

BRANCH LINES

UNISON West Sussex Branch newsletter • www.unisonwestsussex.org.uk

CORONAVIRUS

Branch support for you
during the pandemic

SEE PAGES 4,5, 6 AND 7

MAKING SCHOOLS SAFE FROM SEPTEMBER

WIN £10
FOR YOURSELF
AND ANY
NEW RECRUIT
SEE PAGE 12

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The word 'unprecedented' has become a cliché over the past few months, but the times we're

living through right now clearly justify the description. During the immense upheaval both our personal and professional lives have experienced since March, many UNISON

members in schools have continued to go into work despite considerable risk to themselves. 'Thank you' seems an inadequate response, but on behalf of the branch and the wider union membership, we genuinely do thank you and appreciate the selfless effort many of you have made to help educate our kids.

This edition rightly focuses on the impact coronavirus had

had on members and schools, but importantly outlines the support provided by UNISON during the pandemic and how it will continue to do so in the next few months as more people return to their schools. Make sure you understand your rights as you return, to keep well and keep safe.

Dan Sartin,
Branch Secretary

UNISON GENERAL SECRETARY RESIGNS



Dave Prentis, UNISON general secretary for 20 years, will retire on 31 December 2020 when his current period of office

comes to an end. A timetable to elect his successor has been published, with voting commencing on 28 October.

The UNISON West Sussex branch committee is fully involved in UNISON's organisation at its national and regional levels, having two of our members elected to the ruling national executive committee of the union. Therefore, we know the candidates to replace Dave Prentis very well. On 23 September the branch committee will decide who it wishes to nominate for general secretary prior to the election. We will then advise members who we have chosen and why we think they are best to lead UNISON.

Meanwhile, the LGSGE has nominated Paul Holmes (see page 11).

NJC PAY SETTLED AT 2.75%

UNISON's elected lay member national NJC committee met to consider the results of the consultation of members on the 2020/21 pay offer for local government workers.

Overall members voted by 2 to 1 to accept the employers' offer. The results of the West Sussex branch consultation were 60% in favour of accepting, and 40% to reject. Consequently, the NJC committee agreed to accept the offer while noting that it fell far short of our claim and did not properly reward a workforce of key workers who have gone above and beyond expectation during the COVID pandemic. The award is with effect from 1 April 2020:

- an increase of 2.75% on all NJC pay points 1 and above;
- an increase of one day to the minimum annual leave entitlement.

At WSCC this will be implemented with backpay to April in October's pay packet. We are working with other employers who implement NJC pay to ensure the same.

Thank you to West Sussex members who took part in the branch ballot.

MEET THE TEAM!

We're delighted to present our crack team of front-line UNISON West Sussex officers who bring years of experience and expertise to support our schools' members.

We recognise you pay your union subs and believe you have a right to know who is there for you when you need it most. When we're not working from home, we are based in our office in Chichester. Here's how our team supports you:



ZOE WALKER

Branch negotiations officer Zoe leads on all issues related to schools, be they academies, private sector, nurseries or those remaining under local

authority control. Zoe focuses mostly on collective negotiations involving restructures and TUPE transfers but also supports individual members through grievances, disciplinaries and sickness absence monitoring. Zoe also mentors schools' reps.



KEITH MANVILLE

(See page 10). Keith is on full-time secondment to the branch as schools' convenor, working on WSSC schools-related business including

joint consultative committee (JCC), schools' forum, the schools' safety, health & wellbeing focus group and directly with the director for education and skills. He also works on restructures and academisations, and supports individual member case work.



DEE CHAUHAN

As casework coordinator, Dee oversees all branch case work allocated to reps or caseworkers. Her main areas of expertise

are sickness-related issues, disciplinaries, performance improvement and grievance

cases relating to individual members. She advises and escalates issues for the branch to the regional office or our solicitors where necessary.



BRIAN WALTER

Brian is also a negotiations officer, mostly focusing on social care settings and leading on negotiations with external employers. This

includes the council's adult and community learning service, Aspire, plus the Chichester College group. He also supports Zoe in some school restructures both on a collective and individual case basis.



AMANDA GODFREY

Our third branch negotiations officer Amanda is primarily involved in representation for individual members in schools, though does become

involved in collective negotiations. She has considerable expertise in issues such as voluntary redundancy, ill-health retirement and pensions.



DAN SARTIN

Branch secretary Dan has overall responsibility for the branch and is usually involved in WSSC issues. He leads on negotiating and collective

bargaining and manages the rest of the team, the branch committee and wider team of workplace reps. He represents the branch at both regional and national levels.



