

**The Highland Council**

Minutes of the **Local Negotiating Committee for Teachers** held in Committee Room 1, Council Headquarters, Glenurquhart Road, Inverness on Friday 6 November 2015 at 2.08 pm.

**Present:**

**Representing the Management Side:**

Mr D Millar  
Mr B Fernie  
Mr S Fuller  
Mrs B McAllister

**Representing the Teachers' Side:**

Mr A Bell (EIS)  
Ms C McCombie (EIS)  
Ms A MacDonald (EIS)  
Mr A Sutcliffe (SSTA)

**Also Present:**

Mr B Alexander, Joint Secretary, Management Side  
Mr R Colman, Joint Secretary, Teachers' Side  
Mr S Tillman (EIS), Teachers' Side

**Officials in Attendance:**

Mr J Steven, Head of Education, Care and Learning Service  
Ms R Bell, Policy Officer, Care and Learning Service  
Ms A MacPherson, Acting Workforce Planning and Staffing Manager, Care and Learning Service  
Ms B Johnstone, HR Business Partner, Corporate Development Service  
Mr A MacInnes, Administrative Assistant, Corporate Development Service

**Ms A MacDonald in the Chair**

**Business**

**1. Apologies for Absence**

Apologies for absence were intimated on behalf of Mrs F Robertson and Mr A Christie of the Management Side and Mr A Whiteford (EIS) of the Teachers' Side.

**2. Declarations of Interest**

There were no declarations of interest.

**3. Minutes of Meeting held on 19 June 2015**

The Minutes of the Local Negotiating Committee for Teachers held on 19 June 2015 were **APPROVED**.

Arising from the minutes the following matter was raised:-

Item 5 – Supply Teacher Review Group – insofar as the actions taken by the Council to increase the pool of supply teachers available to schools, the Teachers’ Side advised that schools were still experiencing significant difficulties in obtaining supply teachers and this was an ongoing concern.

#### **4. 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 of those entitled had been circulated. In summary, one school had been removed from the list, one had been added, three schools had increased from the lower to higher rate and two schools had moved from the higher to the lower rate. These changes were generally as a result of the provision of public transport routes as determined by SNCT Conditions of Service.

The Committee **APPROVED** the list of schools entitled to remote school allowances for session 2015/16.

#### **5. Budget Update**

The Director of Care and Learning explained that a budget gap of £46million was projected over the next three financial years. This was based on changes to staff terms and conditions on pensions, national insurance, pay and a predicted reduction in Local Government grant of 1.6%. It was expected that the Local Government grant settlement would be known in mid December, which would allow the Council to firm up on its proposals to ensure a balanced budget. The Council would set its budget at the end of February, 2016. Of immediate concern was the budget gap of £21million in 2016/17 and the Executive Leadership Team were currently focusing on this, and Services budgets would be reduced by 6%. In Education this amounted to £7million and in Additional Support Needs it amounted to £2million. Work on measures to close the budget gap was continuing and meetings with the Teachers’ Side would be held to discuss the proposals.

The Teachers’ Side valued and acknowledged the ongoing engagement with the Council in terms of the challenging and significant budget pressures that the Council was facing. The impact of budget pressures on schools and teachers was also acknowledged. Any further reductions to the resources in staffing would add to the challenge faced by schools and teachers who were committed to delivering the highest quality of education for young people in the Highlands. The Teachers’ Side noted that in the latest census, teacher numbers in Highland showed an increase from September 2014 and this was welcomed. The Teachers’ Side encouraged the Council to at least maintain and if possible improve on this in the coming year.

The Committee **NOTED** the position.

## 6. Work Plan - Update

### i. Review of HR Policies

It had been agreed at the formal LNCT on 19 June 2015 that 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 focussed on (a) provision for travel and subsistence; and (b) provision for special leave:-

#### a. LNCT 36: Travel and Subsistence

In 2007, all Highland Council employees, with the exception of Teachers and Associated Professionals whose terms and conditions were covered by the SNCT, moved to the Highland Council's corporate Travel and Subsistence Policy, with the exception of entitlement to claim subsistence for attending parent's evenings.

