



THE GLOUCESTERSHIRE TEACHER

NEWSLETTER OF THE GLOUCESTERSHIRE DIVISION NATIONAL UNION OF TEACHERS ~ MARCH 2003

Divisional Secretary Andy Johnson writes:

OPPORTUNITY TO RECEIVE THRESHOLD CASH TAKEN AWAY

TEACHERS WHO WERE TOLD EARLIER IN THE YEAR THAT THEY COULD APPLY TO CROSS THE THRESHOLD IN SEPTEMBER 2003 AND RECEIVE THE MONEY FROM THAT TIME ARE NOW TO FIND THEY HAVE BEEN MISLED AND THAT THEY WILL GET NO INCREASE UNTIL SEPTEMBER 2004.

The NUT has learnt that teachers new to pay point M6 (i.e. those who were on point 7 or 8 of the old pay spine) and who did not apply by the deadline of September 30th 2002 will not be able to receive a threshold increase until September 2004. The DfES are changing the way in which the scheme works so that teachers will not apply retrospectively for threshold but rather will apply in advance of the date when they will receive the money.

How were you supposed to know? The DfES placed the information on their website (www.teachernet.com) sometime in August but did not circulate schools. It seems that those responsible for making these changes assume that one of the first things teachers do on returning to school at the beginning of the Autumn Term is to log onto the DfES website! DfES officials have dismissed claims that there is a problem pointing out that no teachers have contacted them about this matter. In response the NUT has pointed out that few if any teachers as yet know that they have a problem.

An NUT spokesperson said: "There is a real issue here and the DfES seem to be pleading ignorance. This is not an issue which the NUT will let pass. Teachers have been saddled with a pay policy that they did not want and due to bungling and bureaucracy the DfES seems to think that it is acceptable for them to be denied a pay rise that they rightly deserve now - not in two years' time. The matter will be pursued through every means at the Union's disposal."



*If you have an issue you want to raise then write to:
Andy Johnson, NUT Divisional Secretary, 8 The Maples, Cirencester GL7 1TQ*

What will it cost those affected?

The impact of the change means that this group of teachers, Round 3 cohort 4 as they are called, will not only lose out on the initial £2,000 but will also miss out on being eligible to move further up the post threshold pay spine for an extra year. Their loss could be of the order of £3,000.

If it affects you - get in touch

The NUT wants to be able to quantify the extent of the problem and is asking members to contact their local officers or regional office in order that the extent of the problem can be established. The Union wants members to be part of the campaign to restore the opportunity to move across the threshold. We will be asking members to write to their MP's and encouraging their

governors to draw to the attention of the Secretary of State the injustice that is being done. A draft letter will be available from the NUT for this purpose.

There is also to be a Round 3 Cohort 5

This cohort will consist of teachers who were on point 9 of the old pay scale on 1st September 2001 who were either unsuccessful in their threshold application or chose not to apply and also teachers placed on point M6 of the new pay scale after 30th September 2002 (e.g. people returning to teaching after a career break). These cohort 5 teachers can submit their applications to their head teacher by summer 2003 (precise date to be confirmed).

REDUCTION OF FINAL AVERAGE SALARY FOR PENSION CALCULATIONS

Some teachers believe that all of a salary increase near the end of their careers will count towards their pension. However, a few years ago steps were taken to prevent abuse of this by governing bodies granting a final year increase merely to boost pensions. Unfortunately, this also affects some people asked to take on extra responsibility during the last three years of their teaching prior to retirement.

Regulation E31(11) of The Teachers' Pensions Regulations 1997 places a limit on the final average salary used to calculate retirement benefits in a case where in any financial year during the average salary period a person has received an

increase in contributable salary which is greater than 10% more than the "standard increase" i.e. the annual pay award. Under such circumstances the teacher will be treated as having received a salary increase limited to 10% more than the "standard increase", unless the teacher's employer elects to pay an additional contribution to Teachers' Pensions equivalent to the value of the extra pension and lump sum benefits arising from any increase above 10%.

