time off.

4.5 Trade union meetings

4.5.1 Academy Transformation Trust will allow trade union members to hold meetings on the premises outside their normal working hours, including at lunchtimes and immediately following the end of the pupils day. The trade unions will give reasonable notice of such meetings to the Academy. Academy Transformation Trust will not seek to place restrictions on the frequency or duration of such meetings or to the attendance of employed officials or local representatives of the trade union at such meetings.

4.5.2 Academy Transformation Trust will allow trade union members to hold and attend such meetings on the premises within their normal working hours, where appropriate to the urgency or nature of the matters to be discussed. Trade union representatives will give as much notice as possible to the academy when seeking consent for such meetings. Academy Transformation Trust will not unreasonably withhold consent to such meetings.

4.6 Disciplinary action involving trade union representation

4.6.1 Academy Transformation Trust and their individual academies will not take disciplinary action against a trade union representative until an employed official of that trade union has been consulted.

5. Joint Consultative Committee

5.1 Academy Transformation Trust will provide the trade union with appropriate information on financial and organisational issues in order to allow meaningful consultation (including information required for collective bargaining and consultation in accordance with the ACAS Code of Practice). The trade unions agree to treat information with sensitivity in case of genuine commercial confidentiality.

5.2 Academy Transformation Trust and trade unions agree to set up a Joint Consultative Committee (JCC) at both national and local level consisting of representatives of both sides to undertake the following functions:

- The provision and sharing of information by the trade unions and the Academies.
- Consultation on employment procedures and working and organisational arrangements.
- Consultation and agreement on the issues listed below.

5.3 Before implementing any change in employment procedures and working and organisational arrangements, Academy Transformation Trust will undertake consultation with trade union representatives through the JCC in order to reach a satisfactory agreement.

5.4 The following matters shall, in particular but not exclusively, be considered by the JCC:

- Negotiating machinery and procedures.
- Terms and conditions of employment.
- Staffing and pay structures.
- Employment policies and procedures.
- Matters of health and safety.
- Operational issues affecting the deployment, security and prospects of staff.
- Staff training and development.
- Professional issues concerning teaching and learning, including issues related to the curriculum, behaviour policy etc.
- Equal opportunities matters i.e. race, gender, disability, faith, age or sexual orientation.

5.5 In regard to these items Academy Transformation Trust will employ all staff on the national terms and conditions for school teachers and support staff.

5.6 The national JCC will consider those issues which have been mutually agreed to be the subject of national negotiations and any principles agreed in the national framework shall not be reconsidered by the local JCCs. Each academy will be bound by the provisions, policies and procedures agreed by the national JCC. The academy JCCs will consider the exercise of local discretion on employment matters where this is provided for. Any difficulties at academy level over the interpretation of national provisions or the scope of local decision making will where necessary be referred to the national JCC for consideration and resolution.

5.7 Academy Transformation Trust and trade unions agree that any dispute on interpretation or any other matter will be referred to the national JCC for resolution.

6. Failure to Agree

6.1 Academy Transformation Trust and the trade unions agree that it is in the interests of all parties that consultation and negotiations are carried out expeditiously and with the aim of reaching an agreed settlement.

6.2 If Academy Transformation Trust and trade unions cannot reach an agreement, the matter may be referred to the Advisory Conciliation and Arbitration Service (ACAS) in order to seek resolution of the issue. Either party may determine that a matter is referred to the ACAS for conciliation. Both parties may subsequently agree, where necessary, that a matter is referred to ACAS for arbitration.

6.3 Whilst these procedures are being followed Academy Transformation Trust will honour the status quo ante.

7. Commencement, Review, Variation and Termination

7.1 This agreement comes into effect on the following date: 1st November 2012

7.2 The provisions of this agreement may be reviewed at the request of either side or varied at any time by mutual agreement of all parties following discussion as an agenda item at a quorate meeting of the JCC.

7.3 The agreement itself may be terminated at any time by mutual agreement of all parties following discussion as an agenda item at a quorate meeting of the JCC; or through 12 months' notice of termination from Academy Transformation Trust or from the trade unions acting jointly. In the latter circumstance, either side will be entitled to place the matter for discussion upon the agenda of a meeting of the national JCC and subsequently to refer the matter to the ACAS for arbitration in order to seek resolution of the issue. Any individual trade union may withdraw from this agreement through 12 months' notice of withdrawal.

8. Signatures




 Academy Transformation Trust




 ASCL



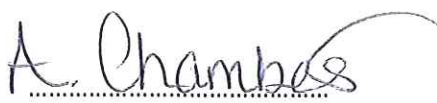
 NASUWT



 ATL



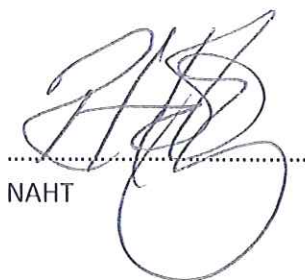
 NUT




 GMB



 UNISON



 NAHT



 Unite