

Notice of Meeting and Agenda

Renfrewshire Council Joint Negotiating Committee for Teaching Staff

| Date | Time | Venue |
|------------------------|-------|---|
| Tuesday, 21 March 2023 | 14:00 | Corporate Meeting Room 2, Renfrewshire House, |

MARK CONAGHAN
Head of Corporate Governance

Membership

Representing Renfrewshire Council Management

Councillor E Rodden; Councillor J Paterson; T McGillivray, Head of Service (Inclusion and Quality Improvement)(Joint Secretary); J Calder, Head of Service (Curriculum and School Estate); J Colquhoun, Education Manager (Development); K Henry, Head Teacher, St Andrews Academy; H Paterson, Head Teacher, Heriot Primary School; A Hall, Education Manager (Development); M Thomas, Education Manager (Development); and L Mullin, Principal HR and OD Adviser (Finance & Resources).

Representing Renfrewshire Council Teaching Staff

K Fella (Joint Secretary), JP Tonner, T Millar, Y Murray, M Russell, D Tollan (all EIS); R Kane (SSTA); L Gibson (NASUWT); and S McCrossan (EIS - Adviser to the Teachers' side).

Further Information

A copy of the agenda for this meeting will be available online at
<http://renfrewshire.cmis.uk.com/renfrewshire/CouncilandBoards.aspx>

For further information, please email
democratic-services@renfrewshire.gov.uk

Items of business

1 Apologies

Apologies from members.

2 Declarations of Interest

Members are asked to declare an interest in any item(s) on the agenda and to provide a brief explanation of the nature of the interest.

3 Appointment of Chair Person

Consider the appointment of a Chair Person for this meeting.

4 Minute of Previous Meeting

3 - 7

Minute of previous meeting, held on 7 February 2023.

5 Matters Arising

Matters arising from the Minute of the previous meeting held on 7 February 2023.

6 Working Time Agreements: the allocation of hours and Teachers' Contracts

8 - 11

Report by Joint Secretary (Teachers' Side).

7 Absence Cover Agreements and Supply Staff

12 - 13

Report by Joint Secretary (Teachers' Side).

8 Teacher Access to Local Authority Laptops

14 - 14

Report by Joint Secretary (Teachers' Side).

9 Teacher Remits

15 - 16

Report by Joint Secretary (Teachers' Side).

10 Date of Next Meeting

Members are asked to note that the next meeting of the Renfrewshire Council Joint Negotiating Committee for Teaching Staff will be held at 2.00pm on 25 April 2023.

Minute of Meeting Renfrewshire Council Joint Negotiating Committee for Teaching Staff

| Date | Time | Venue |
|---------------------------|-------|---|
| Tuesday, 07 February 2023 | 14:00 | Corporate Meeting Room 2, Renfrewshire House, |

PRESENT

REPRESENTING RENFREWSHIRE COUNCIL MANAGEMENT

Councillor E Rodden, Councillor J Paterson, J Calder, Head of Service (Curriculum and School Estate), J Colquhoun, Education Manager (Development), A Hall, Education Manager (Development), K Henry, Head Teacher, St Andrews Academy (All Education and Children's Services) and L Mullin, Principal HR and OD Adviser (Finance & Resources).

REPRESENTING RENFREWSHIRE COUNCIL TEACHING STAFF

K Fella (Joint Secretary), Y Murray, M Russell, D Tollan and J P Tonner (all EIS); L Gibson (NASUWT), R Kane (SSTA) and S McCrossan (Adviser to Teachers' Side).

IN ATTENDANCE

S Fanning, Principal HR and OD Adviser, D Cunningham and J Barron, Assistant Committee Services Officers (all Finance & Resources).

APOLOGIES

T McGillivray, Head of Service (Inclusion and Quality Improvement) (Joint Secretary), H Paterson, Head Teacher, Heriot Primary School, Mairi Thomas, Education Manager (Development) and T Miller (EIS).

DECLARATIONS OF INTEREST

There were no declarations of interest intimated prior to the commencement of the meeting.

1 **APPOINTMENT OF CHAIR PERSON**

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 Rodden would chair this meeting of the Renfrewshire Council Joint Negotiating Committee for Teaching Staff.