KAREN DAUBNEY

Deputy branch secretary Karen's main focus is on both collective and casework support in social care settings such as residential care homes and

children's homes. Karen runs the branch when Dan is unavailable and leads on corporate negotiations with the County Council, mostly with health & safety and HR related to adults' and children's provider services.

CORONAVIRUS

SCHOOL
REOPENING

MAKING SCHOOLS SAFE FOR YOU AFTER SEPTEMBER

UNISON produced a comprehensive checklist covering all school settings, including special schools.

It will help school members and reps have discussions with school leaders about plans for safe reopening, helping to complete a thorough school risk assessment. To open more widely, schools and nurseries had to produce a plan and risk assessment to ensure safety of pupils and staff. Government guidance also says schools must work with unions on their plans.

Here are the top 3 things UNISON schools' members can do now to help secure safer schools from September onwards.

ASK YOUR SCHOOL

1. for a copy of its risk assessment and a commitment that it will use the joint union checklist for continued operation, not just planning opening;

2. what plans it has for training staff on measures identified in the risk assessment – some schools are looking at staggering school year start or using the first few days for staff training; and

3. to confirm its timeline for consulting staff on the risk assessment – to reflect any changes over the summer – and ongoing reviews.

Risk assessments are live documents and must be constantly updated to reflect changing circumstances. If you or we have not been consulted on your employer's risk assessment, or it does not meet the standards in the relevant joint union checklist, UNISON will support you

if you believe your health and safety is at serious risk by going into school. If you are pressured to return to school and unsure the necessary provisions have been made to ensure the workplace is safe – particularly if you have been shielding or are vulnerable – we have set out a series of steps for members in this situation to take:

1. urgently contact the West Sussex branch;
2. ask for and read a copy of your employer's risk assessment;
3. if you still feel your health and safety is at risk, use the template letter the branch will provide you to write to your employer.

In some circumstances it may be appropriate to refuse to attend the workplace and to make yourself available to work from home. But you must speak to the branch throughout the process before taking action. If you cannot do this before sending your letter, state you are sending the letter pending UNISON advice.

Contact the branch office for more advice

SEVEN STEPS TO RE-OPENING

UNISON West Sussex has negotiated concessions from WSCC HR and the director for education including:

- a review of FAQs advising school leaders resulting in changes;
- sharing risk assessments (RA) with trade unions; and
- delaying publication of the WSCC RA tool pending review by unions.



1 FOR CLINICALLY VULNERABLE AND THOSE LIVING WITH SUCH PEOPLE

UNISON's position is that where an individual RA shows strict social distancing cannot be met, working from home should be the default and not a last resort, unless an appropriate amended role can be found. If you have to stay at home on reduced duties, some individuals may still be on full pay. Schools should not assume all staff will be available to work.

2 RISK ASSESSMENTS

These should be shared with trade unions except for individual RAs, as these are subject to data protection (unless consent is given).

3 PERSONAL PROTECTIVE EQUIPMENT (PPE)

Where PPE is required it should be provided by the employer in line with H&S standards. Where an individual desire to wear PPE is identified in a risk assessment, the employer should permit it.

4 ENHANCED CLEANING

Cleaning staff capacity must be increased. Cleaners should be provided with PPE. All school areas should be thoroughly cleaned daily, especially frequently handled surfaces and equipment. Additional daytime cleaning might be required. It needs to be agreed

who will do this. TAs should not be expected to clean areas.

5 SOCIAL DISTANCING: 2 METRES IS STILL RECOMMENDED FOR ADULTS

Where not possible PPE, clear screens, barriers or limited contact time (e.g. for support staff) should be employed. There should only be limited movement of support staff between bubbles, especially for vulnerable individuals.

6 SUPPORT STAFF LEADING CLASSES

This should only be done by those who have this in their job description. It is not acceptable for TAs to supervise or cover classes where a teacher is absent. Support staff should carry out their normal roles unless amended by individual RA.

7 CHILDCARE ARRANGEMENTS

If you have unexpected childcare issues, this should be managed through paid special leave or other mutually satisfactory arrangements. Contact UNISON if you can't reach agreement. A default position of unpaid leave is inappropriate.

HOW TO GET SUPPORT

Contact the branch office on office.unison@westsussex.gov.uk or call on **01243 777636**.

