

Draft Interim School Teachers' Pay and Conditions Document 2014

May 2014

UCAC | yr undeb sy'n diogelu athrawon a darlithwyr Cymru

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UCAC welcomes this opportunity to comment on the Draft Interim version of the *School Teachers' Pay and Conditions Document 2014*.

1. Section 1 Introductory

Page 2 – the reference in the 2013 Document to model pay statements has been removed. Will there be **model pay statements** available on the Government's website?

2. Section 2 – STPCD 2014

Part 2 Leadership Group Pay

- a) 4.1 should read "...have significantly changed *on or after 1 Sept. 2014*."
- b) 4.2 This seems to allow for reviewing pay of leadership group posts without going through a restructuring process, etc. This should be part of a proper process with consultation.
- c) Para.19.2 (b) should end with "*in making their decision*" for consistency with the same paragraph about decisions on teachers' pay progression.
- d) UCAC is concerned that the way remuneration is calculated does not allow head teachers taking on responsibility for more than one small school to be properly rewarded for the challenges they face. Taking on responsibility for 3-4 small schools in rural Wales could still mean a unit score in Group 1, though the head teacher would be responsible for 3-4 schools and sites. UCAC feels that there should be an assumption of a higher pay range if taking on extra schools. We believe that the principles reflected in the STRB's 23rd Report are not reflected here. We welcome the fact that there will be a Toolkit for schools giving advice on the Three Stage Process and the fact that there will be an opportunity to comment on the Toolkit. We hope the Toolkit will make full use of the STRB's recommendations.
- e) It appears, as things stand within the Document, that the Department has removed the structure and not given sufficient guidance.

3. Part 4 – Allowances and other payments

- a) 20.2 The TLR range is included – we will expect any pay rise to affect TLR payments too.
- b) UCAC believes that it should be noted clearly **in this section** that TLR 3 is not paid on a pro rata basis to part time teachers.

4. Part 5 Safeguarding

- a) It is a good idea to consolidate all the references to Safeguarding into one section to avoid repetition and to make it easier to find all the relevant information about safeguarding.
- b) **Safeguarding SEN Allowances:** para.31.1 – 31.5 – there is no reference here to SEN allowances, though there are references to TLRs and unqualified teachers' allowance.
 - An SEN allowance forms part of a teacher's remuneration in exactly the same way as a TLR allowance and there should be no distinction between them where safeguarding is concerned; the same rules should apply.
 - During our discussion, the Department's view was that SEN allowances are not subject to safeguarding. UCAC disagrees with this interpretation. It is UCAC's view that only the SEN Safeguarding, that came about due to the changes to the SEN Allowances (spot values instead of two allowances), was to come to an end on 31 August 2013; SEN allowances changed for other reasons or at any time in the future would still be subject to Safeguarding.
 - The section on *General Safeguarding post January 2006* in the 2013 Document referred to SEN Safeguarding as well as TLR and unqualified teachers' allowances and safeguarding until "the third anniversary...." There is a reference to SEN Safeguarding in this section of the 2013 Document, p.39, para.34.3 c). Some of the information from this section has been included at the beginning of the new Safeguarding section but the information about SEN Allowances is not included in paragraphs 31.1 – 31.5 (2014). UCAC believes it should be included.

- The **2012 Document** refers to the end date for safeguarding as 31 August 2013, based on changes from the former SEN Allowances to spot payments. This reference is not included in the **2013 Document** as that date is passed and it is no longer relevant; but the **2013 Document** still refers to SEN Safeguarding, as it rightly should.
- The sections on SEN need to be clarified and properly included in the 2014 Document, e.g. see **2013 Document**, p.39, para.34.3 c), 34.6.

34.3 The relevant body must determine in relation to the teacher-

- (a) the salary that applies to the teacher in the new post
- (b) any TLR that applies to the new post.....
- (c) any SEN allowance that applies to the new post in accordance with para.graph 27; and the teacher is entitled to a safeguarded sum (“the third safeguarded sum”) in respect of the difference in value between that SEN allowance and the value of any SEN allowance of a higher value that was paid in relation to the old post or, if no SEN allowance is awarded under this para.graph, in respect of the SEN allowance that was paid in relation to the old post;
- (d) in the case of an unqualified teacher, any allowance payable.....

Reduction in the value of the safeguarded sums

34.4 The first safeguarded sum must be reduced by the value of any TLR or SEN allowance awarded to the teacher by the relevant body.....

34.5 If the relevant body subsequently awards the teacher a TLR of higher value than the TLR awarded under para.graph.....

34.6 If the relevant body subsequently awards the teacher a SEN allowance, or one of higher value than the SEN allowance awarded under para.graph 34.3(c), the third safeguarded sum must be reduced by the value of the SEN allowance or by a sum equal to the difference between the two allowances, as the case may be.

- c) 31.3 – UCAC believes that it should be made clear that a fixed term allowance should be safeguarded for the term of the contract / fixed term; this should apply to fixed term TLR 3. A fixed term contract is a legal contract.
- d) 33.1 f) – need to add “*if applicable*” before “*the circumstance the occurrence of which*”
- e) 34.1 i) – shouldn’t this be if the pay is more than the total remuneration before qualifying, as an unqualified teacher with an allowance can earn more than a Newly Qualified Teacher?
- f) 35.1 For ease of reference and clarity, we think there should be a clear reference here to the three years’ duration / anniversary, not just a reference back to para.34.1 a)
- g) Some sentences are over long and would be easier to follow if divided into more than one sentence, e.g. para.36.1
- h) 37.1 – the addition at the end is an improvement.
- i) 40.5 – the wording should be similar to 37.1 – for clarity and consistency.