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

WELCOME

Councillor Rodden welcomed Raymond Kane, SSTA Representative, to his first meeting of the Committee.

2 **MINUTE OF PREVIOUS MEETING**

There was submitted the Minute of the previous meeting held on 8 November 2022.

DECIDED: That the Minute be approved.

3 **MATTERS ARISING**

DECIDED: It was noted that in reference to Item 8 of the Minute of the previous meeting held on 8 November 2022 that an email in relation to special leave taken to participate in religious observance had been received by staff and it was felt this had received a positive response. Thanks were expressed to Management for implementing this.

4 **SUPPORTING OUR EARLY YEARS TEACHERS**

There was submitted a report by the Head of Children's Services relative to supporting early career teachers. The Council has worked in partnership with GTCS, Columba 1400 and probation managers across Scotland to develop a model to extend the support provided to teachers during the probationary year across the early phase. This Ambassador Model was intended to address gaps in the experiences of some early years teachers which arose from the pandemic by providing Ambassadors to be a point of contact for early years teachers and opportunities for professional dialogue. Renfrewshire was leading developments within the group of eleven local authorities piloting and co-developing the Ambassador Model.

There was a general discussion on the practicalities of such support, numbers required and the selection process for Ambassadors plus discussion on Non-Violent Resistance (NVR) and how this was being implemented in schools.

The Head of Service (Curriculum and School Estate) advised information on this may be available on CPD Manager and would provide additional information to the Committee.

DECIDED:

- (a) That the Head of Service (Curriculum and School Estate) would provide additional information on NVR to the Committee; and
- (b) That the report be noted.

5 ABSENCE STATISTICS - QUARTER 3 2022/23

There was submitted a report by the Director of Finance & Resources which provided the Committee with absence monitoring information for the period to 31 December 2022.

Categories of absence, available methods of financial support plus health and wellbeing support, including Time for Talking sessions were discussed. The Principal HR and OD Adviser would review the methods of conveying employee benefits to all school employees and increase the health and wellbeing information made available.

The Head of Service (Curriculum and School Estate) would continue to work with the Teachers side in respect of ongoing CO2 monitoring in schools.

DECIDED:

- (a) That the Principal HR and OD Adviser would review the methods of conveying employee benefits and increase the health and wellbeing information made available to all school employees;
- (b) That the Head of Service (Curriculum and School Estate) would continue to work with the Teachers side in respect of ongoing CO2 monitoring in schools.
- (c) That the report be noted.

6 DEVELOPMENTS IN HEALTH AND SAFETY

There was submitted a report by the Director of Finance & Resources relative to developments in health and safety since the previous meeting of the Joint Negotiating Committee for Teachers (JNC).

The report outlined that risk-based reviews of all policies and guidance documents were underway to support the Council's new ways of working plans. Initial areas of work included guidance documents on accident reporting and investigation, manual handling, alcohol and substance use and violence and aggression in the workplace.

The report detailed meetings with Scottish Fire and Rescue, health and wellbeing guidance to support the workforce, reviewing floor plates and ventilation to facilitate new ways of working arrangements, regular meetings with Services, flu vaccination programme and information on training courses delivered.

Thanks were expressed by the Teachers' side for the flu vaccination programme and it was felt this had been well received/attended.

Collaboration took place between the Health and Safety Team, Businessworld Team, Trade Unions and Service representatives to review the violence and aggression policy and arrangements within the school environment. Meetings had been productive and it was agreed work would continue over the next few months. The report stated that a new version of the accident/incident form was launched on 5 January which should ease incident reporting and collection of data.

It was raised by the Teachers' side that there remained access issues with this new form. The Principal HR and OD Adviser explained that this was being reviewed and that he would discuss the hierarchy access issue on Businessworld with colleagues outwith the meeting and provide an update to the Committee thereafter.

DECIDED:

- (a) That the Principal HR and OD Adviser would provide an update on outstanding Businessworld issues to the Committee; and
- (b) That the report be noted.

7 GRIEVANCE PROCEDURES

DECIDED: That this confidential matter was not within the remit of the JNC and would be discussed outwith the meeting.