SCHOOLS: POOR PRACTICE REPORT

Many schools and heads have done an outstanding job to support the safe opening of schools, and worked with UNISON where necessary. Here are some examples however, of poor practice in schools during the pandemic where UNISON has had to get involved.

St Margaret's C of E Primary – Angmering

- headteacher decided to re-open to all year groups rather than follow DfE advice.
- no individual risk assessment (RA) provided to staff shielded or vulnerable.
- staff not attending the workplace threatened with pay deductions.

Ifield CC

- staff were told the DfE guidance on a maximum of 15 pupils per class does not apply as key worker children are only in school for childcare. Therefore, group sizes in excess of 20 with 2-3 adults were acceptable in childcare settings because TAs were no longer doing their usual job.

West Green Primary

- staff told to return to work as NJC advice for support staff was not as official as government advice and should be disregarded, as should UNISON advice.
- Individual RAs would only be completed for staff after they returned to work.

St Mary's Catholic Primary School

- staff told to return to school with no RAs, just lots of hand washing.

Palatine Primary

- staff member told to return to work without adjustments being made to maintain social distancing – not reflected in RA.

BRANCH NEGOTIATIONS AND MEMO OF UNDERSTANDING

The branch has negotiated with WSCC HR the definitions list to help headteachers with risk assessments and determining which staff should be asked to come back to school.

WSCC should have followed local government association (LGA) advice on how to deal with staff in the four health categories (shielded; living with shielded; vulnerable; living with vulnerable) though has deviated from that as the pandemic has evolved. County-level preparations

have been made to cover the eventuality that schools might need to work together in 'hubs' and have staff redeployed between them. This may never come to pass, but if the pandemic was to get considerably worse and available staff numbers were impacted further it might be required. A 'memorandum

of understanding' has been developed with UNISON's input. If members work on bank holidays because a school is staying open for the children of key workers, they should receive double-time pay in line with NJC terms and conditions.

The branch will support members resisting being forced to work if they are put in an unsafe position. Of course, most headteachers are reasonable people and will not want this either.

What is UNISON doing now? Over the coming weeks UNISON will:

- try to get the government



Ormiston Six Villages

- not prepared to follow council advice to complete individual RAs for some roles.
- tardy in sharing the overall RA.
- inconsistent approach to individual staff concerns relating to underlying health conditions
- lateness in making decisions on staff with vulnerabilities and shielding.

to make improvements to the guidance and make a 'plan B' in the event of more local lockdowns;

- push for changes and improvements to the test and trace system to ensure it is fit for purpose;
- campaign for additional funding and resources for schools to deal with increased work and the need for more staff;
- campaign for additional support for vulnerable and disadvantaged pupils.

We'll keep members

CORONAVIRUS IN SCHOOLS: CONFUSING GUIDANCE

The biggest problem for school staff during the early phase of the coronavirus pandemic was the lack of clear guidance from central and local government.

UNISON wrote to all West Sussex heads asking to see the risk assessment (RA) for each school before any decision to re-open could be taken. However, the council's director for education and skills suggested headteachers could ignore this request.

A protracted debate began about the classification of someone as 'vulnerable' and whether or not they should be encouraged to go back to

their school workplace. UNISON argued those members who lived with anyone classified as vulnerable should be allowed to work from home, in line with local government advice, but WSCC insisted on enforcing DfE guidance which contradicted that. Most of our schools' members are on NJC terms and conditions, not DfE ones, so there was a danger of school members being treated differently to other council staff.



The branch is pleased to say that relations have now considerably improved, and the director has since corrected his position with heads on sharing RAs with unions.

updated over this crucial period. Please remember that UNISON is the correct trade union for support staff in West Sussex and the only union recognised by WSCC for support staff. Only UNISON can negotiate for you collectively on NJC pay, your pension, and so on. Only UNISON understands the detail of your terms and conditions and how to resolve issues – because other unions are rightly focused on teachers' terms and conditions.

SMALL SCHOOLS SAVED BY GOVERNMENT!

WSCC's ill-fated decision to close two small schools – Rumboldswyke and Clapham & Patching – was overturned by central government.

A report from the director for education and skills claimed the viability of small schools had to be reviewed as they were perceived to be costly and ineffective. Unfortunately, Rumboldswyke received a poor Ofsted report in 2019. This could have led to its adoption as an academy, but the council decided due to its size this was not an option and favoured closure.

Following this decision, applications were made independent of the council to the regional schools' commissioner (RSC) to academise both Rumboldswyke and Clapham & Patching.

