

Oral Evidence – October 2008 – Draft

Questions by STRB and BATOD responses

BATOD makes annual submissions to the School Teachers' Review Body (STRB) on behalf of Teachers of the Deaf. The value of this representation is demonstrated by the fact that BATOD comments have been referred to in the STRB report to Government. Furthermore the various Teacher unions also refer to our documents and points in their own submissions.

This year BATOD was invited to present oral evidence to the STRB. Ted Moore, as the retiring Consultant who has been negotiating with STRB for several years, and Peter Preston (who will be taking over this aspect of the Consultant's role) represented the Association. Not all of the planned responses were required during the meeting. Ted and Peter were questioned by about 10 people. They felt that the meeting went reasonably well and that they were listened to. There were no 'sticky' moments and those present were polite and appeared interested but.....!

Introduction by BATOD

1. BATOD organisation + most of our views would be endorsed by other SEN specialists
2. Members work in a variety of settings – mentioned units + schools, Service, CI centres
3. Qualifications – MQ
4. Work across phase + pre-school and post-16
5. Work in different settings – homes, hospitals, etc
6. Some, although teachers, are on different pay scales
7. Service staff: can be in a variety of set ups – Sensory etc. Children's Services have had an effect on structures
8. Peri staff - salaries determined by LA – no Governing Body, vulnerable group – the ToD/VI allowance taken away – we think there ought to be some incentive, reward, some recognition for this. To be a ToD have to be a teacher first – therefore what incentive to change from mainstream to a specialist area? Age profile over 50 %, according to NUT, over 50 – concerns us – need for younger teachers to gain experience so can take on management responsibilities later on
9. Delegated units/resource bases – staff paid at whim of school
10. Peris - problems with funding, budgets, PPA time, high caseloads, travel time, CPD (delegated units) – see also NAS/UWT workload

SEN allowances (Remit matter {c})

STRB Questions (STRB)

Our understanding is that your key points on this issue are:

- a. SEN allowances are crucial in recruiting and retaining teachers to work in the SEN field.

- BATOD Response: Variety of settings, small teams, little opportunity for career progression, flat management structures, population of deaf children fluctuates. Allowances are also a reward for skills and expertise. Possibilities of alternative payments, e.g. through TLRs or ASTs, or combinations, but there must be mandatory aspects included which reflect the MQ. Care also needed in regard to discretionary payments.
- b. From January 2009, many Teachers of the Deaf will lose safeguarded MAs and have a reduction in their salary as a consequence. For this reason, SEN allowances should be considerably increased in value.
 - BATOD Response: Particularly the case with delegated units. Some have reduced pay but same workload. Consideration seems to revolve around numbers in the units. We recognise that TLRs could be used but we think there should be guarantees – that is why SEN allowances seem to be the best option. Used Penny Rowbottom’s job description, inc. nos of pupils and staff, to highlight the issue.
- c. All Teachers of the Deaf (or visually impaired or MSI) holding the mandatory qualification should automatically receive the SEN2 allowance; a national organisation involved in SEN should draw up a list of specialist qualifications which would entitle teachers to the higher SEN allowance.
 - BATOD Response: Yes. 1 year FT or 2 years PT. Post-graduates. Courses now mostly at near MA/MSc levels – can be converted to these by dissertation.
- d. There should be greater clarity in the guidance for awarding SEN 2 allowances.
 - BATOD Response: Experience = questionable. NUT think SEN2 should be awarded to mainstream teachers after 2 years of working with students with SEN. We don’t agree unless there are clear indications that training at a high level has been implemented. Would you want your child to be taught by someone with no experience/qualifications? End –on training no longer a possibility, so people are being trained whilst ‘on the job’. (Not mentioned – but we have reservations about a greater input on SEN to trainee teachers. How will it fit into existing programmes? Will it imply that all teachers will know a lot about the variety and complexity of all disabilities and therefore there will be no use of the specialist?)
- e. BATOD also ask STRB to consider whether all Teachers of the Deaf in ‘combined teaching, support or advisory’ roles should be paid on the AST scale. Is that right?
 - BATOD Response: This has been raised as an alternative, in the light of changing circumstances. At the moment we don’t know of anyone receiving such a payment. (see also NUT, poor take-up). Similarly, take –up on the Excellent Teacher Scheme has been even poorer (only 50-70 nationally according to Union feedback).
- f. What do you see as the main purpose(s) of the allowance (SEN)? E.g. Recognition of specialist skills and experience or more for recruitment and retention – you seem to suggest the latter?
 - BATOD Response: SEN 1 is for recruitment. SEN 2 is for MQ. But the SEN allowances are also a reward for experience, expertise and for working in challenging environments.
- g. Couldn’t this be addressed via TLR payments?

