

Update on SNCT Working Group 26 November 2007

Conditions of Service Working Group

The working group met on 13 November to discuss the work of its three sub-groups. The group dealing with Educational Psychologists, Quality Improvement Officers and Education Support Officers met for the first time on the 29 March 2007 and twice more after that. The remit of the Group was to consider arrangements relating to the working hours and leave arrangements for Educational Psychologists and Quality Improvement Officers and to make recommendations to the Conditions of Service Working Group. In order to provide an evidence base for its deliberations, the Sub-Group invited all Councils in Scotland to submit evidence on extant arrangements on annual leave, public holidays, hours of work, flexible hours, time off in lieu and overtime. The Conditions of Service Working Group on 13 November accepted the principle that hours of work and annual leave arrangements for Educational Psychologists and Quality Improvement Officers should be set nationally by the SNCT. However, the remaining recommendations of the report had not been agreed by all parties prior to its submission to the Conditions of Service Working Group. It was agreed that the report would continue to be discussed by the Conditions of Service Working Group. In addition, the SNCT Joint Secretaries will issue a letter advising Councils not to alter the annual leave arrangements and working hours of QIOs and Educational Psychologists.

A sub-group was also established to look at career breaks and sabbaticals. The first meeting took place on the 15 February to establish the remit of the group. Two work streams were explored (1) an SNCT policy on Career Breaks and (2) an SNCT policy on Sabbaticals. The group distinguished between career breaks and sabbaticals insofar as the latter were defined as being paid and having a specific CPD function, the former being a period of defined special leave without pay. The group drafted an SNCT career break policy, which it passed to the Conditions of Service Working Group to consider, with a number of unresolved issues for discussion and agreement. While the Conditions of Service Working Group was unable to resolve these matters, it agreed to work towards the creation of an SNCT Career Break in principle and has undertaken to continue discussion at the next meeting.

In terms of an SNCT sabbaticals policy, a number of models were explored, but the Conditions of Service Working Group was not in a position to develop a position on a model without issues of funding being addressed. It was decided that the matter should be passed to the SNCT for further discussion. The background paper is attached for consideration.

The final matter discussed by the Conditions of Service Working Group related to the work of the technical sub-group that has been established to consider a range of payroll and implementation issues:

- a) A problem has been identified in relation to the class contact time of supply teachers who work across a number of different schools and/or local authorities over the course of a single week. Teachers who find themselves in this circumstance may be required to teach for a full day in a school at the end of the week thereby exceeding the 22.5 hours class contact time. The Conditions of Service Working Group will continue to discuss this matter;
- b) An issue has arisen in relation to leave accrued and not taken when teachers leave one council and take up a post in another council without a break in employment. A significant number of councils do not make a payment in lieu of leave accrued when a teacher leaves within the leave year and, similarly, the councils do not undertake a balance of leave calculation when a teacher arrives during the leave year. The sub group will continue to discuss accrual of annual leave for teachers who change employers and will consider legal advice on the matter;
- c) There is an ongoing issue about local authority practices in relation to the payment of accrued leave to post-holders operating on an acting-up basis. Discussion on this matter will continue at the next meeting of the Conditions of Service Group;
- d) Since the introduction of SNCT/26 the SNCT Joint Secretaries have issued guidance annually on payment for teachers retiring/resigning at the end of session. Part 2, Paragraph 5.3 of the SNCT Handbook now makes it clear that teachers retiring or resigning at the end of the session, having worked for the full session, should be paid for the whole of the summer holiday period;
- e) Since the introduction of SNCT/22, there has been an inadvertent discrepancy in the qualifying period for Occupational Maternity Pay and Statutory Maternity Pay. Following legal advice taken by both COSLA and the Teachers' side, it is apparent that teachers' contractual rights under SNCT/22 and SCT/49 should be maintained. It will be for the SNCT to consider whether this matter is addressed in any future agreement on maternity leave and pay.

Review of LNCTs Working Group

This Working Group received reports from all LNCTs on the monitoring of Working Time Agreements and the development of the culture of collegiality across schools. The Working Group recognised that considerable progress has been made and, in

some council areas, the culture of collegiality has been well developed. However, it is recognised that the management of workload remains a significant issue for LNCTs.

The Working group has developed advice on good practice to assist monitoring working time, developing collegiality and managing workload this advice, 'SNCT Guidance on Working Time Arrangements and Development of a Collegiate Cultural Climate', is appended. The documents referred to in the SNCT Guidance are provided for information only and will not be distributed with the Guidance. The SNCT is asked to approve this Guidance.

The Working Group agreed that:

- (i) there would be no request to receive updates on monitoring this session;
- (ii) reports on managing workload would be requested.

The Working Group has overseen the development of the SNCT website. The site has been overhauled with improved "search" facilities. All three sides of the SNCT have been trained on the new website.

Finally, the Working Group has given consideration to a national event to be held on 12 March 2008. The purpose of this event would be to provide a forum for elected members, officers and LNCT personnel to be informed on, and to discuss, the work of the SNCT.

Support Staff Working Group

This Working Group completed its work at its meeting on 15 March 2007 and 'The Guidance on the Deployment of Support Staff in School' was issued on 4 May 2007. The Joint Chairs at their meeting of 7 November 2007 agreed to recommend to the SNCT that this working group should be discontinued and that the Joint Chairs and Joint Secretaries would monitor issues relating to support staff.