Agreement had now been reached on transitional arrangements and the process to transfer Teachers and Associated Professionals to the corporate scheme.

The new arrangements replaced the existing arrangements contained in Section 5.1.10 Travel and Subsistence Expenses for teaching staff within the Highland Council Administration and Policy Handbook and represented a variation by local agreement to the national conditions contained in Sections 14.4 Travelling Expenses, 14.5 Car Allowances, 14.6 Subsistence Allowances of the SNCT Handbook. The LNCT would review annually rates payable under this agreement. Any increases agreed would be payable from 1 April.

The Teachers' Side agreed that there was a need to ensure that HR Policies for teachers were up to date. This agreement was welcomed by the Teachers' Side as there had been no increase in Travel and Subsistence rates for a number of years and had left many teachers significantly out of pocket and teachers would welcome this agreement.

The Committee **APPROVED** LNCT Agreement 36: Travel and Subsistence Policy as circulated.

#### b. LNCT 37: Special Leave Policy

The new agreement replaced the existing arrangements contained in Section 5.2.1 Scheme for Special Leave of Absence (Teachers) within the Administration and Policy Handbook and had to be applied in conjunction with Part 2, Section 9, Paragraphs 9.19 and 9.20 of the SNCT Handbook.

The policy encompassed statutory entitlements for special leave and indicated where special leave would be granted with or without pay. Generally a decision as to whether or not to grant special leave would be determined by the needs of the Council, the Service, the length of absence and having due regard to the particular circumstances of the teacher with further specific criteria being given in the policy. The Director of Care and

Learning would delegate to Head Teachers and/or Area Managers the power to grant special leave.

As a general principle, teachers should not make personal arrangements which conflicted with their contractual requirements in terms of their attendance at their workplace. Personal arrangements including such occasions as weddings, graduations and house removals (with the exception of those that fell within the terms of the relocation and removal policy), should be avoided except in circumstances where neither careful planning nor reasonable foresight could have avoided the need to request special leave.

An amendment in the Policy was highlighted under section 5 Public Duties, sub paragraph (b) Member of a Local Authority, and it was advised that this sub paragraph should be removed from the Policy. However, it was queried if a teacher could be a member of another Local Authority. It was suggested that this be clarified by the Joint Secretaries of the Management Side and Teachers' Side and the Policy amended.

The Teachers' Side welcomed the Policy and the fact that it acknowledged that terms and conditions for teachers were different.

The Committee **APPROVED** LNCT Agreement 37: Special Leave Policy as circulated, subject to it being delegated to the Joint Secretaries of the Management Side and Teachers' Side to clarify whether time off for teachers was allowed if they were a Member of another Local Authority.

## ii. **Salary Conservation**

National Conditions of Service for promoted teachers would change from 1 April 2016, resulting in the removal of lifetime salary conservation. It had been reported at formal LNCT on 19 June 2015 that there were 23 teachers currently employed who would be affected by the removal of lifetime salary conservation.

The Council had now clarified the position of each teacher affected and, following consultation with the teaching unions through the informal LNCT, a negotiated position with regard to salary placement for those affected by this change had been reached.

The Council would now be writing to all affected teachers during the current term to confirm their salary and contractual position.

The Committee **NOTED** the position.

## iii. **Managing Bureaucracy and Workload**

### a. **Managing Working Time Agreements (WTAs)**

The Teacher and Management Sides of the LNCT continued the joint monitoring of WTAs for 2015-16 in order to identify and share good practice across schools and to discuss any issues of concern. It was also planned to include WTAs as an agenda item at future Head Teacher meetings to continue to raise the profile of workload issues for teachers.

The Teachers' Side acknowledged the importance of WTA as a means of addressing workload issues for teachers and schools. There was clear evidence that in many schools there was effective and meaningful consultation and the resultant WTA was one of a number of measures which helped to control workload. This good practice was not as widespread as was hoped, but the Teachers' Side would continue to work with the Council on sharing this best practice.

The Committee **NOTED** the position.

**b. SNCT 15/54 Pay and Conditions of Service Agreement 2015 – 2017**

As part of the above agreement, a statement and principles for managing teacher workload had been agreed which both sides of the LNCT were committed to adopting as a means of continuing to manage teacher workload and levels of bureaucracy.

