

The Highland Council

Minutes of the **Local Negotiating Committee for Teaching Staff** held in Committee Room 2, Council Headquarters, Glenurquhart Road, Inverness on Friday 13 June 2014 at 2.00 pm.

Present:

Representing the Management Side:

Ms J Douglas
Mr G Ross
Ms J Slater
Ms M Smith

Representing the Joint Union Side:

Mr A Bell (EIS)
Ms C McCombie (EIS)
Ms A Macdonald (EIS)
Mr D Allan (SSTA)

Also Present:

Mr H Fraser, Joint Secretary, Management Side
Mr A Stewart, Joint Secretary, Joint Union Side
Mr M Green, Management Side
Mr R Colman (EIS)

Officials in Attendance:

Ms A MacPherson, Acting Workforce Planning and Staffing Manager, Care and Learning Service
Miss M Murray, Committee Administrator, Corporate Development Service

Ms A Macdonald in the Chair

Preliminaries

It was explained that Ms J Slater had been appointed as Chair of the Management Side, subject to formal agreement of her appointment as an LNCT Member by the Council on 26 June 2014.

Business

1. Apologies for Absence

Apologies for absence were intimated on behalf of Dr D Alston and Mr A Christie.

2. Declarations of Interest

There were no declarations of interest.

3. Minutes of Meeting held on 8 November 2013

The Committee **APPROVED** the Minutes of the Local Negotiating Committee for Teaching Staff held on 8 November 2013.

4. LNCT 34 – Rationalisation of School Estate – Procedures for the Transfer of Surplus Promoted Teaching Staff

On 16 December 2010, the Council had approved a report outlining a strategic review of education provision which would result in the creation of a sustainable school estate. The overall aim of the strategic review was to develop a school environment which would sustain and improve education provision, pupil performance and outcomes for young people in Highland.

In November 2013, the LNCT had approved a paper outlining the procedures for the appointment of teaching and promoted staff (Primary) to a new school following a strategic review of education provision within an Associated School Group.

In some circumstances, following the appointment of promoted staff associated with the rationalisation of the school estate, there might be surplus promoted staff and there had been circulated a paper providing details of the proposed procedures for the transfer of surplus promoted primary teaching staff.

The Joint Secretary, Management Side summarised the proposed Agreement, which covered matters such as definition of surplus; identification of the post holder to be transferred; consultation with Parent Councils; transfer procedures; salary conservation; travelling expenses; and right of appeal. The Agreement had been worked through by both the Management Side and the Joint Union Side at the LNCT Executive Group and it was considered that it set out a clear and reasonable approach to the transfer of surplus promoted teaching staff.

The Joint Secretary, Joint Union Side commented that the transfer procedure for non-promoted staff was relatively straightforward. Promoted staff presented a different dynamic as not all Depute Head or Head Teacher posts were the same and it had therefore been more difficult to reach an agreement. Where there was more than one surplus teacher and only one vacant post, it was necessary to have a process as to which member of staff would be transferred in to the post and this was set out in paragraph 5.7 of the Agreement. It was not quite so clear what happened when there was only one surplus teacher and one post although the inclusion of the word “suitable” in paragraph 5.4 covered that to an extent. It was not anticipated that the procedures would be required very often. However, it was important that the document was clear to those reading it and it was suggested that a more logical approach would be to change the order of the paragraphs to 5.9; 5.10; 5.8; and 5.7.

Thereafter, the Joint Secretary, Management Side having confirmed that he was in agreement with the suggestion, the Committee **APPROVED** LNCT Agreement 34 - Procedures for the Transfer of Surplus Promoted Teaching Staff (Primary), subject to the running order of the paragraphs being amended to 5.9; 5.10; 5.8; and 5.7.

5. LNCT 23 (Revised) – Appointments Procedures – Head and Depute Head Teachers

LNCT Agreement 23 had been in place since 2007 and, as a result of changing circumstances, both locally and nationally, it had been necessary to review the procedures for appointing Head and Depute Head Teachers. The revised Agreement had been circulated.

Primarily, the revisions related to how candidates' professional competence was assessed. Currently, they were assessed by attending a professional interview which was necessary for every position an individual applied for. It was proposed that this was replaced with assessment exercises carried out following completion of a number of leadership development training events. The revised Agreement allowed for the same kind of assessment to be carried out for external applicants.

Following successful completion of the assessment exercises, candidates would be eligible to be considered for Head Teacher and Depute Head Teacher posts for a period of two years. If shortlisted and selected for interview during that period, candidates would attend an Appointment Panel interview for the position applied for.

The Joint Secretary, Management Side summarised the revised Agreement, which had been worked through in conjunction with the Joint Union Side, highlighting, in particular, the assessment activities based on the General Teaching Council for Scotland Standard for Leadership and Management. The role of the Parent Council or Parent Forum in the meeting and interview process remained the same, the Appointment Panel would continue to be advised by officers and there would be LNCT representation at the final interview as at present. In relation to Primary Head Teacher posts, the Appointment Panel had previously been chaired by the Chair or Vice Chair of the Education, Children and Adult Services Committee. However, there was now an element of flexibility in that it could be chaired by an Elected Member from the relevant Ward. In the event that an Appointment Panel failed to reach a consensus, only Elected Members and Parent Council Members would have vote, the Chair having the casting vote if necessary.