- BATOD Response: Yes – but finance, school budgets and perceptions through workforce re-modelling have combined to make it very difficult. Awards are at the whim of the school (delegated unit) or LA. No Gov. bodies or Pay Committees for perip staff. We reminded STRB of our Model pay Policy which none of those present seemed to know about. We suggested that perhaps further investigation on combining SEN, Excellent Teacher and AST scales with specific caveats for those working with pupils with SEN and also with specific qualifications (MQ) should be undertaken. However, in the light of changes to leadership structures (school federations), and as ASPECT suggest, in 'an era of increasingly integrated education and children's services' it may be opportune to look at overall 'system leadership structures'.

(We didn't make a great deal of this point but it should be carefully considered by BATOD, bearing in mind these changes, and the current huge differences in LA's organisation of Specialist Services. This latter point is underlined by the variation in job titles, pay scales and differentials in Specialist Services. There are also a conflict of interests in relation to school versus LISEN structures.)

- h. You mention that some teachers will soon lose income as safeguarding comes to an end and that SEN allowances should therefore be increased to compensate for this. Can you tell us a bit more about your rationale for this?
 - BATOD Response: See above and use of PR's job description – having been downgraded although this and her workload has not changed. Explained via job description, the additional tasks which a ToD has to do. We feel that ToDs have missed out. They have been given pay cuts to open up funding for other areas – deaf children seen very much as a minority. We also mentioned the list of tasks (admin.) which a teacher is not supposed to undertake but which many peripatetic ToDs have to do (or feel they must do) as there is no-one else to carry them out (funding issues and lack of admin. support). No appropriate Pay Policy for Specialist Services. STRB said they would look into this, i.e. the one we produced.
- i. How do you suggest the criteria for awarding SEN2 allowances is improved?
 - BATOD Response: By stages: SEN 1 for all teachers who are employed to work with children with LDD/SEN. SEN 2 for qualifications – equivalent to the mandatory award. Mandatory payments for both levels should apply to teachers with the MQ.
- j. What is your rationale for proposing that some teachers of the deaf should be rewarded on the AST scale?
 - BATOD Response: Because of their expertise and experience, having to advise other teachers of how to deal with deaf children. But this is only seen as an alternative if there were significant changes to SEN allowances.

Excellent Teachers (Remit matter {d})

STRB Questions

Our understanding is that your key points on this issue are:

- a. You have reservations about the scheme because you believe it is likely to cause divisions and add additional bureaucratic burden to managers and applicants.
 - o BATOD Response: Small teams, people likely to be of similar age and so not seen as a career path. Can't do it within a peri Service. Peris not together in one place, work often with different age groups – 0 to 19. Divisive – the term tends to imply others aren't excellent. We understand only 50-70 posts have been created in England and Wales, so rejected by the profession. Most peris or teachers in special schools performing similar functions would be on the Leadership Scale or TLRs.
- b. You believe there are issues relating to ETs in specialist services and special schools, and their affordability, which must be resolved before pay can be considered.
 - o BATOD Response: Yes – as above. Funding limited through LA reductions and re-organisation. Better to use TLRs.
- c. What do you see as the cause of the divisions created by the excellent teacher scheme? How do you think these could be resolved?
 - o BATOD Response: Don't see it working. (Only know of 1 ToD working from a School for the Deaf who has AST status.)
- d. If affordability was not an issue do you think the ETS could be a useful tool for special schools and specialist services? How would you envisage it working in these cases?
 - o BATOD Response: No. See above.
- e. If the issues could be resolved do you have views on how ETs pay should work?
 - o BATOD Response: We don't think this is the right approach. TLRs = better.
- f. How do you think changes to the scheme would affect people in specialist schools or special services? Would a change to ET pay have any impact?
 - o BATOD Response: No.

