

## **Notice of Meeting and Agenda**

### **Renfrewshire Council Joint Negotiating Committee for Teaching Staff**

<b>Date</b>	<b>Time</b>	<b>Venue</b>
Tuesday, 06 September 2016	14:00	CMR 2, Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

KENNETH GRAHAM  
Head of Corporate Governance

### **Representing Renfrewshire Council Management**

Councillors Henry and Clark; P Macleod, Director of Children's Services; G McKinlay, Head of Service; J Trainer, Acting Head of Early Years & Inclusion; M Convery, Head Teacher, St James Primary School; M Dewar, Head Teacher, Parkmains High School; L McAllister, Education Manager (Curriculum & Early Years); and T McEwan, Education Manager (Planning & Performance) (all Children's Services); and L Mullin, Principal HR & OD Adviser (Finance & Resources).

### **Representing Renfrewshire Council Teaching Staff**

K Fella, R Hannah, A Howie, J McCusker, M Russell, JP Tonner J Welsh and H Whittle, (all EIS); M Greenlees (SSTA) and S McCrossan (Adviser to the Teachers' side).

## **Items of business**

### **Apologies**

Apologies from members.

#### **1 Appointment of Chairperson for Meeting**

#### **2 Minute of Previous Meeting 3 - 6**

Minute of previous meeting held on 14 June 2016.

#### **3 Membership of the Joint Negotiating Committee for Teachers 2016/17 7 - 10**

Report by the Joint Secretaries.

#### **4 Annual Leave & School Closure Days 2017/18 11 - 14**

Report by the Head of Schools.

#### **5 Named Person Scheme - Supreme Court Judgement 15 - 18**

Report by Acting Head of Early Years and Inclusion.

#### **6 Date of Next Meeting**

Note that the next meeting will be held on Tuesday, 15 November 2016 at 2.00 pm.

#### **7 SQA National Qualification Appeals Process 19 - 20**

Report by the Joint Secretary (Teachers' Side).

#### **8 Education Scotland Statement for Practitioners 21 - 22**

Report by the Joint Secretary (Teachers' Side).

## Minute of Meeting

### Renfrewshire Council Joint Negotiating Committee for Teaching Staff

Date	Time	Venue
Tuesday, 14 June 2016	14:00	CMR 2, Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

#### REPRESENTING RENFREWSHIRE COUNCIL MANAGEMENT

Councillor Henry; P Macleod, Director of Children's Services, M Dewar, Acting Head of Service, G McKinlay, Head of Schools, J Trainer, Acting Head of Early Years and Inclusion and M Convery, Head Teacher (St James Primary School) (all Children's Services); and L Mullin, Principal HR & OD Advisor (Finance & Resources).

#### REPRESENTING RENFREWSHIRE COUNCIL TEACHING STAFF

K Fella, R Hannah, A Howie, J McCusker, M Russell, JP Tonner, J Welsh and H Whittle (all EIS); M Greenlees (SSTA) and S McCrossan (Adviser to the Teachers Side).

#### IN ATTENDANCE

A McNaughton, Senior Committee Services Officer (Finance & Resources).

#### APOLOGY

L McAllister, Education Manager (Children's Services).

**1 APPOINTMENT OF CHAIRPERSON FOR MEETING**

In accordance with the terms of the local recognition and procedure agreement, which stated that the Chair of the Committee should alternate between the two sides comprising the Renfrewshire Council Joint Negotiating Committee for Teaching Staff, it was agreed that Councillor Henry chair this meeting of the Renfrewshire Council Joint Negotiating Committee for Teaching Staff.

**DECIDED:** That Councillor Henry chair this meeting of the Renfrewshire Council Joint Negotiating Committee for Teaching Staff.

**2 MINUTE OF PREVIOUS MEETING**

There was submitted the Minute of meeting held on 24 May 2016.

