

Committee	Dated:
Establishment Committee	30 April 2019
Subject: City of London Corporation Schools – Update Report	Public
Report of: Director of Human Resources	For Information
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Summary

This report advises the Committee of a number of employment matters in relation to the three City of London Corporation Schools. A pay award of 1% will apply to teaching staff with effect from September 2019. Revised Capability and Probation Procedures have been agreed for teaching staff to align with those agreed for other city corporation staff. There has been a review of the responsibility allowances applicable to teaching staff which now separately identifies those duties that form part of the substantive role, from those extra duties that can be undertaken any teacher. The Government's recent announcement that employer contributions to the Teachers' Pension Scheme are expected to increase by 43% from September 2019. The Head Teachers and their Chairmen have had an initial meeting with officers in the City Corporation to discuss the implications of this. A new Trade Union Recognition Agreement has been agreed with the National Education Union and the City Corporation. The Agreement is in relation full and part time teachers on the teacher's salary scale, and all teaching members of the senior management teams but excluding the Head Teachers, student teachers and visiting teachers.

Recommendation

Members are asked to note the report.

Main Report

Background

1. The Boards of Governors for the three City Corporation schools' terms of reference include '*responsibility for all school matters*'. The Establishment Committee terms of reference include '*consideration of submissions of the Board or Boards of Governors relating to teaching staff, which, inter alia, may have to be finally submitted to the Court of Common Council*'. In addition, '*to approve any increase in the salaries for teachers at the three City Schools if they are in excess of that recommended by the School Teachers' Review Body and any proposed changes to the basic salary structure or restructuring of the common pay spine for teachers*'. This report provides the Establishment Committee with an update on employment matters in relation to the three City Corporation schools.

Current Position

Teacher's Pay Award 2019/20

2. The Teachers Pay Panel comprises the Chairmen of the Boards of Governors who have delegated power to agree the pay award for staff on the teachers' main grade, senior management teams and increases to responsibility allowances. For the academic year 2019 – 2020 the Teachers Pay Panel has agreed an award of 1% on pay and responsibility allowances. This award reflects the increase to the employer contribution to the Teachers' Pension Scheme, costs which must be borne by the schools (see also paragraph 8 below). In addition, all of the schools have short, medium and long term financial commitments to be met. The schools are committed to keeping costs at a minimum and all have increased their fees to offset these rising costs, whilst being mindful of affordability of fees and the impact that this will have on parents and families in what are very uncertain times. The independent school sector continues to struggle, many have had no pay awards or very minimal ones for a number of years. This is the first time in the last 10 years that our teaching staff have been awarded less than City Corporation staff and they have either had the same or more in previous years.

Probation and Capability Procedure

3. Members will recall that we reported on the revised probation and capability procedure for City Corporation staff last year. These have now been adapted to apply to teaching staff and following consultation with the common rooms, the revised procedures applicable to the teaching staff have been agreed by the Boards of Governors at all three schools.

Review of Responsibility Allowances

4. A cross school review of responsibility allowances has been undertaken and identified that there were two types of duties that received a responsibility allowance:
 - those that form part of a substantive role e.g. Head of a department;
 - those that are extra to the specific teaching role that could be undertaken by any teacher.
5. The former allowances are allocated to a role, therefore when a teacher is recruited and appointed, they receive the allowance that is associated specifically with that role. As such removing or changing them would be a change to terms and conditions. These have now been reviewed by Head Teachers to ensure that there is consistency across the schools. The changes will be implemented during the summer term.
6. With regards to the extra duties, each school determines and holds their own list of extra duty roles. This means that some are similar across schools, but they can also be unique to an individual school. This part of the review has resulted in revised administrative arrangements to ensure that there is consistency in how these roles are offered to staff, reviewed and removed.
7. The final part of the exercise has been to review the senior management teams as the Head Teachers wanted to have a similar model applicable to all three

schools. The revised structures, which will broadly follow the structure at the City of London Freemen's Schools has been agreed by the Boards of Governors at their meetings in February and March 2019. It is expected that the revised structures will be in place for the Autumn term.