The Committee **NOTED** the position.

**iv. Reporting**

The expectations from Education Scotland in the Curriculum for Excellence implementation plan stated that “schools should involve parents in developing more simple and effective means of reporting that emphasised quality of engagement rather than reams of paperwork”. Highland’s progress to date in this aspect had been:

- To continue to work with schools to establish high quality profiles and the essential elements for ongoing reporting to parents.
- To engage with two pilot parent councils and evaluate their experiences from the previous year in relation to reporting. In November 2015 the Authority would attend both Parent Council meetings to gather feedback.
- A profiling meeting had been arranged for November where a PowerPoint would be shared on how pathfinder schools would engage with parents to trial ongoing reporting.
- Towards the end of the year, it was intended to invite more schools on board. An audit tool had now been designed which would allow schools to check if effective profiling was already in place in their schools.
- A profiling package had also been developed and workshops would be delivered to schools in term 4 to support effective profiling.

The Teachers' Side advised that they were committed to involvement in this very important work.

The Committee **NOTED** the position.

**v. Whole School Reviews of Job-Sizing of Promoted Posts in Schools**

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 finalised with the Scottish Government.

A work plan and timetable for the remainder of the session would then be drawn up in terms of secondary schools that met the criteria for review. Head Teachers had been briefed and a full communication exercise would be undertaken with the schools affected.

Any promoted teacher whose salary was reduced as a result of a job sizing review would be entitled to three years cash conservation of salary in line with the national conditions of service for teachers.

The Teachers' Side acknowledged that this was a major exercise for the Council to undertake and acknowledged that it was being carried out within the terms of the SNCT criteria. It was important that schools and teachers were kept briefed on progress.

The Committee **NOTED** the position.

**vi. The Impact of Poverty on Education – Briefing on EIS Report (provided by the Joint Secretary, Teachers' Side)**

In presenting the document on 'The Impact of Poverty on Education' the Teachers' Side aimed to raise awareness amongst Elected Members on the issue of child poverty. A survey undertaken in 2013 showed that there were 6500 children in Highland living in poverty. The document covered a wide range of poverty related issues and gave access to various tools and equipment for learning. The document's strength was that it spoke directly to teachers in schools. If the document was acted upon it could make a real difference for children, families and communities in Highland.

The EIS guidance would be useful to schools and teachers who worked day to day with children and young people whose educational success was challenged by the fact that they and their families were poor. At authority level, the booklet could provide a useful framework for "poverty proofing" policies and initiatives.

The full report could be viewed at:

[http://www.eis.org.uk/Campaigns/Child\\_poverty.htm](http://www.eis.org.uk/Campaigns/Child_poverty.htm)

The Management Side welcomed the document and highlighted that one of their main priorities was helping children and families in poverty. A copy of the document would be issued to all Members of the Education, Children and Adult Services Committee. Copies could also be made available to any other organisation or group with an interest in this matter.

The Committee **NOTED** the position.

**vii. SNCT 15/54 Pay and Conditions of Service Agreement 2015-2017**

The agreement reached demonstrated the benefits of Government, employers and teachers working together positively in the face of difficult financial circumstances. The agreement on a 1.5% pay uplift from 1 April 2015 to 31 March 2016 and a 1% pay uplift from 1 April 2016 to 31 March 2017 was the best deal that could be achieved through negotiation and it was emphasised that it exceeded the pay policy applied by the Westminster Government.

The Teachers' Side advised that in addition to the agreement on pay, there were two other elements on the agreement to pay and conditions of service, firstly a statement on the principles of teacher workload and secondly an evaluation and review of the impact of the recommendations of the Supply Teacher Working Group which would be concluded in 2016 and would hopefully address any ongoing issues in the delivery of supply teachers.

In terms of the modest pay uplift, teachers over the past ten years had seen a significant decline in their relative pay status. The downside to this was that the profession would seem less attractive to potential entrants and there was already evidence of teacher shortages. There was also disappointment that the pay increase and back pay would not be paid to teachers until December, 2015.

The Committee **NOTED** the position.

The meeting concluded at 2.35p.m.