**DECIDED:** That the Minute be approved.

**ANNUAL GENERAL MEETING**

**3 MEMBERSHIP OF RENFREWSHIRE COUNCIL JOINT NEGOTIATING COMMITTEE FOR TEACHING STAFF 2016/17**

There was submitted a report by Joint Secretaries relative to membership of the Renfrewshire Council Joint Negotiating Committee for Teaching Staff for 2016/17. It was noted that the membership of the Renfrewshire Council Joint Negotiating Committee for Teaching Staff would be:-

**MANAGEMENT SIDE**

Councillor J Henry  
Councillor S Clark  
P Macleod, Director of Children's Services  
G McKinlay, Head of Schools  
J Trainer, Acting Head of Early Years and Inclusion  
L McAllister, Education Manager  
M Convery, Head Teacher, St James' Primary School  
M Dewar, Head Teacher, Parkmains High School  
L Mullin, Principal HR and OD Adviser  
T McEwan, Education Manager

It was noted that M McDonald, Head Teacher, Castlehead High School was retiring from his role as Head Teacher at Castlehead High School. Both the Management and Teacher's side expressed their thanks to Mr McDonald for his work on the Committee.

It was also noted that M Dewar who had been Acting Head of Service was returning to his role as Head Teacher at Park Mains High School and would replace M McDonald.

**TEACHER'S SIDE**

K Fella (EIS)  
M Russell (EIS)

R Hannah (EIS)  
J Welsh (EIS)  
J McCusker (EIS)  
A Howie (EIS)  
H Whittle (EIS)  
JP Tonner (EIS)  
M Greenlees (SSTA)

It was noted that S McCrossan had been nominated as the Adviser to the teachers' side.

Councillor Henry was nominated as Chair of the management side and John Welsh was nominated as Chair of the teachers' side. There being no other nominations, Councillor Henry and John Welsh were appointed as Joint Chairs of the Renfrewshire Council Joint Negotiating Committee for Teaching Staff.

K Fella was nominated as Joint Secretary for the teachers' side and G McKinlay was nominated as Joint Secretary for the management side. There being no other nominations, K Fella and G McKinlay were appointed as Joint Secretaries of the Renfrewshire Council Joint Negotiating Committee for Teaching Staff.

**DECIDED:**

(a) That the membership of the Renfrewshire Council Joint Negotiating Committee for Teaching Staff be noted; and

(b) That the appointments of Councillor Henry and John Welsh as Joint Chairs and K Fella and G McKinlay as Joint Secretaries of the Renfrewshire Council Joint Negotiating Committee for Teaching Staff be noted.

**4 ANNUAL REPORT 2015/16**

There was submitted a report by Joint Secretaries relative to the annual report 2015/16. The report intimated that in the period covered by the annual report, six meetings of the Committee had taken place. The appendix to the report detailed the membership, the reports agreed by the Committee and discussions held across the year on key matters including provision of supply (including consideration of the SNCT report JS/15/53), PRD and Professional Update, Early Years, Teacher Workload, Renfrewshire Council's withdrawal from COSLA and the establishment of the SLGP.

The report intimated that the JNC/JNC sub groups would continue to take forward issues which were included in the items of ongoing work including teacher workload, supporting attendance, discipline and grievance, voluntary/exceptional transfer of teachers, risk assessment/health and safety, specific duties and job remits, consultation on school holiday pattern and equalities issues.

The Joint Secretary (Management Side) wished to thank the teachers for their contribution, openness and willingness to discuss challenging issues. Councillor Henry also voiced her thanks to everyone on the Committee.

The Joint Secretary (Teacher's Side) highlighted that the lack of supply teachers continued to be an issues and it was imperative to resolve this issue in order to reduce workload. There was also an issue regarding discipline and whilst this affected a minority of pupils this had a great impact on teachers and schools. It was suggested

that there be discussions with teachers regarding the use of ring fenced money for the higher challenge programme. It was agreed that an action plan should be developed and that the unions would be consulted on the action plan.

**DECIDED:**

- (a) That the content of the report and appendix be noted;
- (b) That it be agreed that the annual report be circulated to all education establishments; and
- (c) That it be agreed that an action plan be developed and that the Unions be consulted on the action plan.