8 SICKNESS ALLOWANCE

There was submitted a report by the Joint Secretary (Teachers' Side) relative to the suspension of the sickness allowance for teachers during the ongoing legally mandated industrial action. As there was no reference to industrial action as a reason for suspension of the allowance in the SNCT Handbook the Teachers' Side believed there to be no contractual basis for the suspension of sickness allowance. The report requested reinstatement of the sickness allowance for teachers affected by this.

The Principal HR and OD Adviser explained that there had been discussion with the Chief Executive on 14 December 2022 and clarified that based on legal advice received the decision had been taken not to suspend sickness allowance but to suspend the entitlement to self-certify sickness on a day of industrial action and that employees would require to provide a fit note in those cases.

The Teachers' side raised that this suggested distrust, would be detrimental to employee wellbeing and may result in staff incurring additional charges by GPs to provide a fit note in instances contrary to Scottish Government self-certification guidelines, namely if absent less than 7 days. It was also suggested that this would put additional strain on already under pressure Teachers and GPs and therefore seemed unreasonable.

The Principal HR and OD Adviser re-iterated that this was the Council's position on this matter. The Head of Service (Curriculum and School Estate) stated that the grievance process required to be followed to look at any individual cases/concerns.

DECIDED:

- (a) That self-certification of sickness absence on a day of industrial action had been removed and a fit note was required; and
- (b) That the grievance process required to be followed to look at any individual cases/concerns.

9 PAYROLL/INDUSTRIAL ACTION

There was submitted a report by the Joint Secretary (Teacher's Side) relative to salary deductions applied following industrial action and the lack of consistency in terms of the dates and amounts of these deductions. The report requested greater clarity and transparency from the Council around the dates for and amounts of salary deductions to assist with ongoing financial planning for teachers.

The Teachers' side stated that staff were struggling with financial wellbeing hence were striking but felt unsupported and were being penalised by salary deductions and charges for fit notes.

The Principal HR and OD Adviser outlined the process and deadlines for deductions and that data was cross-checked prior to being sent to payroll to ensure accuracy. There had been FAQs issued to employees which contained the dates of deductions and information from the Director of Finance & Resources emailed to teachers.

The Teachers' side stated only one email had been received and that it was difficult to check deductions as it appeared that colleagues were deducted different amounts. The Principal HR and OD Adviser explained it was not advised to compare payslips due to personal variations.

The Teachers' side requested a ready reckoner type document to assist staff with financial planning, the Principal HR and OD Adviser responded that she could provide the 5 points on the mean grade salary for Teachers to assist but was limited to what figures could be provided, other than as examples, due to the uniqueness of individual pay. She advised that staff could contact her directly to discuss errors or concerns and they could be escalated to the Payroll Manager if required.

DECIDED: That the Principal HR and OD Adviser would provide the five points on the mean grade salary for Teachers to assist with financial planning in terms of deductions.

10 DATE OF NEXT MEETING

That it be noted that the next meeting of the Renfrewshire Council Joint Negotiating Committee for Teaching Staff was scheduled to be held on 21 March 2023.

Renfrewshire Joint Negotiating Committee for Teachers

To: Renfrewshire Joint Negotiating Committee for Teachers

On: 21st March 2023

Working Time Agreements: the allocation of hours and Teachers' Contracts

Report by
Joint Secretary (Teachers' Side)

Background

Teachers are currently contractually obliged to attend up to 6 parents' meetings for a maximum of 30 hours.

It has come to the attention of the Teachers' side that the number of parents' meetings in some schools is exceeding teachers' contractual maxima and that additional evenings have been incorporated into some school's Working Time Agreements (WTA).

JNC 3 also states the agreed position in respect of WTAs – it is the extant JNC agreement and, although it is clear that the agreement may need to be reviewed and updated, it outlines the allocation of time relative to teacher workload in each of the sectors in the appendixes to that agreement.

Members of JNC should be made aware that JNC 3 was updated in 2006/7 and a JNC sub-group made recommendations on updates to the time allocations for respective duties- that information was disseminated to schools at the time and is now integrated into schools' WTAs. For those members of JNC who were not party to discussions in 2006/7 it was at this point, at phase 3 of the implementation of McCrone Agreement, that class contact time was reduced to 22.5 hrs and there was a consequential increase in collegiate time to be allocated to other activities. Consequently, the number of hours allocated to parents' meetings increased from 30 to 40 hours although the number of meetings remained the same. The effect was to increase the duration of parents' meetings.