5. Part 7 – contractual framework for teachers (p.38)

- a) We welcome the change in wording in paragraph 48.2 from “work carried out at school and elsewhere” to “between work and other commitments”.
- b) 51.2 (p.40) UCAC objects to this being included in the new Document: “If the head teacher is absent from the school a deputy head teacher or (if there is no deputy head teacher or the deputy head teacher is also absent) **the relevant delegated person** must undertake their professional duties to the extent required by the head teacher or the relevant body..” How does the Department define “relevant delegated person”? There is no definition within the document. What are the Department’s guidelines for this role? What would be the limits of this person’s responsibilities? How long is the maximum time for delegating in such a way? There are too many unanswered questions and this appears to imply a fundamental change to the roles and responsibilities of classroom teachers. This is an unfair addition and, as far as we are concerned, one that has not been previously discussed.
The corresponding paragraph in the **2013 Document**, para.49.2 (p.50) states: “If the head teacher is absent from the school **a deputy head teacher** must undertake their professional duties to the extent required by the head teacher or the relevant body..” The change makes it easy for the Governors /

head teacher to assume that someone apart from a deputy head teacher will carry out the duties of a head teacher and to avoid appointing a deputy head teacher at a school. There should be a reference within the Document, possibly under Professional responsibilities of the head teacher, to the need to produce an annual calendar of events.

- c) 53.1 b) whose – not who
- d) 54.5 – as Section 4 guidance is being removed more detail should be included here – e.g. the frequency of PPA / regular, in slots of more than 30 minutes, so as to avoid bolting it on at the beginning or end of term. Many teachers will be in a vulnerable position and could face having PPA time bolted on at the beginning or end of term, if these points are not included; unattached teachers working for a local authority may be particularly at risk of losing regular PPA time. The purpose of PPA time will be undermined unless these details are included.
- e) 54.8 – as the list of clerical and administrative tasks is being removed, as well as the Guidance in Section 4, we feel that we need more detail here about identifying unnecessary tasks; perhaps using the questions included in the current Section 4 Guidance.
- f) Paragraphs about 54.4 – 54.10 do not contain sufficient information, considering the removal of Section 4 Guidance. There should be greater detail within the new Document or it should be noted that the Guidance in Section 4 of the 2013 Document is still relevant.
- g) Some details from the Section 4 Guidance in the 2013 Document are not dealt with at all in this Interim Draft version of the 2014 Document, e.g. gained time, the rights of supply teachers (p105 para.81-84 of the 2013 Document), the deployment of HLTAs, dedicated headship time. Those issues which are covered are not covered in sufficient depth to give necessary guidelines about teachers' overarching rights and responsibilities.
- h) Page 60 – TLR – paragraph should refer to **para. 20 not 24**.

6. Section 3 – Guidance

- a) References to ISR removed in the Document but there is a reference in para.7, p63, to ISR.
- b) Para.38 – UCAC believes that TLR 3 should be safeguarded for the remainder of a fixed period of a contract.
- c) Para.53 page 71 – the reference to not making participation in a salary sacrifice scheme a pre-condition for making an offer of employment to a prospective employee, or a pre-condition for promotion or some other advantage for an existing employee (P 90, para.85 2013 Document). The choice should be the employee's.
- d) Page 73, para.65 – need to add here that TLR 3 is not paid on a pro rata basis.
- e) Page 77, para.79 – keeping the sentence that explains pro rata basis of directed time would be useful.
- f) Page 79 – should include a reference and links to the relevant Welsh Regulations.

7. Deletion of Section 4 Guidance

- a) Nothing of the Section 4 guidance appears within the body of the document as it stands.
- b) Will this guidance be available and seen as current on the Department's website?
- c) UCAC feels that there are ways of including brief but useful references within the document and that the following are very important:
 - School calendar – duty of head teacher
 - More detail about how to define purely administrative and clerical tasks
 - Work life balance issues
 - Leadership, management and headship time
 - PPA – as mentioned above
 - Assigned teachers / role of HLTA, etc
 - Supply teachers and their rights

8. Order of information

We suggest that in **Section 3 Guidance** it would make more sense to deal with all basic remuneration issues first before moving on to allowances, safeguarding etc. We suggest, therefore, moving *Teachers paid on the pay range for leading practitioners; unattached teachers; and part time teachers' remuneration*

to before the section on allowances and other payments, i.e. moving to page 67. Other changes in order appear reasonable and sensible.

9. Publication

UCAC is disappointed that there will be no work carried out on a Welsh language version of the Document until the final English language version is complete. The Welsh language version of the Document is usually ready much later than the English language version and there is never any time for the Department to trial the Welsh language version.

UCAC believes that if a Welsh language version were ready at the next stage, i.e. when the draft may only need a few minor changes, that would allow time for at least some schools working through the medium of Welsh to comment on any problems. It will be too late by September or October.

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