

The Highland Council

Minutes of the **Local Negotiating Committee for Teachers** held in Committee Room 2, Council Headquarters, Glenurquhart Road, Inverness on Friday 19 June 2015 at 2.00 pm.

Present:

Representing the Management Side:

Ms J Douglas
Mr B Fernie
Mr M Green
Mr D Millar

Representing the Joint Union Side:

Mr A Bell (EIS)
Ms C McCombie (EIS)
Mrs J Moran (EIS)
Mr N Lumsden (SSTA)

Also Present:

Mr B Alexander, Joint Secretary, Management Side
Mr R Colman, Joint Secretary, Joint Union Side
Mr G Ross, Management Side

Officials in Attendance:

Ms R Binks, Quality Improvement Manager, Care and Learning Service
Ms E Kirkham, Quality Improvement Officer – Strategic Initiatives, Care and Learning Service
Ms A MacPherson, Acting Workforce Planning and Staffing Manager, Care and Learning Service
Ms R Bell, Senior Workforce Planning and Staffing Officer, Care and Learning Service
Ms B Johnstone, HR Business Partner, Corporate Development Service
Miss M Murray, Committee Administrator, Corporate Development Service

Mr D Millar in the Chair

Business

1. Apologies for Absence

There were no apologies for absence.

2. Declarations of Interest

There were no declarations of interest.

3. Minutes of Meeting held on 7 November 2014

The Minutes of the Local Negotiating Committee for Teachers held on 7 November 2014 were **APPROVED**.

4. LNCT 35 – Professional Review and Development Policy and Guidance

In December 2013, as part of the developments required for the validation of Professional Update for Teachers by the General Teaching Council for Scotland (GTCS), a new Policy and Guidance on Professional Review and Development had been drawn up for all teachers in Highland.

Following the new Area management structures within the Care and Learning Service, the Policy and Guidance had been reviewed, reflecting new arrangements for the annual reviews of Head Teachers. The Policy and Guidance had also been amended to take account of GTCS revisions to Professional Update for supply teachers. The revised Policy and Guidance had been circulated.

The Joint Union Side welcomed the revised Policy and Guidance, which was an important document for both managers and teaching staff.

Thereafter, the Committee **APPROVED** LNCT Agreement 35 – Policy and Guidance on Professional Review and Development for Teachers.

5. Supply Teacher Review Group

There had been circulated Report No LNCT/01/15 which provided details on the issues relating to teacher supply in Highland, following a report produced by a working group of the Scottish Negotiating Committee for Teachers (SNCT). In their final report, the group stressed the importance of local authorities identifying appropriate solutions to supply shortages and, where appropriate, in consultation with the LNCT.

The Joint Union Side acknowledged the actions taken to increase the pool of supply teachers available to schools and, in particular, welcomed the provision of arrangements that allowed supply teachers to be involved in the Professional Update process.

Thereafter, the Committee:-

- i. **NOTED** the actions already taken;
- ii. **APPROVED** the planned actions listed in the report; and
- iii. **AGREED** to supply information on any actions taken to the SNCT as and when requested.

6. LNCT 17 – Agreement on the 35 Hour Week for Teachers

The SNCT Code of Practice on Working Time Arrangements for Teachers stated that each educational establishment would prepare an annual programme of activities which required the involvement of teachers. In each school, teachers were to agree the range of collective activities contributing to the wider life of the school on a collegiate basis. The use of the remaining time, ie the time beyond the combined class contact and preparation/correction allowance, was subject to agreement at school level and should be planned to include a range of activities such as additional time for preparation and correction, preparation of reports and records, forward planning, formal assessment and curriculum development, as well as parents evenings and staff meetings, continuing professional development and additional supervised pupil activity.

The existing LNCT Agreement on the 35 Hour Week for Teachers (LNCT 17) had been in place since 2006. The Agreement outlined, for all schools, the breakdown of the working week and provided information on the use of the remaining time. Following discussion at the LNCT Executive, it had been agreed that LNCT 17 needed to be refreshed, updated and re-launched to all schools. It was intended that the profile of Working Time Agreements would be raised as a result and, in addition, there would be an opportunity to emphasise the importance of all teachers being involved in the negotiation of their school's Working Time Agreement, and its importance in contributing to managing workload. The revised LNCT Agreement had been circulated.

The Joint Union Side welcomed the revised Agreement and, in particular, the focus on collegiate working and the process of reaching agreement within schools on the Working Time Agreement.

Thereafter, the Committee **APPROVED** the revised LNCT Agreement 17 – Agreement on the 35 Hour Week for Teachers.

7. Work Plan - Update

i. Review of HR Policies

A number of Human Resource (HR) related policies for teachers and associated professionals were out of date and required to be refreshed. Recent discussions at the LNCT Executive had focused on (1) provision for special leave; and (2) provision for travel and subsistence.