The salary increase paid to teachers passing the threshold does not count for this purpose.

This provision does not apply in the following cases:

- a) A teacher retiring with ill-health retirement benefits from Teachers' Pensions
- b) The calculation of an in-service death grant
- c) The calculation of a long-term pension payable to the spouse, nominated beneficiary or child of a teacher who dies while engaged in pensionable employment
- d) To any increase in contributable salary received while the teacher was employed by an employer other than the body

which was the employer immediately before s/he became entitled to the payment of retirement benefits.

IF YOU ARE AN NUT MEMBER NEAR TO RETIREMENT AND WANT FURTHER CLARIFICATION OF HOW THIS MIGHT AFFECT YOU PLEASE CONTACT THE NUT REGIONAL OFFICE ON 01392 258 028.

REDUNDANCIES AGAIN...

IT SEEMS THAT NEVER A YEAR PASSES HERE IN GLOUCESTERSHIRE WITHOUT SOME MEMBERS BEING FORCED OUT OF THEIR JOBS WHEN SCHOOLS FIND OUT THERE'S NOT ENOUGH MONEY IN THEIR BUDGETS FOR NEXT YEAR.

Over the last 12 months 11 schools in the County have had to make forced redundancies and at this moment (end of February) the NUT is in consultation with 5 primary schools over possible redundancies. The chief cause is falling rolls.

There are of course many teachers who would jump at the chance of taking early retirement (with enhancement) or an enhanced severance payment (possibly amounting to as much as a full year's full salary with no superannuation and little or no tax). With this in mind, and in order to try and prevent

forced redundancies, the NUT in Gloucestershire has proposed to the LEA the idea of "shadow vacancies".

We have asked the LEA to encourage every school to ask their own teachers about the possibility of taking voluntary early retirement or severance. Where teachers come forward the school would notify the LEA of their existence and a list of "shadow vacancies" would be created. Teachers in schools where redundancies have to be made could then be offered the opportunity of putting themselves forward for consideration by the schools with shadow vacancies. No-one would have to be identified for redundancy - a big advantage, as anyone who has been chosen for redundancy will tell you. Of course, the decision on whether they would get the job would still rest with the head teacher and governors of the school offering the shadow vacancy.

SIX-TERM YEAR CONSULTATION

The LEA asked all the unions with members in schools to consult their membership about moving to a 6-term year. Returns had to be with the Authority in the first week of February. The Gloucestershire Division of the NUT sent a letter to the NUT Representative in every state maintained school and other educational establishment in the County asking them to canvass the views of NUT members. A stamped addressed envelope was provided to make life easier for hard-pressed reps to return the information in time!

Out of a total of 302 establishments canvassed replies were received from 62. Of those who responded a clear majority were in favour of the proposals with the following provisos:

1. Any change should be introduced nationally;
2. the six week break in the summer is very precious and must be retained and
3. there should be at least two weeks (or even 3) at Xmas.

SUPPORTING INDIVIDUAL MEMBERS

Your local Union is constantly receiving calls for members seeking advice on one professional matter or another. With all the problems over workload, threshold and the upper pay scale the local services of the Union have never been busier. Many enquiries can be sorted out over the telephone. Where more substantial support and representation is necessary, a local officer (a practising teacher) will meet members and if necessary represent them at hearings in front of head teachers and panels of governors. The principal NUT

casework officer in Gloucestershire is the Divisional Secretary. Over the last year he has supported members in 24 schools and 8 other educational establishments.

Issues for which members have required representation have included (in no particular order) disagreements over job descriptions, incorrect salary grading, salary grievances and re-grading, bullying, application for unpaid leave, misconduct, competency, long-term illnesses, stress-related illness, workload, equal pay claims, contract changes involving moving from teachers' pay and conditions to Soubley pay and conditions, job-share, progression up the upper pay scale, threshold applications and reviews, redundancies, parental complaints and pupil allegations.