**5 DATES FOR FUTURE MEETINGS SESSION 2016/17**

There was submitted a report by Joint Secretaries relative to dates of agreed future meetings of this Committee from September 2016 to April 2017. It was noted that a proposed date had been included in relation to the AGM in June 2017, however, this would be subject to approval by the Council at the statutory meeting in May 2017.

**DECIDED:**

- (a) That it be noted that meetings of the Renfrewshire Council Joint Negotiating Committee for Teaching Staff would be held at 2.00 pm on 6 September 2016, 15 November 2016, 7 February 2017, 21 March 2017 and 25 April 2017; and
- (b) That it be noted that the proposed date for the AGM was 13 June 2017 subject to approval by the Council at the statutory meeting in May 2017.

## **Renfrewshire Joint Negotiating Committee for Teachers**

**To: Renfrewshire Joint Negotiating Committee for Teachers**

**On: 4 September 2016**

**Report by  
Joint Secretaries**

### **Membership of the Joint Negotiating Committee for Teachers 2016-17**

#### **1. Background**

- 1.1. At the board meeting on 14 June 2016, the composition of each side of the Joint Negotiation Committee was agreed for 2016-17.
- 1.2. Following the appointment of Amilia Hall to the post Education Manager (Development) it is proposed that Amilia Hall replace Tony McEwan, Education Manager representing management.

#### **2. Recommendation**

- 2.1. Members of the JNC are asked to:
  - note the change of management membership for session 2016-17





**Management Side:**

Councillor J Henry  
Councillor S Clark  
P Macleod, Director of Children's Services  
G McKinlay, Head of Schools  
J Trainer, Acting Head of Early Years and Inclusion  
L McAllister, Education Manager  
M Convery, Head Teacher, St James' Primary School  
M McDonald, Head Teacher, Castlehead High School  
L Mullin, Principal HR and OD Adviser  
A Hall, Education Manager

**Teachers' Side:**

K Fella, EIS  
M Russell, EIS  
R Hannah, EIS  
J Welsh, EIS  
J McCusker, EIS  
A Howie, EIS  
H Whittle, EIS  
JP Tonner, EIS  
M Greenlees, SSTA

S McCrossan, EIS Officer as Adviser to the Teachers Side.

**Proposed Joint Chairs:**

J Welsh, EIS, Teachers' Side  
Councillor J Henry, Management Side

**Proposed Joint Secretaries:**

K Fella, Teachers' Side  
G McKinlay, Management Side



## **Renfrewshire Joint Negotiating Committee for Teachers**

**To: Renfrewshire Joint Negotiating Committee for Teachers**

**On: 6 September 2016**

### **Report by Head of Schools**

#### **1. Background**

- 1.1. The Education and Children Policy approved the holiday arrangements for school year 2017/18 on 10 March 2016.
- 1.2. Paragraph 5.3 of the SNCT Handbook of Conditions of Service stipulates that teachers' annual leave entitlement is 40 days. Paragraph 5.5 states that within the leave year, the balance of days beyond the working year and the annual leave entitlement, excluding Saturdays and Sundays, shall be days of school closure.
- 1.3. Paragraph 5.6 provides that the Local Negotiating Committee for Teachers should agree the pattern of annual leave and school closures days. The attached schedule provides details of the proposed annual leave and school closures days for 2017/18.

#### **2. Recommendation**

- 2.1. JNC is asked to agree the scheduled of annual leave and school closure days for 2017/18.