Teachers' Pension Scheme

8. The Government's recent announcement that employer contributions to the Teachers' Pension Scheme are expected to increase by 43% from September 2019 has caused widespread concern in the independent school sector. As a result, the Independent School Bursars Association, collaborating with the Association of Governing Bodies of Independent Schools and the Independent Schools Council, have worked quickly to provide an alternative pension scheme for those schools faced with existential threats by the scale of the increase.
9. The three City Corporation schools can manage the short term effects of this increase through a mix of fee increases, cost management, and lower teacher pay rises, but further increases and the compound effect of this on their budgets led to the Governing bodies requesting that the issue be looked at by officers to provide options for consideration.
10. An initial meeting with officers from HR, Chamberlains, Comptrollers, Heads Teachers, Bursars and Chairmen has taken place to: consider a range of options to be explored; governance and decision making and the implications of the corporation being the employer. The group will meet again in the Summer term. The Teachers' Pay Panel has confirmed to the Common Rooms that the Governing Bodies have unanimously agreed not to make any recommendations to re-consider the current arrangements for Teachers' Pension Scheme membership for the academic year 2019/20 and acknowledged that appropriate pension provision for teachers is an essential element of the schools' approach to the recruitment and retention of excellent teachers.

Trade Union Recognition Agreement with the National Education Union

11. The previous Trade Union Recognition Agreement applicable to teaching staff was with the former Association of Teachers and Lecturers (ATL). The terms of that Agreement included that if the ATL ceased to exist or upon its merger with another union, the Agreement would automatically terminate. In January 2018 the ATL merged with the former National Union of Teachers to form the National Education Union (NEU). Discussions were already underway before the proposed merger to revise the Agreement with the ATL but had not finalised at the point of the merger. The Boards of Governors therefore agreed to extend the Agreement until the end of the Spring Term 2018 in order for the discussions to be concluded. The extended discussions have in fact been on-going since then. This has meant that since the Summer Term of 2018 there has been no Agreement in place although the Teachers' Pay Panel agreed to meet with Common Rooms and the NEU Regional Officer for the purposes of discussing their pay claim.
12. We have now successfully concluded the outstanding issues with the NEU and common rooms and a new Agreement became effective from 1 April 2019. The new Agreement is largely the same but now includes the senior management

teams who were the only group of Corporation staff not covered by a collective agreement or collective representation. The new Agreement has been updated to recognise that new technology means that there do not need to be meetings when business can be conducted effectively by email and this already works well in practice. In addition, the Agreement is also explicit that working collaboratively as opposed to an adversarial way, is in the best interests of staff.

Proposals

13. There are a number of employment matters facing the schools and it is proposed that there are further reports back to the Establishment Committee as necessary.

Corporate & Strategic Implications

14. The Boards of Governors are aware of the unique status of the three City schools in that they are not deemed to be fully independent and are owned by the City of London Corporation who is the employer of all the staff employed at the schools. This means that the decision to make changes to terms and conditions of employment including pensions is a matter for the City of London Corporation. Governing Boards, Establishment Committee, Policy and Resources and, ultimately, Court of Common Council would need to agree and approve any changes to the current arrangements

Implications

15. Having a Trade Union Recognition Agreement in place allows the City Corporation to enter into collective agreements on the specified terms and conditions of employment. The alternative would be to enter into individual consultation on changes to contractual terms and conditions of employment, which would be onerous for all concerned. The NEU could in any event seek to secure statutory recognition which might not have resulted in the agreement that we have reached on a voluntary basis.

Conclusion

16. This report provides an update on various employment matters in relation to teaching staff at the three City Corporation schools. Further updates will be made to the Committee as necessary.

Appendices

None

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