Through the SNCT, separate provision was made for travel and subsistence and although the Council's current policy on travel and subsistence had been presented to a previous LNCT, agreement had not been reached at that time. Negotiations had continued in relation to the provisions for teachers and associated professionals and it was envisaged that agreement might be reached within the next few months. Further discussion between the Council's HR Service and the LNCT Management and Teachers' sides was scheduled to take place on both travel and subsistence and on the current provision for special leave for teachers and associated professionals.

The Committee **NOTED** the position.

ii. Salary Conservation

National Conditions of Service for promoted teachers would change in 2016, resulting in the removal of lifetime conservation. Through retirements and appointments to other posts, the number of individuals affected by this change had reduced over the years. There were now 23 teachers currently employed who would be affected by the removal of this lifetime salary conservation.

Over the course of the last six months, these teachers had all been contacted by letter and had had one to one meetings with the Workforce Planning and Staffing Manager and Principal Teacher Staffing Officer to outline the actions that the Council was taking to try to mitigate the effect of these changes, these being:

- Guaranteed "ring fenced" interviews for available Principal Teacher Posts

- Access to premature retirement compensation if appropriate savings could be identified
- Access to voluntary severance if their post could be declared as surplus

It had been confirmed at the one to one meetings that the Council would write to those teachers affected by this change in the Autumn of the current year indicating what their salary would be with effect from 1 April 2016.

The Committee **NOTED** the position.

iii. **Managing Bureaucracy and Workload**

Following the concerns raised nationally over unnecessary bureaucracy and workload arising from the implementation of Curriculum for Excellence (CfE), a short life working group had been established to identify the main drivers around excessive bureaucracy relating to the implementation of CfE and make proposals for addressing the issues involved. This included highlighting practical examples of good practice in securing the benefits of CfE whilst minimising bureaucracy. The Working Group had issued its report in November 2013 and it had been distributed to local authorities and primary and secondary schools in January 2014.

A follow-up report had been produced in March 2015: <http://www.gov.scot/Resource/0047/00473538.pdf>

The report highlighted specific areas where changes needed to be made to tackle unnecessary bureaucracy. These were in the areas of forward planning; assessment; self-evaluation and improvement processes; and monitoring and reporting. The report also outlined the actions that should be taken in each of these areas and gave examples of good practice. One of the examples provided in the follow-up report was Highland LNCT Agreement 31 – Planning in Primary Schools.

In the summer of session 2013-14, a questionnaire had been issued to all schools asking for suggestions as to what could be done practically to alleviate targeted areas around planning, monitoring and reporting systems and reporting formats. Many returns had been made, although some had still to be submitted. It was intended that these responses from schools would be considered by the LNCT during the course of session 2015-16 in order to identify potential solutions to the issues raised by schools.

In addition, part of the role of the LNCT was to monitor Working Time Agreements for schools and the teacher and management sides of the LNCT intended to continue the joint monitoring of WTAs for 2015-16 in order to identify and share good practice across schools and discuss any issues of concern.

The Joint Secretary, Management Side, emphasised the Council's commitment to reducing bureaucracy and streamlining processes to assist teachers to deliver better learning and teaching. It was critical issue which, if not addressed for the teaching profession as a whole but for Head Teachers in particular, could lead to significant problems in the future. The aim was to take a collaborative approach, not only with teaching staff but with Parent Councils and parents, as reflected in the subsequent item on Reporting.

The Joint Secretary, Joint Union Side, confirmed that workload continued to be a major issue for teachers and the Joint Union Side, through the LNCT, would continue to engage and support actions that tackled unnecessary bureaucracy. It was highlighted that, in 2001, evidence gathered by EIS indicated that teachers were working 42 hours per week. This year, a similar survey indicated that teachers across all sectors were working 46 hours per week, with Head Teachers working 50 to 60 hours per week. This was not sustainable, as evidenced by the increasing number of teachers facing stress-related illnesses.

Thereafter, the Committee **NOTED** the position.

iv. Reporting

Discussions with teachers' side LNCT Members had resulted in agreement that a small working group be formed consisting of officers, head teachers and a representative from the LNCT to consider the systems and mechanisms for reporting to parents so that the best use of teacher time could be made in undertaking this task.

The expectations from Education Scotland in the CfE implementation plan stated that "schools should involve parents in developing more simple and effective means of reporting that emphasise quality of engagement rather than reams of paperwork". Highland's progress to date in this aspect had been:

- To work with practitioners to amend the current reporting format to make it shorter.
- To engage with two parent councils to find out what they would see as an effective reporting process.
- To pilot profiles only rather than the end of term report.
- To make the transition from reporting to profiles, officers had worked with 10 pathfinder schools to look at what made an effective profile. The pathfinder schools would still produce an end of year report but would also engage with "snapshots" to send home.