The Joint Secretary, Joint Union Side welcomed the revised Agreement which should lead to improvements in procedures. Both the Management and Joint Union Sides had been keen to have it approved and there had been a number of last-minute textual amendments prior to the meeting. In that regard, reference was made to the final two bullet points in section 2 where the word "issues" had been replaced with "challenges". In terms of "dealing with curricular and learning and teaching challenges" it was accepted that "challenges" was appropriate. However, in relation to "dealing with staffing challenges", it was considered that "issues" or "matters" would be less confrontational.

The Joint Secretary, Management Side explained that it had been felt that "challenges" was more robust as issues could be low or high level. However, he was content to revert to "issues".

Thereafter, the Committee **APPROVED** LNCT Agreement 23 (Revised) – Appointments Procedures – Head and Depute Head Teachers, subject to the final bullet point in section 2 being amended to "dealing with staffing issues".

6. Remote School Allowances

The Scottish Negotiating Committee for Teachers (SNCT) required Councils to regularly review the schools entitled to remote school allowances, based on national criteria relating to teacher numbers, proximity to other schools and public transport routes.

The schools entitled to remote allowances for the current school session had been reviewed and the list had been circulated. In summary, Gergask and Strontian

Primary Schools were no longer designated remote schools and the allowances for Shieldaig, Struan, and Scourie Primary Schools had moved from the higher rate to the lower rate.

The Committee **APPROVED** the list of schools entitled to remote school allowances for session 2013/14.

7. Budget Update

The Director of Education, Culture and Sport explained that the Council, in common with all other local authorities in Scotland, was facing a significant budget gap over the period 2015/16 to 2018/19. The Council's approach consisted of two principal strands, the first being to examine a range of potential proposals for efficiencies and business improvement. The second was a targeted approach to each Service with, for example, a 2% savings target in 2015/16 and 1% in subsequent years to the end of 2018/19. Budget consultation meetings examining potential options were currently taking place throughout the Council area but it was emphasised that there were no firm proposals at this stage. Parent Councils would have a specific role in the consultation and discussions would take place with Head Teachers and the LNCT Joint Union Side in due course. Once the consultation exercise was complete, a view would be taken on which options would be worked up in detail and there would then be further discussions. It was anticipated that the first budget setting meeting would not take place until December 2014. The process was at an early stage and there was a significant amount of work to be undertaken.

The Committee **NOTED** the position.

8. Work Plan

i. Professional Update for Teachers

At the Adult and Children's Services Committee on 22 May 2013, Members had been advised of the introduction of the Professional Update for Teachers and, in noting the implications for the Council and its teachers, had agreed to the involvement of the Council in Phase 2 of the General Teaching Council for Scotland Pilot.

Plans were now well underway to roll out the Professional Update to all schools, beginning in August 2014 and ending in session 2018/19 when all teachers would be part of the process. During the course of the current session, the Council was a pilot local authority and this would assist in further preparing and planning for the roll out to all schools. Training for staff on the new process was being provided and a new Professional Review and Development Policy for teachers had been developed to support its implementation. The LNCT would continue to support and monitor the implementation of the Professional Update for Teachers during the course of session 2014/15.

The Committee **NOTED** the position.

ii. Salary Conservation

At the last meeting of the LNCT, it had been reported that National Conditions of Service for promoted teachers would change in 2016, resulting in the removal of

lifetime conservation. In November 2013, 40 promoted teachers were recorded as being affected by this change. Through retirements and appointments to other posts, this number had reduced to 30 and it was anticipated that by 2016, as a result of continued movement of staff, this number would reduce further.

The SNCT exhorted Councils to use their best endeavours to manage the process of change, which would involve working with Trade Unions, through LNCT structures, on the impact on promoted post holders arising from school rationalisation, management restructuring, job sizing and re-sizing. Steps would be taken during session 2014/15 to meet with each teacher affected by this change to discuss the effect on individuals and explore possible ways of minimising the impact.

The Committee **NOTED** the position.

iii. Tackling Bureaucracy and Monitoring Workload – Working Time Agreement

Following concerns 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 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.

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 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 for parents evenings, staff meetings, continuing professional development and additional supervised pupil activity. Part of the LNCT role was to monitor Working Time Agreements (WTAs) for schools and it was proposed that the Joint Union and Management Sides jointly monitor WTAs for 2014/15 to identify and share good practice across schools and discuss any issues of concern.

The Joint Secretary, Joint Union Side commented that this was a significant issue. Concerns were increasingly being raised by teachers about the extra work being generated for a variety of reasons and there was a need to revisit the WTA and examine the Education Scotland report on tackling bureaucracy relating to CfE. This tied in with the subsequent item on reporting which was becoming a very time consuming exercise for teachers.

Thereafter, the Committee **APPROVED** the proposal.

iv. Reporting

Reporting to parents was an important aspect of a teacher's role and currently there was concern about the time taken for the creation of pupil reports. It was proposed that the system and mechanisms for reporting to parents be examined to ensure the best use of teacher time in undertaking this task.

The Committee **APPROVED** the proposal.

Following the conclusion of formal business, the Chairman indicated that both Joint Secretaries would shortly be retiring and, on behalf of the Committee, she expressed thanks for the constructive way in which they had managed negotiations over the years, both at the formal LNCT and behind the scenes.

The meeting concluded at 2.40 pm.