Notwithstanding that JNC 3 may need to be reviewed in light of current practice, it is the parameters within which school WTAs should be formulated.

It should also be noted that JNC 3 stipulates that in the secondary sector:

Any time block(s) left over from the parents' meetings allocation, will be available to the teacher for additional preparation and correction or formal assessment and the preparation of reports

It is also already established that an 'Open evening' which is a feature of some schools' agreements is not a parents' meeting for the purpose of the time allocation, and that attendance at such events is voluntary, unless agreement has been reached with the school's negotiating committee and it is incorporated into the WTA as an additional event. The time allocation for this should not be taken from the 40 hours allocation.

Moreover, it has also become apparent that the teachers' Particulars of Employment does not reflect the agreement that increased hours in specific sectors. This is a matter that needs investigation, clarification and further discussion.

Action

- That all school WTAs will be made available to both joint secretaries to enable oversight in line with the requirement for scrutiny and to avoid any potential breaches.
- That all parties involved in school negotiating committees are reminded that the contractual maxima in relation to parents' meetings may not be exceeded.
- That further clarity will be provided to the teachers' side around the teachers' particulars of employment, especially in relation to contractual obligations around parents' meetings and that contracts will be updated where necessary.

Enc – picture of 2006/7 sub group report and recommendation.

Renfrewshire Joint Negotiating Committee for Teachers

To: Renfrewshire Joint Negotiating Committee for Teachers

On: 13 June 2006

**Report by
Joint Secretaries**

Working Time Agreements: Session 2006/2007

1. Summary

- 1.1 From August 2006, in accordance with stage 3 of the implementation of the 2001 agreement "A Teaching Profession for the 21st Century", the maximum class contact time for all teachers will be 22.5 hours per week.
- 1.2 This change will result in an alteration to the balance of time from 136.5 hours to 195 hours over the school year.
- 1.3 Appendices 2 -5 of JNC 3 detail the use of the balance of time in primary and pre five establishments, special schools, secondary schools and the peripatetic service respectively.
- 1.4 The existing agreements for special schools and the peripatetic service are unaffected by stage 3 of the implementation of the agreement and remain unaltered. Consequently appendices 3 and 5 of JNC 3 will not be amended at this time.
- 1.5 Agreement was reached within the JNC sub-committee on the allocation of time for various activities from the 195 hours for teachers in primary / pre-5 and secondary schools. These allocations are as outlined below:

Primary and Pre-Five Establishments

- a maximum of 40 hours for up to 6 parents' meetings;
- 25 hours for strategic forward planning;
- 55 hours for form assessment and preparation of reports;
- 30 hours for additional preparation and correction;
- 10 hours for staff and / or stage meetings;
- 16 hours for curriculum development; and
- 19 hours flexible element.

Secondary Schools

a maximum of 40 hours for up to 6 parents' meetings;
70 hours minimum for formal assessment and preparation of reports;
30 hours additional preparation and correction;
20 hours departmental meetings;
16 hours curriculum development; and
19 hours flexible element.

1.6 It has been agreed that the JNC sub group will revise appendices 2 and 4 of JNC 3.

1.7 These revised appendices will be brought to a future meeting of the JNC.

2. Recommendation

2.1 The JNC is asked to:

- note this report; and
- approve the issue of the agreed revised allocations of time to schools and pre-five establishments.

Renfrewshire Joint Negotiating Committee for Teachers

To: Renfrewshire Joint Negotiating Committee for Teachers

On: 21st March 2023

Absence Cover Agreements and Supply Staff

Report by

Joint Secretary (Teachers' Side)

Background

It has been reported to representatives of all the teaching unions that additional burdens and workload are being experienced in many schools as a result of a lack of subject specialist supply staff to cover absences of colleagues in secondary schools. The problems are acute in some schools where vacancies and/or long-term absences prevail.

The lack of availability of supply teachers, as well as adequate cover for absent classroom assistants, is being particularly felt in secondary schools in the run-up to SQA examinations where some teachers are being timetabled for additional classes to support young people. This is increasing their workload.

