

Learning Agreement between Clackmannanshire Council and the Educational Institute of Scotland

1 Background and Introduction

The Scottish Government's "Learning Policy for Scotland" is based on the principles of *"personal fulfilment and enterprise, employability and adaptability, active citizenship and social inclusion"* This means a culture in which education and training are available and accessible for everyone and "learning" takes on the broader sense of *"gaining skills to develop the confidence to progress and participate in work and the wider community."*

Clackmannanshire Council is committed to support these principles and is committed to supporting them through the development of the skills and knowledge of its employees to ensure the continued delivery of high quality services to the people of Clackmannanshire. This is in line with Clackmannanshire's policy that sets out their aims, strategy and procedures for employee development and training.

The Educational Institute of Scotland as a learning organisation also supports these principles and is committed to partnership working with leading stakeholders in education both nationally and locally in taking forward the continuing professional development agenda for teaching staff. EIS Learning Representatives are integral to this process and are being appointed to support this agenda in all local authority areas.

Clackmannanshire Council and the Institute agree that, as indicated in "A Teaching Professional for the 21st Century", the continuing professional development of teachers is both an entitlement and requirement for all teachers employed in the area of the Council.

The Employment Act 2002 extends the rights and recognition of Trade Union Representatives and Stewards to include Union appointed Learning Representatives and. These rights include:

- Reasonable time off with pay to train for the role.
- Reasonable time off with pay to perform their functions.

The "ACAS" Code of practice on Time Off for Trade Union Duties and Activities clarifies the rights and responsibilities of employers and unions in relation to Union Learning Representatives

- Analysing learning or training needs.
- Providing information and advice about learning or training matters.
- Arranging learning or training.
- Promoting the value of learning or training.
- Consulting the employer about carrying on such activities.
- Preparation to carry out any of the above activities.
- Undergoing relevant training.

The aims of both Clackmannanshire Council and Educational Institute of Scotland are compatible and will be realised when all parties involved in this agreement communicate, co-operate and share ideas, information and resources. This Learning Agreement set out how Clackmannanshire Council

and the Institute will work together to ensure that teachers have access to quality CPD. Both the Council and the Institute are committed to the implementation of this agreement and will work together to ensure its success.

Any changes to this agreement that are deemed necessary may be made through the appropriate local negotiating mechanisms that exist between the Council and the Institute. A minimum of three months notice will be given for the proposed changes to this agreement.

2 Purpose

2.1 This agreement sets out to:

- Identify the roles of Quality Improvement Officers, Learning Representatives and of CPD Co-ordinators within Services to People.
- Reiterate the roles of those in promoted posts and outline the linkages to existing processes and schemes for example the Personal Review and Development Scheme.
- Clarify the relationship between the Council and EIS Learning Representatives
- Set out arrangements for managing and maintaining relationships.
- Prevent duplication of effort, confusion or conflict.

2.2 Clackmannanshire Council believes that having a clear learning agreement will encourage:

- Dialogue between the EIS and employer over learning matters.
- A sharing of resources and expertise in CPD.
- Teachers to feel confident in the quality of the learning opportunities they can access
- Teachers and Council personnel to be clear about their respective roles
- Learning Representatives to work in partnership with the employer.

3 Principles

3.1 In participating in this agreement, we commit to the following principles:

- Learning throughout life benefits our teachers by providing the skills and confidence to progress and participate at the workplace and in the wider society.
- We as an employer will encourage and enable our teachers to learn and develop.
- CPD builds capacity for school improvement, raising achievement and attainment by building the confidence un teachers enabling them to participate more fully in collegial working.
- Promoted post holders and Institute personnel will assist us in this.
- Access to learning opportunities will be available on an equal basis to all our teachers.
- Equality of access to and support for learning opportunities will be subject to the conditions and guidelines as laid out in the Aims of Clackmannanshire Council.
- All our teachers will be encouraged to have ownership of their own learning and development.

- The partners agree that all individual disputes or grievances arising from any learning or educational initiative shall be pursued through the existing Council procedures.
 - Clackmannanshire Council undertakes that this agreement will not be used as an alternative to collective bargaining with the EIS and agrees to maintain and use existing negotiating procedures and arrangements.
- 3.2 It is recognised that the EIS Multi-Establishment Learning Representative and School Learning Representatives will work both within the terms of this agreement and within the terms of the National Protocol and Standards which have been established for Institute Learning Representatives.

4 Appointment of Learning Representatives

- 4.1 Clackmannanshire Council and the institute agree that Institute Learning Representatives are appointed by the institute according to the terms of the institute's national Constitution and Learning Representative Protocol, following the successful completion of an accredited module taught by an approved provider. For the purposes of this agreement, multi-establishment Learning Representatives will work at authority level and school cluster Learning Representatives will work within schools.

5 The Role of Learning Representatives

- 5.1 The role of the Learning Representatives will be to address the learning needs of teachers in the area of the Council. As part of this, Learning Representatives will work with appropriate Council personnel to:
- Learn about and promote CPD opportunities from a variety of providers, including university providers.
 - Inform, advise and support teachers in accessing quality CPD.
 - Encourage the introduction of quality programmes of CPD for teachers.
 - Assist in identifying the CPD needs of teachers and ways of improving their CPD opportunities.
 - Support the work of Clackmannanshire Council in developing CPD opportunities for teachers.

6 The Rights of Learning Representatives

- 6.1 Clackmannanshire Council agrees to support the recruitment and training of Learning Representatives and to support the recruitment, training and development of future Learning Representatives.
- 6.2 Clackmannanshire Council will, in partnership with Institute personnel, promote the role of the Learning Representative through a variety of means.
- 6.3 Clackmannanshire Council and the Institute will agree reasonable time off for Learning Representatives to undertake training and development and to fulfil their duties. Specified time off for Learning Representatives will be discussed and agreed through local negotiating mechanisms. Such time off is additional to any arrangements for time off with pay for other union duties or other union positions held.