THE GLOUCESTERSHIRE TEACHER

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MEMBERS ARTICLES/LETTERS WELCOMED

BLACK TEACHERS' CONFERENCE 2003

The twelfth NUT Black Teachers' Conference will be held at Stoke Rochford Hall, near Grantham, Lincolnshire, on Saturday, 17 May and Sunday, 18 May 2003, with an informal reception on the evening of Friday, 16 May 2003. Accommodation will be provided at the Hall for Friday and Saturday nights.

The theme of this year's Conference will be 'Making Equality a Reality: Putting Policy into Practice'. There will be a number of keynote speakers and plenary sessions. Dr Richard Majors from the University of Glasgow has accepted an invitation to speak on Sunday morning. Shazia Mirza will be giving an after dinner speech at the informal reception on Friday evening. The Conference will include an Open Forum on Saturday afternoon where participants will have the opportunity to put questions to a panel of national NUT officials and officers. There will also be a number of workshops during the Conference and information on these will be provided at a later date.

Any black NUT member interested in attending this conference should contact the Divisional Secretary, Andy Johnson (for contact details see the NUT Contacts section) before April 16th at the latest.

NEW MATERNITY & PATERNITY LEAVE PROPOSALS

For prospective parents expecting a baby on or after April 6th 2003, the legislation, expected to be approved by Parliament this month, will entitle mothers to higher maternity pay and more time with their babies, while fathers will have the right to paid paternity leave for the first time. This also includes adoptive parents.

Under the new rules, pregnant employees will be able to take up to a year off, depending on length of service. All women will have the right to 26 weeks paid maternity leave instead of 18, regardless of how long they have worked. Women who have notched up 26 weeks service by the 15th week before their baby is born will also be able to take unpaid leave for an extra 26 weeks. Until now, most teachers have been allowed a maximum of 14 weeks leave, if they had worked for the same employer for at least a year.

Maternity pay will also increase. After six weeks on 90 per cent of their normal pay, women will receive £100 statutory maternity pay for the next 20 weeks; the current rate is only £ 75 per week.

Women teachers may qualify for higher maternity pay if they have worked for their employer for at least a year up to the 11th week before the baby is due. Pay and conditions vary for schoolteachers, who are working in

independent schools, Lecturers in FE and sixth-form colleges, so they will have to check their entitlements.

Fathers will be able to take one or two weeks' paternity leave, paid at the rate of the hundred pounds a week. To qualify, you must have responsibility for the child's upbringing and be its biological father and the mother's partner or husband. You must have worked continuously for your employer for the 26 weeks leading up to the 15th week before the baby is due. Paternity leave has to be taken within 56 days of the birth, unless the baby is premature. Fathers can choose the dates, but they must take it consecutively.

Fathers of babies who were due before April 6th but arrive later will be entitled to paid paternity leave; mothers of babies due before 6th April will not be entitled to the improved benefits.

If you are adopting a child who will be placed with you on or after April 6th, you are entitled to the same maternity leave and pay benefits. To qualify you must be matched with a child by an approved adoption agency. You must have 26 weeks continuous service with your employer leading into the week you receive notification. The adoptive father has the right to paternity pay and leave, with similar conditions to those for biological fathers.

CLAIRE'S

O Feeling bullied?then read on.....

When we hear about bullying in schools it usually refers to pupils. However, just as in other walks of life, schoolteachers can suffer from adult bullying and this can take many forms, including unjustifiable increases in workload, derogatory comments, ostracism from staffroom groupings, denial of necessary information, unreasonable timetables or room allocations as well as sexual or racial harassment, homophobic behaviour or ageism.

