

Report

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Report to:	Education Resources Committee
Date of Meeting:	14 June 2011
Report by:	Executive Director (Education Resources)

Subject:	McCormac Review of Teacher Employment in Scotland: Call for Evidence
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ Update the Committee on the Call for Evidence that was submitted to the McCormac Committee set up to conduct a Review of Teacher Employment in Scotland.

2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that the Committee is asked to note the submission to the McCormac Committee's Call for Evidence to inform its review of teacher employment in Scotland as detailed at Appendix 1, be noted.

3. Background

- 3.1. A report was presented to the Education Resources Committee on 29 March 2011 detailing the establishment of the McCormac Committee by the Scottish Government to undertake an independent review of all aspects of the terms and conditions of Scotland's teachers.
- 3.2. On 23 February 2011 Professor McCormac published a 'Call for Evidence' which was also available on-line for views to be submitted by any interested party by 21 April 2011.
- 3.3. It was agreed at the Education Resources Committee that a response would be prepared by the Executive Director of Education Resources in consultation with the Chair and Depute Chair of the Education Resources Committee and submitted to the Scottish Government by 21 April 2011.
- 3.4. It was further agreed that a report on the consultation response would be submitted to a future meeting of the Education Resources Committee.

4. The Review

- 4.1. The response was initially developed within Education Resources and reflects the views of the Education Management Team

- 4.2. An initial draft of the review was sent to all members of the Education Resources Committee on 11 April 2011 with an invitation to comment by 20 April 2011.
- 4.3. The final response reflects the comments that were made by a number of members.
- 4.4. The response made several key points to the main areas highlighted in the Call for Evidence:
 - A. Professionalism of teachers – consideration should be given to the scope of what constitutes Continuing Professional Development (CPD) time and the impact of CPD.
 - B. Teachers' duties – the language used to describe teachers' duties should be updated to reflect current priorities such as Curriculum for Excellence and Getting it Right for Every Child.
 - C. Career Structure – broadly the structure was considered to be appropriate although there could be further consideration of the chartered teacher post. (See E)
 - D. Conditions of Service/Pay – pay was thought to be appropriate. However aspects of conditions of service should be reconsidered including for example the right of teachers to work in a time and place of their choosing when appropriate. It was also felt that job sizing has created issues over differentials at certain levels.
 - E. Chartered Teachers – while supporting the post of chartered teacher generally, it was felt that there had to be a significant review of how teachers got onto the programme and what they contributed to the whole school community as a chartered teacher.
 - F. Other staff in schools - the introduction of other staff into schools has been of benefit to the profession.
 - G. Negotiating machinery – while it was felt that the SNCT was effective it was also felt that the LNCT should only be involved in discussing issues that affected teachers exclusively rather than all council employees.
 - H. Overall impact of the Teachers' Agreement - generally it was felt that the agreement had contributed to stable industrial relations but that it had to be modernised to support the introduction of current and future educational initiatives.

5. Consultation Timescales

- 5.1 It is anticipated that McCormac Committee will report by 'late summer' with a view to changes being implemented by August 2012.
- 5.2 South Lanarkshire Council's response will be posted on the Scottish Government website.

6. Employee Implications

- 6.1. Until the McCormac Committee reports it is not possible to determine the employee implications.

7. Financial Implications

- 7.1. Until the McCormac Committee reports it is not possible to determine the financial implications.

8. Other Implications

- 8.1. There are some risks associated with this review since it is likely to identify competing views and expectations about the impact of 'A teaching profession for the 21st century' and different opinions about the best way forward.
- 8.2. McCormac review could pose a risk to the positive employee relationships within South Lanarkshire. To mitigate this risk Education Resources will continue to work closely in partnership with the trade unions.
- 8.3. There are no significant sustainability issues in connection with the recommendation contained within this report.

9. Equality Impact Assessment and Consultation Arrangements

- 9.1. This report does not present a new strategy, policy or plan and is therefore not subject to consultation or equality impact assessment.
- 9.2. The consultation arrangements established by the national review group are aimed at giving all stakeholders an opportunity to put forward views and opinions as evidence for consideration.

Larry Forde
Executive Director (Education Resources)

24 May 2011

Link(s) to Council Objectives/Improvement Themes/Values

- ◆ Raise educational attainment for all

Previous References

- Education Resources Committee 29 March 2011

List of Background Papers

- ◆ Review of Teacher Employment in Scotland – Call for Evidence

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Jim Gilhooly, Head of Education (Curriculum and Quality Improvement)

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A. Professionalism

The Teachers' Agreement, which aimed to enhance the opportunities for professional development, made continuing professional development (CPD) a condition of service while also specifying that teachers should undertake a maximum of 35 hours CPD in each working year. It also required that all probationers should be guaranteed a one-year training contract.