The plan for session 2015-16 was to:

- Work with schools to establish high quality profiles and the essential elements for ongoing reporting to parents.
- Engage with two pilot parent councils to evaluate their experience from the previous year.
- Ask volunteers from the pathfinder schools to work with their parent councils to trial ongoing reporting.
- Towards the end of the year, invite more schools on board. These schools must have effective profiling already in place.
- Continue to support schools with effective profiling and produce exemplars.
- Several secondary schools had started to use ongoing reporting through SEEMIS. Evaluate their experience with this and, if successful, roll out more widely.

The Joint Secretary, Joint Union Side, confirmed that the Joint Union Side had been involved in the ongoing work on reporting and welcomed the proposals, which represented a practical way to tackle bureaucracy.

Thereafter, the Committee **NOTED** the position.

v. Whole School Reviews of Job-Sizing of Promoted Posts

Job-sizing had first been introduced in 2003 as part of the National Conditions of Service for Teachers as a method of measuring salaries for teacher promoted posts. Over the last 4 years, the Council had re-viewed the job-sizing of not only newly created promoted posts but also any posts which became vacant. This had allowed variations in school rolls to be taken into account when re-sizing posts.

Under the terms of the SNCT, any individual could ask for their post to be re-sized. Criteria, which were set nationally, had to be met in order to proceed with a request from an individual. Local authorities could also review the job-sizing of posts held by individuals but the same national criteria had to be met in these circumstances.

Against the backdrop of some major roll changes across Highland schools, it was now necessary to begin a rolling programme of whole school job-sizing reviews which would be implemented once the census figures for September 2015 were available. An initial assessment based on current whole school information had shown that 8 secondary schools of the 29 would currently meet the criteria for a whole school review. Some local authorities carried out this exercise on an annual basis and that would be the intention for the future.

Head Teachers had been informed that this exercise would be taking place and they had provided their staff with an initial briefing. More specific information would be provided next session to all schools. Any promoted teacher whose salary was reduced as a result of a job-sizing review would be entitled to 3 years cash conservation of salary in line with the national conditions of service for teachers.

The Joint Union Side acknowledged the intention to move forward with job-sizing in the next school session and welcomed the recognition that teachers needed to be kept informed of the process.

Thereafter, the Committee **NOTED** the position.

vi. Budget Update

The Director of Care and Learning explained that the outturn for the Care and Learning Service (the Service) in 2014/15 had been close to a balanced budget position. A number of schools, particularly secondary schools, had worked hard to manage challenging budgets and continued to do so in the current financial year. In terms of the agreed budget measures, the Service was fairly well placed. However, there were some, such as the 33-period week in secondary schools, where insufficient progress had been made to produce savings and alternative measures would have to be identified.

Turning to the following three financial years, the Council had previously agreed an indicative budget and, on that basis, the Service had begun to consider options for discussion with both teacher and other staff-side representatives as

well as Elected Members. However, in recent weeks, the Director of Finance had indicated that policy changes in respect of pensions and National Insurance would result in additional costs. In addition, it was increasingly likely that there would be a reduction in grant funding from the Scottish Government. As a result, the estimated budget deficit was in excess of £40m over the next three years and over £20m in 2016/17. This meant that, instead of approximately 1.5%, it would be necessary to discuss options for savings of 3.5% across the Service as a whole or in excess of 5% if teachers were not included. Re the latter, there would still be an impact on schools as there were a number of other costs associated with learning and teaching.

In relation to teacher numbers, officers were currently working towards the census date in September on the basis of a one-year agreement with the Scottish Government. A mock audit had been carried out that indicated there were slightly more teachers than at last year's census. However, that could change over the summer and, if the September target was not met, there were a number of further challenges including a potential penalty of over £2m on education budgets. It was unclear what the teacher number issue might mean for the Council and the Service budget and it was anticipated that there would be considerable discussion at CoSLA in that regard.

Discussions would take place with the Council's new Administration over the next few weeks to devise a planning timetable and, once that was clear, engagement with the Joint Union side would be very much part of the way forward. The Service was open to suggestions but it was emphasised that the necessary savings were significant and it was important that everyone understood the gravity of the situation.

The Joint Secretary, Joint Union Side, confirmed that the Joint Union side had been very well engaged and that would continue as difficult discussions took place over the next few months. There were specific areas of concern in terms of teacher numbers and delivering the curriculum, particularly in primary schools. The commitment to maintain teacher numbers was welcomed. However, it was highlighted that the number of teachers in Highland had fallen by 200 between 2010 and 2014.

Thereafter, the Committee **NOTED** the position.

The meeting concluded at 2.25 pm.