7 The Responsibilities of the Educational Institute of Scotland

- 7.1 The Institute will give the Council, via the Head of Education, notice in writing of the names of appointed Learning Representatives.
- 7.2 The Institute will promote awareness of the role of the Learning Representatives within the EIS. This will facilitate the recruitment and to support the recruitment, training and development of future Learning Representatives.
- 7.3 Clackmannanshire Council recognises the need for, and benefits of, dialogue and co-operation with Learning Representatives. To facilitate this, the Institute will be asked to provide Learning Representatives to meet with the CPD Officer on a regular basis
- 7.4 The Institute will allow Learning Representatives full use of their facilities, by local agreement with officers. Stationery, telephones and IT access will be made available in the same way as for elected workplace representatives or Health and Safety representatives.
- 7.5 The Institute will facilitate subsequent training and development and it should be in agreement with the Council.
- 7.6 Once appointed and established, Learning Representatives will meet on a regular basis for support and updating on information, policy developments, etc. The Institute will facilitate these meetings.

8 The Responsibilities of the Council

- 8.1 Clackmannanshire Council will ensure that promoted post holders are aware of the learning agreement and will support them in facilitating reasonable time off to enable the Learning Representatives to fulfil their duties including attendance at training opportunities to support this work.
- 8.2 Clackmannanshire Council will allow Learning Representatives to use workplace facilities to support their role where possible. Access will be facilitated to use a PC including access to relevant software and other facilities at the workplace in line with other elected EIS Representatives.
- 8.3 Clackmannanshire Council will provide supplementary training for recognised Learning Representatives to ensure familiarity with existing Council policies and procedures in relation to development and learning as well as to establish close and effective working relationships.
- 8.4 Clackmannanshire Council will ensure that appropriate personnel arrange to meet with Learning Representatives in their area on a regular basis, a minimum being three times per year

9 The Roles of Promoted Post holders and Linkages to Existing Processes and Schemes

- 9.1 The role of Learning Representatives supplements and complements the normal line management responsibility in relation to developing employees.
- 9.2 Clackmannanshire Council has a number of existing processes and mechanisms in place related to employee development. These include the Personal Review and Development Scheme and CPD Co-ordinators in

schools. It is recognised that the work of Learning Representatives will support the work of the Council in this area.

- 9.3 The Head of Education will work with line managers to facilitate time off for Learning Representatives to enable them to fulfil their duties.

10 The Role of CPD Co-ordinators in Schools

- 10.1 "A Teaching Profession for the 21st Century" identified continuing professional development (CPD) as a requirement and entitlement for all teachers.
- 10.2 Clackmannanshire Services to People has responded by establishing a network of CPD Co-ordinators who co-ordinate all aspects of CPD provision at school level. Their work is in turn co-ordinated by Education and the CPD Quality Improvement Officer (QIO).
- 10.3 The QIO will bring CPD Co-ordinators and Learning Representatives together to be trained, to share good practice and to help shape the future direction of CPD with Services to People.
- 10.4 The roles of CPD Co-ordinators and Learning Representatives should be complementary and supplementary and aim to further improve the quality of CPD for Clackmannanshire's teachers.
- 10.5 The Learning Representatives will work in conjunction with the QIO, CPD Officer, to fulfil the role set out in 4.1 of this paper. In this way the roles will be complementary and supplementary.
- 10.6 Should the number of Learning Representatives increase within the Institute, the model may be amended with the agreement of the EIS and management via the LNCT.

11 The Role of Learning Representatives within Council Structures

- 11.1 The work of Learning Representatives complements the Council and school arrangements in relation to the CPD of teachers, including agreed arrangements as part of the Professional Review and Development process.
- 11.2 It is acknowledged that the Council has a number of existing processes and mechanisms in place related to teacher CPD and makes appointments of personnel at Council and school level to promote and develop CPD for teachers. Multi Establishment and School Learning Representatives will support the work of the Council in this area.
- 11.3 The appropriate Council personnel, Multi Establishment and School Learning Representatives will be brought together as appropriate to be trained, to share good practice and to help shape the future direction of CPD within the authority.
- 11.4 Through agreed local mechanisms, including the Professional Review and Development process, Teachers, MELRs and School Learning Representatives will be encouraged and given reasonable paid time off, through agreement with their Headteacher, to attend events promoting learning such as joint CPD events.

12 Monitoring of the Learning Agreement

- 12.1 Representatives of Clackmannanshire Council and the Institute at local level and Learning Representatives will meet on a minimum of once per year basis to monitor the effectiveness of the Agreement. This will include a review of progress, identification of successes, relevant issues and a general statement of aims for future work.
- 12.2 Any concerns about the implementation of this agreement should be raised with the relevant agreed Council and Institute personnel in the first instance and thereafter dealt with under agreed LNCT procedures.

13 Legal and Negotiating Context

- 13.1 All individual disputes or grievances arising from any learning or educational initiative will be pursued through the existing local grievance procedures.
- 13.2 This agreement will not be used as an alternative to local negotiating mechanisms.
- 13.3 Nothing in this agreement shall take away or detract from the rights of EIS Learning Representatives under the Employment Act 2002 and the ACAS Code of Practice. Nor does this agreement prevent the Educational Institute of Scotland from seeking remedy for any breach either of the Act or the Code of Practice

Learning Agreement between Clackmannanshire Council

and

Educational Institute of Scotland

Clackmannanshire

Employer Signatory _____ Date _____

EIS Signatory _____ Date _____