1) To what extent do you agree that the arrangements for professional development set out in the Teachers' Agreement have: (Please select one option on each row)

	strongly agree	agree	neither agree nor disagree	disagree	strongly disagree
a) Led to an improved quality of learning and teaching?	<input type="checkbox"/>	*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Acted to develop leadership capacity within all levels of the teaching profession	<input type="checkbox"/>	*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2a) Should the current arrangements for continuing professional development be changed?

*	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

2b) If so, how?

The current arrangements for CPD successfully highlight the importance of on-going training and development to the improvement of teachers' skills. It would be helpful to further consider what constitutes appropriate CPD, increasing the emphasis on professional development through collegiate working rather than solely through attendance at courses. Such an approach that commits professionals to working together to share their experiences and expertise is increasingly being recognised as providing the most effective form of CPD for educational practitioners.

B. Teachers' Duties

Annex B of the Teachers' Agreement outlines duties for classroom/chartered, principal, depute head teacher and head teachers, as a guide for the development of specific job descriptions in local authorities.

3) Do you think the prescribed set of duties in Annex B of the Teachers' Agreement are suitable for a profession implementing Curriculum for Excellence?

*	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

4a) Do you believe the duties need to be revised?

*	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

b) If so, how?

The duties themselves are appropriate but more clarity would help around what is expected in relation to some of them. This could support more flexible working to further improve outcomes for young people, while protecting teachers from excessive workload demands.

There would also be benefits in updating the language used to describe the range of associated activities that teachers may be asked to undertake. These could include references to such things as self evaluation; leadership of an aspect of learning; work with electronic management systems in relation to assessment and aspects of care and welfare systems. References to 'teaching assigned classes' should include responsibility for teaching in such areas as Personal Social Education as part of health and wellbeing or taking responsibility for a tutor group. 'Teaching' should also include the scope to develop more innovative approaches to learning including such things as working as part of a multi disciplinary group or working with a S1 group across a range of subjects. There is also a need to take account of the Getting it Right for Every Child agenda, which may include a requirement to attend meetings when they are called. Staff should participate in reasonable changes designed to improve learning such as actively supporting electronic or paper systems established to track and monitor pupils' progress.

C. Career Structure

The Teachers' Agreement created a simplified career structure that included four main grades within both primary and secondary schools:

- i) Classroom teacher (probationer, main grade, chartered)*
- ii) Principal teacher*
- iii) Depute head teacher*
- iv) Head teacher*

5) To what extent do you agree that this career structure has met its aims: (Please select one option on each row)

	strongly agree	agree	neither agree nor disagree	disagree	strongly disagree
a) to provide opportunities for teachers to advance their careers in the classroom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	*	<input type="checkbox"/>
b) to provide opportunities for teachers to advance their careers through promotion to management roles	<input type="checkbox"/>	*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) to provide an appropriate number of skilled individuals able to undertake management roles	<input type="checkbox"/>	*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6) To what extent do you agree that the probationary year is a crucial stage in teacher's development?

*	Strongly agree
<input type="checkbox"/>	Agree
<input type="checkbox"/>	neither agree nor disagree
<input type="checkbox"/>	disagree
<input type="checkbox"/>	Strongly disagree

7a) Do you think that the career structure should be changed?

<input type="checkbox"/>	Yes
*	No
<input type="checkbox"/>	Don't know

7b) If so, how?

The core career structure encompassing the four categories of post should not be changed but consideration should be given to the duties associated with some of the grades.

The career structure in schools has already changed over the last few years: there are fewer posts, particularly at principal teacher level in the secondary sector and the demands of some of these posts are significant. The reduced number of promoted posts limits the opportunities for teachers to advance their career through promotion to management roles. Teaching, in common with other professions, needs career pathways to allow people to diversify and change and develop over a 35-40 year working life.

The creation of principal teacher posts in primary schools is regarded as a positive development.

Currently it is felt that there are not sufficient opportunities for teachers to advance their careers in the classroom, primarily because of issues around the chartered teacher grade (see 13b for more detailed comments.) Retaining and further developing the duties of the chartered teacher grade would provide better opportunities for teachers to advance their career while remaining in the classroom.

