



association of  
educational  
psychologists

'the voice of the profession'

*[Insert Name of (Director of HR) and (Director of Children's Services)]*  
*[Director of HR and Director of Children's Services (insert alternative titles if different)]*  
*[Insert Name of Council]*  
*[Insert Address of Council]*

Insert Date [(XX XX XX)]

Dear [(names as above)]

**Section 168 of the Trade Union and Labour Relations (Consolidation) Act 1992**  
**Request for Formal Recognition: Association of Educational Psychologists (AEP)**

The purpose of this letter is to seek formal recognition, pursuant to the provisions of Section 168 of the Trade Union Labour Relations (Consolidation) Act 1992 (as amended), on behalf of the Association of Educational Psychologists for the bargaining unit of Soulbury-paid employees.

The AEP represents approximately 93% of all the educational psychologists registered to practise with the Health Professions Council in England and Wales, the vast majority of whom are employed by local authorities.

This significant level of trade union density is reflected locally in your local authority too. In *[Insert Name of Local Authority]*, the AEP has *[Insert number of members]* out of a total educational psychology service complement of *[Insert total number of educational psychologists employed]* staff.

The AEP is one of only four constituent trade unions recognised nationally by the Soulbury Committee Report; the others are the NUT, ASPECT and NAYCEO.

Paragraph 11 of the Soulbury Committee Report states:

*"The Soulbury Committee recommends to local authorities full recognition of those unions and associations represented on the national body. Such recognition includes the provision of facilities for representatives as accorded to other teaching and non-teaching staff unions and regular consultation with representatives on all questions affecting their conditions of service.*

*The Committee wishes to encourage local agreements on the appropriate form such consultation should take, whether this is by a formal joint committee or by some other explicit and effective means of consultation."*

The AEP does not accept that the National Joint Council for Local Government Services trade unions, which may well already be recognised by your local authority, are in a position to represent the interests of AEP members, or Soulbury employees more generally. They do not organise amongst Soulbury employees and have no role on the national negotiating body.

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## Appendix H: Model Section 188 Letter – consultation with the Trades Unions

Ref  
Name  
Email  
Tel  
Ext  
Date

### **Private and Confidential**

Address  
Address  
Address  
Address  
Address

Dear [*\*see below – separate copies to each*]

Re [*name of establishment or service area*]

I am writing to give you formal notice under Section 188(4) of the Trade Union and Labour Relations (Consolidation) Act 1992 that the decision to review / close [*establishment or service area*] may result in a redundancy situation.

I am, therefore, providing the following information as required by statute:

[*details to be filled in under each of the following headings*]

- a. The reason(s) for proposals leading to the potential redundancy situation
- b. The numbers and descriptions of the employees (posts) whom it is proposed are potentially at risk of redundancy
- c. The total numbers and descriptions of the employees (posts) currently affected and in the pool for selection
- d. The total number of employees of any such description employed by the employer at the establishment in question
- e. The proposed method of selecting the employees to be dismissed
- f. The proposed method of carrying out the dismissals, with due regard to any agreed procedure, including the period over which the dismissals are intended to take effect  
Include reference to Change Management Toolkit
- g. Strategies to be adopted to mitigate the effects of the situation
- h. The method of calculating the redundancy payments to be made to employees who may be dismissed

I hope that this information will provide the basis for continued discussion between our representatives. Please contact me if should have any queries on the information contained in this letter.

Yours sincerely

HR Manager

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