August 2017/June 2018 - New Session

w/c	Mon	Tues	Wed	Thurs	Fri	Contracted Hours
07-Aug					D	7
14-Aug	D					35
21-Aug						35
28-Aug						35
04-Sep						35
11-Sep						35
18-Sep					C	28
25-Sep	C					28
02-Oct						35
09-Oct					D	35
16-Oct	H	H	H	H	H	35
23-Oct						35
30-Oct						35
06-Nov						35
13-Nov						35
20-Nov						35
27-Nov				C		28
04-Dec						35
11-Dec						35
18-Dec				H	H	35
25-Dec	H	H	H	H	H	35
01-Jan	H	H	H			35
08-Jan						35
15-Jan						35
22-Jan						35
29-Jan						35
05-Feb					D	35
12-Feb	C	C				21
19-Feb						35
26-Feb						35
05-Mar						35
12-Mar						35
19-Mar						35
26-Mar					C	28
02-Apr	C	C	C	C	C	0
09-Apr	H	H	H	H	H	35
16-Apr						35
23-Apr						35
30-Apr					D	35
07-May	C					28
14-May						35
21-May					C	28
28-May	C					28
04-Jun						35
11-Jun						35
18-Jun						35
25-Jun				C	C	21
02-Jul	C	C	C	C	C	0
09-Jul	C	C	C	C	C	0
16-Jul	H	H	H	H	H	35
23-Jul	H	H	H	H	H	35
30-Jul	H	H	H	H	H	35
06-Aug	H	H	H	H	H	35
H = School Holidays C = School Closure Days D = Development/in service days						1645



## **Renfrewshire Joint Negotiating Committee for Teachers**

**To: Renfrewshire Joint Negotiating Committee for Teachers**

**On: 6 September 2016**

**Report by  
Acting Head of Service**

### **Named Person Scheme – Supreme Court Judgment**

#### **1. Background**

- 1.1 The Children and Young People (Scotland) Act 2014 put into statute some key aspects of the GIRFEC approach. It set out a definition of 'wellbeing' (Part 18). It formalised the role of the Named Person (Part 4) and made provision for a statutory Child's Plan (Part 5) to coordinate support for those children who may require additional help. The Act also provided a framework for information sharing between professionals to support the functions of the Named Person (within Part 4).
- 1.2 The duty to provide a Named Person Service was placed on local authorities, health boards and a number of other agencies such as residential school providers. The Scottish Government published guidance on the qualification and experience of those members of staff who would operate as named person for individual children. The guidance noted that the Named Person for children and young people attending a local authority-managed school was required to be a registered teacher holding a promoted post in the school. In addition that named person was expected to have experience in providing educational and personal support to pupils.
- 1.3 Within Renfrewshire that meant that for most children and young people the Named Person would have been their head teacher or deputy head teacher in primary school and in the secondary sector could have included a principal teacher with a pastoral support remit.
- 1.4 Locally arrangements were in place to ensure that as an authority we were able to comply with the duties in the Act which were due to be effective from 31st August 2016. These arrangements included a local, interagency implementation plan to ensure the relevant policy, procedures, communications and training were in place for the planned commencement of the Act.

- 1.5 Four charities and three individual parents challenged aspects of the legislation in relation to the Named Person Scheme. The challenge focused on two main areas: the lawfulness of the named person sharing and retaining information in relation to individual children and their families and the compulsory appointment of a named person was a breach of the rights of the parents of children under article 8 of the European Convention on Human Rights (ECHR). Article 8 relates to the right to a private and family life and the restrictions on interference in this area by public authorities.
- 1.6 The initial challenge was rejected in the Court of Session and the appellants appealed to the Supreme Court. The Supreme Court announced its judgment on 28 July 2016. The Supreme Court has held that Part 4 of the Children and Young People (Scotland) Act 2014 is incompatible with Article 8 of the ECHR. The Supreme Court is proposing that an Order be made to allow the Scottish Government an opportunity to correct this and have given them 42 days to make written submissions on what the terms of this Order should be.
- 1.7 The Scottish Government has said that they are assessing what this means for the timescale of implementation and will continue to progress its preparations for implementation of the named person service and related provisions. However, as the Supreme Court found that the aspects of the Children and Young People (Scotland) Act 2014 are outwith the legislative competence of the Scottish Parliament, they cannot be brought into force in the meantime. .
- 1.8 Renfrewshire has suspended the preparation work on the Named Person scheme pending the outcome of the Scottish Government response to the Supreme Court.
- 1.9 In Renfrewshire, we remain committed to the aspirations of Getting it Right for Every Child approach and have well established pathways, processes and protocols to safeguard and support children and young people. In addition, every day within Renfrewshire professionals continue to share information in a thoughtful, respectful and proportionate manner. There will be no change to that ongoing professional practice. It remains business as usual and, to that end the well-established pathways will continue to operate.
- 1.10 The judgment does not relate to current practice in relation to information sharing and we must continue to share information appropriately and in accordance with the requirements of relevant legislation, such as the Data Protection Act and the Human Rights Act, when providing services to children and families. In line with current good practice we work in partnership with parents, carers and young people to provide the support they need when they need it.
- 1.11 Staff who have concerns about individual children should continue to share these with the appropriate agency to ensure the protection of children continue using current practice, procedure and guidance.