D. Conditions of Service / Pay

The Teachers' Agreement specified:

- a contractual 35 hour week for all teachers
- a maximum class contact time of 22.5 hours
- an allowance of personal time for preparation and correction, of no less than one third of class contact time
- that tasks which do not require the teacher to be on the school premises can be carried out at a time and place of the teacher's choosing
- use of remaining collegiate time to undertake activities agreed at school level
- 195 days working year, and an additional maximum of 35 hours CPD for all teachers

The Teachers' Agreement also introduced substantial pay rises for all teachers.

Conditions of Service

8) To what extent do you agree that the conditions of service listed above: (Please select one option on each row)

	strongly agree	agree	neither agree nor disagree	disagree	strongly disagree
a) Enable teachers to deliver the best outcomes for children and young people	<input type="checkbox"/>	*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Need adjusted to reflect actual workloads and practice	<input type="checkbox"/>	*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Help to nurture an attitude of professionalism amongst teachers	<input type="checkbox"/>	<input type="checkbox"/>	*	<input type="checkbox"/>	<input type="checkbox"/>
d) Are suitable to successfully implement Curriculum for Excellence?	<input type="checkbox"/>	*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

9a) Do you think the current conditions of service should be amended?

*	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

b) If yes, please specify how:

It would be appropriate for the current conditions of service to be reviewed to ensure that they are appropriate to meet the educational needs of young people in the 21st century. Specifically, it would be beneficial to have further discussions around:

- the idea of core hours when all teachers should be in school, perhaps defined by the times that children are in school;
- the time available for 'preparation and correction' as one third of teaching time is appropriate. Consideration should be given to extending the use of this time to include participation in activities such as 'learning rounds' to support preparation;
- resolving the mismatch between the pupil week and the teacher week;
- the use made of the additional 195 hours to support teachers working together on key tasks such as curriculum development, interdisciplinary learning and assessment and moderation activity;
- the potential to establish the Working Time Agreement at a local authority level through the LNCT.

Pay

10) To what extent do you agree that the current level of teachers' pay reflects their status as professionals working in the public sector?

<input type="checkbox"/>	strongly agree
<input checked="" type="checkbox"/>	Agree
<input type="checkbox"/>	neither agree nor disagree
<input type="checkbox"/>	Disagree
<input type="checkbox"/>	strongly disagree

11a) The Teachers' Agreement resulted in the posts of Principal Teacher, Depute Head Teacher and Head Teacher being job sized. Do you believe job sizing arrangements need to be revised?

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

b) If so, how?

A revision of job sizing arrangements could consider:

- The need for the span of job size grades to support the creation of coherent faculties in the secondary sector.
- Allowing scope for re-job sizing if a post becomes vacant.
- Establishing appropriate differentials between grades of post (HT, DHT and PT), within and across establishments.
- Whether or not enough weighting is given to the responsibility of head teachers managing ASN establishments.

E. Chartered Teachers

The Teachers Agreement created the position of Chartered Teacher within Scottish schools as a means of allowing experienced teachers to develop without having to leave the classroom.

12) To what extent do you agree that the Chartered Teacher Scheme has had a positive impact on:
(Please select one option on each row)

	strongly agree	agree	neither agree nor disagree	disagree	strongly disagree
a) Retaining skilled professionals as classroom teachers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	*	<input type="checkbox"/>
b) Learning and teaching quality across the school	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	*	<input type="checkbox"/>

13a) Should the Chartered Teacher Scheme be:

<input type="checkbox"/>	Retained as it is
*	Amended
<input type="checkbox"/>	Disbanded

13b) Please give reasons for your choice:

The publication of the Standard for Chartered Teachers is a positive development. It has the potential to bring more clarity and direction to the responsibilities of the post.

Potentially the grade of chartered teacher is a very important post both in itself and as a career opportunity in a contracting structure. This is more likely to be realised if chartered teachers actively add value to a range of pupils within the school community. An element of screening of participants prior to acceptance onto the programme would support the further development of the role within schools.

As the role develops it might be appropriate for the local authority to contribute towards the payment of the fees.

F. Other Staff in Schools

The Teachers' Agreement created additional posts for support staff (e.g. classroom assistants, clerical staff, lab technicians) undertaking a range of tasks in Scotland's schools. Support staff were introduced to help address teacher workload while allowing teachers to focus on their key role in teaching and learning. Annex E to the Teachers' Agreement established a list of tasks that should not routinely be carried out by teachers.