A freedom of information request discovered in a council email that a decision to close the school had been



taken by the council without any public consultation being completed. UNISON expressed its astonishment at this, but our concerns were ignored.

HR-led consultations with members confirmed their unhappiness with the 'foregone conclusion' to close the school implied in the council's email. These opinions were shared with the WSCC cabinet more than once, but each time they were ignored and dismissed out of hand.

After the situation was escalated to national government, the council's decision was overturned by them in June. The council's small schools' closure programme was abandoned, but no apology was ever received for its lack of willingness to meaningfully engage with and listen to stakeholders.

Rumboldswyke will now become an academy under Bishop Luffa School. It is proposed that Clapham and Patching will join the South Downs Educational Trust from 1st October.

After discussions at a senior level, UNISON believes we are unlikely to see further plans to close small West Sussex primaries.

SORRY IS THE HARDEST WORD!

As the whole process had been stressful and a waste of taxpayers' money, the branch sent out a statement to the local press which was printed (excerpt below).

"Sorry really does appear to be the hardest word. The council could have listened to its scrutiny committee twice. UNISON members at the schools were asking about academy status back at the initial HR briefings for staff in February but no one was prepared to listen to them. Councillors do not accept blame, show a willingness to learn from mistakes, or find it easy to work in partnership, with parents, staff or trade unions."



TERM TIME ONLY PAY

The branch is still working hard to resolve term time only (TTO) pay issues in schools and now expects to see settlement during the autumn term.

Members will recall that after UNISON took and won the Brazel employment tribunal case, there is a need for employers to correct under-calculated TTO pay going forwards and offer backpay. In WSCC, the sums involved are not as large as those in ESCC, as ESCC was making two particular errors of calculation, and WSCC is only making one of these. But we still need to resolve this, of course, and then roll this out to academies and other employers.

The Covid-19 pandemic slowed progress in negotiations. We nevertheless have needed to protect the positions of members who had left their schools (because there are strict time limits on bringing claims) and this has been achieved.

We will keep you updated. Only UNISON West Sussex can lead these negotiations because we are the only recognised union for support staff, and are the only schools' union which has the depth of understanding and legal back-up to deal with NJC 'green book' pay issues. Non-members should join us now.

ORMISTON UPSET

Fresh from shoddy treatment of its staff over coronavirus (see page 7), Ormiston academy trust (OAT) which runs Six Villages Academy, is seeking to impose inferior redundancy terms on its support staff.

Luckily, OAT only runs one academy in West Sussex. But members there are rightly alarmed at the dilution of their terms & conditions which TUPE-transferred with them from the council in 2013. The trust believes it should 'harmonise' terms for our members, but this in practice means a race to the bottom.



OAT's HR department would not accept that redundancy entitlements were contractual. They also disputed that a collective agreement between the council and UNISON existed. UNISON has now supplied them with the agreement. It is worrying that OAT is unable to keep records. Despite producing the evidence, like the worst of employers, OAT is refusing to honour the collective agreement anyway.

The branch is seeking legal advice through our national office. We have alerted members to what their employer is up to, as it was not common knowledge in the school. The branch will encourage members to take action to protect their hard-won terms and conditions and will conduct a ballot in the school.

INVEST IN YOUTH SERVICES!

Government must invest in youth services after years of cuts, says UNISON.

Youth services offer a vital lifeline providing young people with support, advice, and intervention, and yet as funding continues to decline, more and more young people find themselves alone and without anywhere safe to go. Research released by YMCA earlier this year uncovered a 70% real-terms

decline in funding across England and Wales since 2010.

Commenting on the YMCA report, UNISON head of local government Jon Richards said: "Since 2010 government cuts have forced 940 youth centres to close with the loss of 4,500 youth workers. Young people need places to

go, and adults they can trust, in order to feel safe. Councils must be given proper funding to support the needs of local communities."

At time of going to press there is a danger of further damaging cuts being made to the county's careers advice service which supports schools. The branch has raised this with the director and chief executive of the council. We will keep members updated.

MEET OUR NEW SCHOOLS' CONVENOR, KEITH MANVILLE

"I have worked in education since 2008 and have been a trade unionist all my working life. I became more active in UNISON about 6 years ago, as a rep in a large special school in Worthing. I completed several TUC employment law courses then joined the branch committee, before becoming UNISON rep to the WSCC schools' forum (SF).

"I've seen first-hand how employees could be treated unfairly without union support. If I had one message, it would be 'just join UNISON.' That's it! Here's a summary of the issues I'm currently dealing with.