Many teachers feel unsure about their situation – if so talk to someone you trust (this could be your Union representative in school or at local level) or contact the Teacher Support Network's "Teacherline" on 08000 562 561 which is available 24 hours a day on all 365 days of the year for this and other counselling needs. Our local contact for the Teacher Support Network, who can be contacted, *at civilised hours please*, is:

CLAIRE PRICE - 01242 244 582

If you are being bullied then these are some things you can do:

- Tackle the bully about your concerns (do this assertively but not aggressively) making clear any behaviour you find unwelcome.
- Talk to your NUT representative and get help if you don't feel able to tackle the bully yourself or if you are unsure if you are right to be concerned.
- Keep a diary of events and make a note of witnesses
- Talk to trusted colleagues about their experiences
- Keep appraisal reports, correspondence, etc.
- Make sure you have a copy of your job description, person specification and school policies, handbook
- Have these documents and your record of events available for your local Union representative if you ask her/him to help you (you'll find contact numbers on the back page).



INFORMATION ON CONDITIONS OF SERVICE

TEACHER'S CONDITIONS OF SERVICE ARE LAID DOWN IN FOUR PLACES:

1. The Burgundy Book agreements
2. The School Teachers' Pay and Conditions Document
3. Statutory Law
4. Local Agreements

THE BURGUNDY BOOK COVERS:

- Appointments
- Resignations
- Notice periods
- Dismissal periods
- Retirements
- Sick leave and sick pay
- Maternity leave
- Other leave

THE SCHOOL TEACHERS' PAY AND CONDITIONS DOCUMENT (THE BLUE BOOK) COVERS:

- Salary scales and allowances
- Professional duties
- Working time ('directed time')
- Performance threshold criteria and procedures
- Standards for Advanced Skills Teachers
- Eligibility and competencies for Fast Track Teachers.

The Statutes cover employment, part-time workers regulations, fixed term workers regulations, health and safety, working time regulations, child protection, national curriculum, school governance and the powers of school governors.

LOCAL AGREEMENTS MAY COVER AREAS SUCH AS:

- Cover agreements which improve upon the Blue Book stipulation of three days
- Holiday dates
- Times of the school day
- Early Retirement Schemes
- Career Break Schemes
- Job share arrangements
- Overpayments of pay
- Codes of Conduct
- Disciplinary procedures
- Competency procedures
- Grievance procedures

A few points worth noting:

UNDER THE BURGUNDY BOOK AGREEMENTS:-

- Teachers are paid monthly

- Teachers receive not less than one third of a year's salary for each full term of service
- Autumn Term = September 1st to December 31st
- Spring Term = January 1st to April 30th
- Summer Term = May 1st to August 31st
- Resignations:- three months in summer term (i.e. by May 31st); two months in autumn term and spring term (i.e. by 31st October and 28th or 29th February)
- Deductions from salary (e.g. unpaid leave) on a daily rate (i.e. 365ths not 195ths)
- Sick pay:
 - 1st year of service** (after 4 months) = 25 working days full pay and 50 working days half pay.
 - 2nd year of service** = 50 working days full pay and 50 working days half pay.
 - 3rd year of service** = 75 working days full pay and 75 working days half pay.
 - 4th year of service and greater** = 100 working days full pay and 100 working days half pay.

UNDER THE BLUE BOOK:-

- School year = 195 days of which 190 is with pupils.
- Maximum of directed time = 1265 hours, allocated reasonably across the 195 days
- Directed time = timetabled pupil contact, staff meetings, parents' evenings, performance management, staff development days.
- Teachers allowed a midday break of reasonable length between 12 p.m. and 2 p.m.
- Teachers should not have to cover after third day of absence (locally we encourage a minimum of one day and preferably zero days)
- No time limit on preparation, planning, assessment and reporting
- Participation in Performance Management
- Teachers on the main scale receive 1 point on the salary scale for each year of service in the State Sector
- Teachers on the upper pay scale have to spend two years on point 1 before they can move to point 2.
- A year for salary purposes means being employed as a teacher (part time or full time) for at least 26 weeks within the previous 12 months.

UNDER THE STATUTES:-

- Part-time workers must be treated proportionately to full-time
- Part-time and fixed term contract workers entitled to INSET and training
- Part-time workers have the same employment rights as full-time

NUT Contacts

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NUT WEBSITE

www.teachers.org.uk

TEACHER SUPPORT NETWORK "TEACHERLINE"
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TEACHER SUPPORT NETWORK
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