14) To what extent do you agree that additional support staff have: (please select one option for each row)

	strongly agree	agree	neither agree nor disagree	disagree	strongly disagree
a) Helped teachers to focus on their core role as leaders of education in the classroom?	<input type="checkbox"/>	*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Helped school managers to focus on leading, managing and providing strategic direction for schools?	<input type="checkbox"/>	*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Impacted positively on the learning of pupils?	<input type="checkbox"/>	*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

15a) Do you think it is necessary to revise the tasks that the Teachers' Agreement (Annex E) specifies should NOT routinely be carried out by teachers?

<input type="checkbox"/>	Yes
*	No
<input type="checkbox"/>	Don't know

15b) If so, how?

Broadly, it is right that the duties outlined in Annex E are seen as the responsibility of support staff and the principle of allowing teachers to utilise their skills to work directly with young people to take forward their learning is appropriate. The provision of support staff has been beneficial for young people.

G. Negotiating Machinery

The Teachers' Agreement established the Scottish Negotiating Committee for Teachers (SNCT) as the tripartite body (Teacher Unions, COSLA, Scottish Government) responsible for negotiations on pay and conditions, and for establishing an appeals mechanism. It also established Local Negotiating Committees for Teachers (LNCTs) which have powers to vary certain devolved condition of service agreements and to reach agreement on a range of matters not subject to national bargaining. The roles of the SNCT and the LNCTs are set out in Annex F of the Teachers' Agreement.

16) How well has the Scottish Negotiating Committee for Teachers undertaken its role?

*	1 Very well
<input type="checkbox"/>	2 Well
<input type="checkbox"/>	3 Satisfactorily
<input type="checkbox"/>	4 Poorly
<input type="checkbox"/>	5 Very poorly

17) How well have the Local Negotiating Committees for Teachers undertaken their role?

<input type="checkbox"/>	1 Very well
*	2 Well
<input type="checkbox"/>	3 Satisfactorily
<input type="checkbox"/>	4 Poorly
<input type="checkbox"/>	5 Very poorly

18a) Do you think the negotiating arrangements should be changed?

*	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	Don't know

b) If so, how?

Some issues that are negotiated within the LNCT are shared with other local authority employees. Where this is the case Councils should be able to negotiate with teachers in wider forums that exist for discussions with all employees. This would allow the LNCT to focus on issues that solely affect teachers.

The potential to establish the Working Time Agreement at a local authority level through the LNCT, rather than at school level should be considered.

H. Overall impact of the Teachers' Agreement

The Review would like to consider the overall impact of the Teachers' Agreement.

19) To what extent do you agree that the Teachers' Agreement: (Please select one option on each row)

	strongly agree	agree	neither agree nor disagree	disagree	strongly disagree
a) Attracts the most skilled individuals to the profession	<input type="checkbox"/>	*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Retains the most skilled individuals within the profession	<input type="checkbox"/>	*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Recognises and encourages excellence in the classroom	<input type="checkbox"/>	<input type="checkbox"/>	*	<input type="checkbox"/>	<input type="checkbox"/>
d) Contributes to the creation of a flexible, creative, learner-centred teaching profession that can support Curriculum for Excellence	<input type="checkbox"/>	*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I. Further Points

20) The Review Group would be pleased to consider any further points respondents wish to make about teacher employment in Scotland. (Please expand the box below if you need more space).

The Teachers' Agreement, with the on-going support of the SNCT, has created a period of stable industrial relations and it has contributed to bringing people with a range of backgrounds into the world of the classroom.

However, it does need to be looked at again to consider whether it fully takes account of a changing world where Inclusion, Getting it Right for Every Child and Curriculum for Excellence are the key policy drivers both now and in the immediate future.

The biggest challenge facing teacher employment in Scotland is ensuring that new teachers who opt to come into teaching with enthusiasm and commitment are offered sustainable careers that allow them to make a real and continuing contribution to the delivery of positive outcomes for children.

21) The Review Group may wish to contact you as part of the wider Review of Teacher Employment. Would you be willing for them to do this?

*	Yes
<input type="checkbox"/>	No

Please email your response to: reviewofteacheremployment@scotland.gsi.gov.uk

Or send by post to: The Review of Teacher Employment, 2A South, Victoria Quay, Edinburgh, EH6 6QQ

Thank you for your response. The Review will consider all responses before reporting with recommendations in the summer of this year.

If you have any questions about the review process please email reviewofteacheremployment@scotland.gsi.gov.uk or call 0131 244 4925.

More information about the Review is available at www.reviewofteacheremployment.org