Senior managers as well as subject principals and faculty heads are also experiencing additional workloads in managing revisions to timetables needed to mitigate staffing problems.

Furthermore, in situations where staff leave the employ of the Local Authority, the time that it takes from recruitment to appointment of replacements, is a concern. It can lead to some young people having, at times, a disjointed experience when staff leave and a lack of continuity in their learning where they may experience a variety of teachers, some of whom are general cover while lengthy recruitment processes take place.

Every school should also have a written agreement on absence cover but it is difficult for schools to abide by their agreements if the Local Authority has not recruited enough supply staff to fill vacant posts.

It is reported by other Local Authorities that 'Teacher Booker' is the system used to place staff into vacancies and that this is largely successful. Renfrewshire Council does not use this system instead preferring a text messaging arrangement to fill vacancies. The Teachers' side would welcome further discussion on the introduction of this booking system as a means of more efficiently allocating supply staff to schools.

Action

- That the Joint Secretaries add the matter of supply staff as a standing item to their agenda at their regular meetings
- That the management side provides an update to the Teachers' side on the position in respect of supply availability and the permanent supply pool.
- The Local Authority engages in discussion around the feasibility of introducing 'Teacher Booker' as a means of allocating supply teachers more efficiently to vacancies.

Renfrewshire Joint Negotiating Committee for Teachers

To: Renfrewshire Joint Negotiating Committee for Teachers

On: 21st March 2023

Teacher Access to Local Authority Laptops Report by **Joint Secretary (Teachers' Side)**

Background

The Teachers' Side is advised that the Local Authority is currently recalling old PCs and laptops from some schools with a view to replacing outdated equipment which will no longer be serviced or maintained by the Council's IT services.

Whilst the Teachers' Side welcomes any update to IT equipment and modernisation of resources, we are alert to the fact that there may be a shortfall in the number of devices required to provide one for every member of the teaching staff in every school.

It is clearly imperative that all teachers, be they part-time or otherwise, are allocated a Local Authority device to facilitate the job that they are required to do.

Action

That the Local Authority commits to providing every teacher, not just every classroom, with an appropriate device to enable teachers to undertake their duties.

Renfrewshire Joint Negotiating Committee for Teachers

To: Renfrewshire Joint Negotiating Committee for Teachers

On: 21st March 2023

Teacher Remits Report by **Joint Secretary (Teachers' Side)**

Background

The teaching unions have been contacted by some teachers who are suggesting that their remits have been amended without consultation. This is as a result of organisational change but notwithstanding any geographical or other reorganisation, the specific remits and responsibilities of teachers should be unaffected.

The JNC is reminded of JNC 2 which stipulates those matters devolved to LNCTs, viz:

Section 1.3

At local authority level, the Renfrewshire Joint Negotiating Committee for Teaching Staff has been established with responsibility for negotiating and agreeing:

- ☐ Other allowances;
- ☐ Cover agreements;
- ☐ Appointments procedures;
- ☐ Working time arrangements
- ☐ Arrangements for school based negotiation/agreement
- ☐ Particulars of employment;
- ☐ Expenses for candidates for appointment;
- ☐ Transfer of temporary teachers to permanent staff;
- ☐ Promotion procedures;
- ☐ Staff development arrangements;
- ☐ **Specific duties and job remits;**

- ☐ Arrangements for school-based consultation;
- ☐ Other leave and absence arrangements;
- ☐ Notice periods;
- ☐ Housing;
- ☐ Indemnification procedures; and
- ☐ Disciplinary and grievance procedures.

The Teachers' side is concerned that some duties that were previously within the remit of senior promoted staff are being cascaded to Principal Teachers, especially in relation to absence management. There has been no agreement with the Teachers' side to this effect.

The members of the JNC are also reminded of the need for consultation with the affected individual and for collegiality in respect of any changes to remits or other working practices.

Action

- That no principal teacher should be tasked with managing absence and that this remains the remit of senior management.
- No changes to a teacher's duties will be made without appropriate consultation and agreement.
- Any proposed revision of remits arising from organisational change is brought to the JNC via the Joint Secretary for agreement.