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TTO Campaign Update

RBC started a 45 day consultation period with UNISON on the 7th April which runs till 22nd May.

This is as a direct result of the collective Grievance that UNISON submitted in December 2019, regarding the TTO calculation and statutory leave entitlement.

TTO Calculation

Across Greater Manchester it has been established that there are a range of practices in relation to the TTO calculation with some Councils' calculations being more favourable than the LGA guidance and others less favourable. Rochdale Council's current calculation is less favourable.

Having reviewed the LGA guidance it would appear the Rochdale Council's current TTO calculation is now incorrect as it uses a denominator of 52 weeks when in fact an All Year Round (AYR) employee does not have to work 52 weeks in order to receive their full annual leave entitlement.

According to the LGA guidance the correct way to calculate how much leave a TTO employee is entitled to, is to compare the number of weeks a term-time employee works with the number of weeks an AYR employee works and give them a proportionate number of day's annual leave.

Statutory Leave Entitlement

The current interpretation of these regulations is a result of Harpur Trust v Brazel (2019) IRLR 1012 CA. The Court of Appeal held that the holiday entitlement of term-time workers should not be prorated to that of full-year workers.

The Harpur Trust v Brazel (2019) IRLR 1012 CA is due to be heard by the Supreme Court and has been listed for 9 November 2021.

It has been identified that Council and School staff who fall below the statutory minimum of 28 days leave entitlement are:

- (a) TTO staff working 190/195 days based on 24 days annual leave
- (b) TTO staff working 190 days based on 25 days annual leave

Back Pay

RBC are proposing to amend annual leave entitlements for TTO staff so they reflect your national terms and conditions and statutory requirements.

The Council have also stated that they intend to pay back-pay to 1 April 2019 because that is when further TTO guidance was issued by the LGA, however UNISON believes that the offer of back-pay is insufficient. The underpayment of annual leave is a historic issue which goes back prior to April 2019. UNISON formally lodged a grievance in December 2019 and other local authorities, including Greenwich and other London Boroughs, have settled at back-pay worth 5 years and 3 months.

UNISON will formally respond to the council to make the case for further back-pay, and for contributions relating to pension, but we need input from members to inform our response to the consultation.

UNISON are planning a ZOOM meeting regarding the TTO Campaign at 5pm on the 4th May 2021. If you wish to attend the meeting please email unison@rochdale.gov.uk for the meeting link. If we are oversubscribed we will hold another meeting. Attending the meeting will be Keith Bradley N/W schools lead and Dan Smith Rochdale Branch Regional Officer.

Local Government & National Conference

UNISON will hold an online National Conference between the 15th-17th June this year to debate and vote on policy on public services in a post-COVID world.

We have 4 delegate places available for this conference. 3 which must be women, 1 has to be a young member under the age of 27 years at the time of the conference and 1 has to be a low paid member earning under £10.63 per hour.

Local Government Conference will also be replaced by online special conferences held on the 13th June 9:30-5pm.

Again, we have 4 delegate places available for this conference and 3 which must be women. 1 place must be a low paid member — again earning under £10.63 per hour.

If you wish to attend any of the conferences, please contact the Branch ASAP on 01706 925952

Please check that your UNISON colleagues have received this newsletter electronically—if not please ask them to contact the branch on 01706 925952 or [email unison@rochdale.gov.uk](mailto:unison@rochdale.gov.uk) so we can update their membership record

Greater Manchester Citizens, the powerful 2021 Mayoral Assembly event

You are invited to [a briefing for all Greater Manchester UNISON branches about community organising](#), Greater Manchester Citizens, the powerful 2021 Mayoral Assembly event and how we can make Greater Manchester a Living Wage region.

GM Citizens is set to hold the largest event of the 2021 Greater Manchester Mayoral election and will be making asks to the Mayoral candidates on issues including: the Living Wage, the GM Good Employment Charter, clean air, child poverty and mental health.

These are all key issues for your members. It is great to see Greater Manchester Citizens, an organisation we helped launch, build a powerful coalition to pursue these aims - but we cannot leave it to community organisations and faith groups to deliver our aims - UNISON Branches need to be at the forefront. This briefing will outline how your members can be involved.

We'll hear from Greater Manchester Citizens community organiser Furqan Naeem, GM lay-side leaders who have been involved in GM Citizens and UNISON North West Regional Manager Kevin Lucas.

GM Citizens' campaigning work has led to the creation of the Mayor's Greater Manchester Living Wage Region working group and we will also discuss how UNISON branches can be a part of this vital work.

Covid 19 Response Fund

The COVID-19 response fund offers grants of up to £500 to help members whose household incomes have been affected by the pandemic.

In addition to There for You funds, we are very grateful to have received generous grants from UNISON and CHSA (the COVID-19 Healthcare Support Appeal) which enable us to support members who are struggling at this time.

For more information go to:

<https://www.unison.org.uk/get-help/services-support/there-for-you/financial-assistance/>

If you are unable to apply online, please email covidgrantenquiries@unison.co.uk with your name, membership number and address and we will post a form to you.