## **2. Recommendation**

### **2.1 JNC.is asked to approve:**

- [a] note, that as a consequence of the Supreme Court judgment the decision to suspend the implementation of the Named Person Service under the Children and Young People (Scotland) Act 2014.



**Renfrewshire Joint Negotiating Committee for Teachers****On: 6th September 2016****SQA National Qualification Appeals Process****Report by Joint Secretary (Teachers' Side)****Background**

Principal Teachers and Faculty Heads in Renfrewshire's secondary schools have been advised that National Qualification appeals on behalf of pupils should only be submitted where the evidence indicates that there is one mark of a difference between the exam estimate and the final SQA grade awarded mark. This meant that many pupils were denied the opportunity to submit an appeal to the SQA by the 31st August deadline.

The SQA has changed the parameters on appeals so that now appeals may only be lodged for a re-count or a re-mark in specific circumstances. Internal coursework is now no longer a consideration in the appeal process. It remains possible however to appeal the grades of individual pupils.

The aforementioned policy of Renfrewshire Council Education Department is being applied without any degree of flexibility and assumes a concordancy of estimates which may be unfounded. This is especially the case as teachers are still reporting a lack of confidence with new courses and the standards being applied. Many new courses are only being taught for the first or second time by some staff and therefore standards have yet to be fully embedded. The Teachers' Side would submit that estimates should not therefore be the main consideration in submitting appeals.

Moreover, it has been stated, albeit anecdotally, that there is considerable variability in the application of standards even at SQA level. It may be that in these cases a re-mark is warranted and past experience proves that some students have been successful in their applications for upgrade. The policy being applied by Renfrewshire Council may, in some cases therefore,

seriously disadvantage the young people of Renfrewshire and narrow their opportunities for exam success and delay college or university enrolment or admission to other, positive, work-related destinations.

The teachers' side of the JNC would also question Renfrewshire's SQA Appeals policy as it seems that other Local Authorities may not be applying the same restrictions with the same rigidity.

Furthermore, the policy may further impact Renfrewshire's young people by putting them at a disadvantage relative to other sectors, namely, the private sector which is three times more likely to submit appeals on behalf of students.

In summary, the teachers' side feels that if budgetary considerations are dictating appeal submissions then this can only lead to unfairness, social inequality and reduced attainment- all contrary to Renfrewshire Council's stated policy priorities.

### **Recommendation**

The JNC agrees to support the attainment of young people of Renfrewshire by taking a more flexible approach to SQA appeals and widening the scope of those pupils entitled to appeal and advising Headteachers and teaching staff accordingly.

# **Renfrewshire Joint Negotiating Committee for Teachers**

**On: 6<sup>th</sup> September 2016**

## **Education Scotland Statement for Practitioners**

### **Report by Joint Secretary (Teachers' Side)**

#### **Background**

On 29 August 2016 John Swinney, Cabinet Secretary for Education, published guidance on how best to tackle 'increased workload, confusion and duplication' in Scottish schools. The accompanying Statement for Practitioners from HM Chief Inspector of Education outlined what is and what is not required of teachers in Scotland.

#### **Action**

The JNC agrees as a matter of urgency to set up a sub-group to identify and implement those areas of the published guidance which need to be addressed in Renfrewshire schools in order to comply with the Cabinet Secretary's commitment to liberate the teaching profession from unnecessary bureaucracy.

