

Dudley Metropolitan Borough Council

Select Committee on Lifelong Learning – 25 January 2005

Report of the Director of Education and Lifelong Learning

Remodelling the School Workforce

Purpose

1. The purpose of the report is to inform the Select Committee of progress relating to remodelling of the school workforce with reference to classroom support staff.

Background

2. On 15 January 2003, the Government, local government employers' representatives, and school workforce representatives signed a National Agreement that will raise standards in schools by tackling workload and freeing teachers to focus on teaching and learning. The National Agreement has a number of key features, which include contractual changes for teachers and a progressive reduction in teachers' overall workload that will lead to changes in support staff rôles.
3. As a result of the National Agreement, support staff in schools will have the opportunity to undertake extended rôles, to receive relevant training and to operate within a coherent career structure. This initiative also gives the opportunity to review remuneration; this has been a longstanding issue raised in Dudley by support staff representatives. The National Agreement also aims to promote equality and consistency for support staff in schools.
4. The National Agreement specifies changes to teachers' contractual terms and conditions but, importantly, does not set out national arrangements for support staff. Rather, the DfES expects each local authority to reach a local agreement.
5. The Council was awarded Beacon Status for Transforming the School Workforce in April 2004.

The Dudley approach to reaching a local agreement

6. A group consisting of headteacher representatives, union representatives and personnel colleagues was established shortly after the National Agreement was signed. The group was extended at a later date to include representatives from the Early Years and Childcare Development Team, and the Community Education and Development Division. The group has been developing a local framework that meets the requirements of the National Agreement and addresses the following issues:
 - a grading and qualification framework for support staff in schools based on NJC guidance and tailored to meet the needs of Dudley schools;
 - how existing staff will assimilate to this new grading structure;
 - exploration of an automated grading system to reflect the diverse rôles within schools, to give consistency and complement the adopted job evaluation system under single status; and
 - the provision of guidance for headteachers and governing bodies schools in remodelling their workforce.
7. All headteachers were asked to comment upon model job descriptions and headteacher representatives were consulted through the Headteachers' Consultative Forum. A small group of representative governors were consulted. This consultation achieved consensus on the suitability of the proposals.
8. Following on from this work, formal negotiations had to be undertaken between the Council and the recognised unions (the GMB and Unison) on the details of the proposed Dudley Scheme and the salary levels. A Council Negotiating Team led by the Head of Education Personnel and supported by headteacher representatives (professional associations and nominated headteachers). Over a period of one week in October 2004, intensive negotiations took place to develop proposals which were put to the memberships of the unions in the form of a ballot.
9. Negotiations with support staff representatives included discussion on:

- salary grades for each level;
 - salary abatement for term time only working/reduced hours;
 - payment of special needs allowances;
 - introduction of additional responsibility points;
 - salary protection for existing staff;
 - implementation date; and
 - the assimilation and appeals procedure.
10. Following the negotiations in October, a proposal was agreed which the unions felt able to put to their members. A series of road shows for the affected staff took place in November, jointly addressed by the Director and GMB and Unison representatives.
11. A copy of the proposed Dudley Agreement is attached at Appendix 1.
12. The outcome of the ballots were that the GMB accepted the proposal, but that Unison has rejected the proposals. The overall vote was in favour of the proposals.

The next steps

13. Following careful consideration of the position and further discussion with the unions, and taking into account the negotiations, the affordability of the proposals, and the need to implement the National Agreement, the Council has decided that it can afford no increase in the costs of the proposal. Unison will now ballot further on the existing proposal after which a final decision will be made by the Council on the way forward.

The assimilation of existing staff to the new structure

14. The following principles will apply when assimilating staff to the new structure:
- no employee will suffer a financial detriment;
 - the assimilation process will be based on current duties and responsibilities;
 - existing staff being assimilated will not be subject to the qualification requirement set out in the new agreement;

- employees may be accompanied by a colleague or trade union representative at both the initial assimilation meeting and any appeal;
 - the initial assimilation decision will be that of the headteacher and line manager; and
 - any salary changes resulting from the assimilation will be backdated to the date of the agreement.
15. All new appointments will be made to the new structure.

Future Plans

16. There will be a need to further develop the framework to incorporate the rôles of other support staff within schools including curriculum resource posts, higher level administrative posts and rôles that fall within the behavioural strand of the National Agreement.
17. Work will also continue to develop the system designed by ICT Services with the intention that this will facilitate personnel management within schools.

Timescales

18. The proposed Dudley Agreement will be approved through Decision Sheet by the Cabinet Member for Personnel in consultation with the Cabinet Member for Education and Lifelong Learning. Following this, the scheme will need to be formally adopted by governing bodies.
19. The scheme will be effective from 1 January 2005, and assimilation will be backdated to this date.

Financial implications

20. The introduction of the new framework will have financial implications for both schools and the Council, particularly in the short term. In the longer term, there will be incremental costs but these will be offset to a certain extent by savings made through a reduction in the volume of supply teaching required and through the restructuring of schools enabling teachers to focus on teaching and learning.

21. From April 2005 schools will receive a minimum additional cash budget revenue per pupil of 5% for primary schools and 4% for secondary schools, in part, to help to fund changes arising from the National Agreement. The Cabinet has resolved its intention to 'passport' the full increase in the Schools Formula Spending Share (FSS) to the Schools Budget and this will increase all schools' budgets above the minimum. In addition, any school experiencing financial difficulties will be eligible for LMS support mechanisms.
22. It is impossible to assess precisely the cost impact of the Dudley Scheme as this depends on the details of case-by-case assimilation. However, the best estimate is that the cost of implementing the Dudley Scheme will be between £2.0 million and £2.5 million, with a cost of between £0.2 million and £0.25 million for centrally employed staff.
23. The DfES estimate of cost pressures is attached at Appendix 2.

Law

24. Teachers' pay and conditions of service are governed by the Teachers' Pay and Conditions Document for the time being in force. Non-teaching staff are appointed pursuant to Section 112 of the Local Government Act 1972.

Recommendation

25. It is recommended that the Select Committee considers this report and comments as it sees fit.



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Appendix 2Breakdown of cost pressures for 2005/06 (DfES estimate)

	Percentage of schools' spending	Percentage pressure in 2005/06	Addition to minimum funding level in 2005/06
Teachers' pay: Headline award; overhang from 2002 pay award; pay drift etc	63%	3.75%	2.3%
Support staff pay: Headline award; single status agreement; LG pensions etc	19%	5.45% - 6.45%	1% - 1.2%
Non-pay costs	18%	2.5%	0.5%
TOTAL			3.8% - 4%
Workforce reform (nursery and primary)			0.8% - 1%