"At the last two schools' JCC meetings, the branch secretary and I led discussions winning concessions for change in the HR FAQs. This was in line with our priorities to

protect support staff for the reopening of schools in September, as well as securing a commitment from the director of E&S for further consultation with unions on Covid-19 planning.

"At SF we discovered the dedicated schools grant (DSG - schools' funding pot) will be in deficit at the end of 2019-20. Any overspend will have to be recovered from future DSG incomes rather than the council's general reserves.



WSCC's education service will have to submit a plan later in the year to SF outlining how the deficit will be managed.

"I've been heavily involved in small schools' academisations (you can read more on page 8).

"I've covered casework duties supporting school staff and among many other things, I've also mentored two reps through both 'Zoom' meetings and supply of information and ideas."

Keith can be contacted through the branch office.

LG SGE NOMINATES PAUL HOLMES

UNISON's local government service group executive (SGE) has nominated Paul Holmes for general secretary.



- Paul has been a UNISON branch secretary for over 30 years and an NEC member for 13 years.
- He knows the union needs radical change and strong leadership.
- He will make sure UNISON is at the forefront of all current battles.
- He has a clear agenda for local government members, on pay, jobs and green issues.
- He is a lay member and would only take a worker's wage.
- The local government SGE believes Paul is the credible change our union needs.

A STRONG AND GROWING UNION

The West Sussex branch is enjoying its highest membership total ever with over 6,500 members. Thank you to all our new members!



'THANKS' FROM A SCHOOL MEMBER

A member who was able to recently leave employment by taking ill-health retirement expressed delight at the result through the branch's support.

"It's all down to you and your help so I thank you from the bottom of my heart. I really do appreciate everything you have done and all the help and advice you've given. You couldn't have got a better result!"

Only UNISON can get these outcomes for schools' support staff because unlike other unions, we know the terrain of local government terms and conditions thoroughly. Join us by contacting your local rep, the branch office or directly via join.unison.org.uk

DELIGHT OVER SETTLEMENT PACKAGE

We're delighted to report that our solicitors Thompson's recently negotiated a settlement package for one of our members after they sustained a serious injury at work.

The award amounted to £65,000 to compensate for loss of earnings and care costs. Our member was delighted with the settlement. Injuries can happen to anyone at any time. It's worth being part of Britain's biggest trade union to take advantage of the excellent legal support we offer should you be involved in an accident. Join us at join.unison.org.uk

WIN £10 FOR YOURSELF AND ANY NEW RECRUIT!

To take up this offer, existing members simply need to recruit a friend to the UNISON West Sussex branch. In return the existing member and the new member will both receive a £10 shopping voucher. Existing members can recruit as many members as they like to receive more vouchers.

The new member must join within 2 weeks of the date the branch receives the nomination slip. This offer cannot

be used after 31 October 2020 and is only applicable to new members who are eligible for the UNISON West Sussex branch (our sister branches are not participants in this scheme). Vouchers may take up to 8 weeks to arrive after new membership is verified.

Scan and email this slip to office.unison@westsussex.gov.uk or photocopy and post it to **10:10 offer, UNISON, County Hall, Chichester, PO19 1RQ.**

Existing member's name:

Existing member's email:

I nominate [insert name]:

to join UNISON West Sussex.

UNISON SUPPORT FOR NEW MEMBERS

Once you have joined UNISON and are a member, for the first 4 weeks of your membership you can access one session of union advice up to a maximum of half an hour in length, by telephone or email. If you have questions or concerns about coronavirus you can access advice in this way, once you have joined.

Please note, the rules of the union do not entitle new members to this – it is something the branch has decided to offer and is done so at its discretion. After 4 weeks, you're entitled to the full support available to any member of UNISON, up to and including full representation in formal

meetings and legal advice (unless this is for a 'pre-existing issue' – see below).

It's easy to join and will only take 2 minutes. The most popular way to join is online at join.unison.org.uk

Pre-existing conditions

If you join in the knowledge that something has

happened to you, or will happen to you, even after the 4-week qualifying period has expired, if you subsequently seek the union's support to deal with a pre-existing issue it will be limited to one half-hour advice session.

Union membership is not something you can dip in and out of when events at work happen for which you want representation and legal advice. The union provides a huge range of membership benefits and makes a big difference to every aspect of your working life due to the work we do with employers negotiating on your behalf. Don't wait for a problem – join today.