Teachers' professional roles and responsibilities and conditions of employment (Remit matter {e})

STRB Questions

You have noted that Part 9 of STPCD does not make particular reference to heads of specialist services and suggest particular areas for consideration, ie financial matters, appointment and management of staff etc.

- a. Can you explain the particular difficulty this omission is causing?
 - o BATOD Response: Heads of Services are paid in a huge variety of ways, depending on what they are responsible for. Some are on different pay scales although they are responsible for teachers. We

believe they must have QTS. Provision is different from one area to another. Heads of Services do not have executive powers. ToDs are covering the 0-19 age range, so are working in different contexts, with a range of disabilities, communication needs and complex difficulties. They have a wide range of responsibilities. They fulfil quite a number of administrative tasks which, according to the workforce agreement, they are not supposed to do, e.g. collating pupil reports, inputting and managing pupil data, invigilate or administer exams. PPA time is often not possible, and is frequently linked to travel time.

- b. Why do you think anything further is necessary in STPCD – wouldn't including more make the document (even more) unwieldy?
 - o BATOD Response: It might make it larger but equality of pay is more important. STRB should consider BATOD's Pay Policy. As suggested above, the whole issue of Heads of Service pay and conditions should be investigated.
- c. Do you agree the current provisions relating to headteachers' responsibilities and conditions should apply equally to heads of specialist services?
 - o BATOD Response: Yes, but there are problems in determining the numbers – staff and children/pupils – which could determine appropriate pay bands. There is a complexity in the role they play but they are responsible for teachers.
- d. Wouldn't greater prescription in STPCD hinder the development of practices that meet the needs of local areas?
 - o BATOD Response: Not necessarily, as it would depend on the degree of prescription. A more in-depth look at how Services are structured, managed and paid would be helpful. Get rid of Excellent Teacher and AST scales?
- e. You have said you are not aware of any cases in which Teachers of the Deaf have been appointed to Excellent Teacher or Advanced Skills status. What do you think are the reasons for this, and what is the impact?
 - o BATOD Response: See above re: different circumstances – small teams, working outside the compulsory sector, etc. There are also financial implications. ToDs more likely to be on TLRs with specific tasks. Connotative values attached to names – 'excellent'.
- f. Is it an issue just for Teachers of the Deaf, or for teachers working with children with special needs more generally?
 - o BATOD Response: For others too – LISEN.
- g. How might we address this issue?
 - o BATOD Response: A more flexible system? Get rid of ET and AST scales? Change TLR descriptors?
- h. You have expressed concern about those teachers working in specialist services being marginalised in respect of receiving due reward for their management responsibilities, and that their work is undervalued by heads in mainstream schools. You have suggested that Teachers of the Deaf do not receive TRL1 payments because the criterion (line management responsibility for a significant number of people) is unclear.

What precisely do you mean by 'marginalised'?

- BATOD Response: Heads of Schools where there are delegated units suggesting that the Head of the Unit only has to deal with a small number of pupils. Hence, under workforce reform quite a number of ToDs have had their salaries reduced, i.e. they have been downgraded and their status lost. No guidance on what 'significant number of people' means in relation to a TLR1.
- i. What evidence do you have that there is a problem?
- j. How do you think the criterion for awarding a TLR1 might be improved?
 - BATOD Response: Reports from our members. What does responsible for 'significant number of people' mean? Do the 'people' include TAs? Needs clarification.
- k. What else do you think might be done to rectify this?
 - BATOD Response: Review the whole area of 'unattached teachers' – after changing the name! Improved finance to specialist Services and units/resource bases.
- l. There is a plethora of documents concerning statements about what teachers should do or how they should behave and their working conditions – for example, the GTC code of conduct and statement of professional values, the 'Burgundy Book' setting out conditions of employment as well as the STPCD. The NCSL is developing professional standards for school leaders.

Do you have a view on the coherence of the various documents? What function are they fulfilling? Where would a statement of professional responsibilities best fit? Is there a better way of organising these?

- BATOD Response: See ASPECT above and review of leadership structures. Concerned at what NCSL are producing and how that might relate to Services. Burgundy book needs reviewing but Service Heads need to be able to access the documents. To whom are they sent?
- m. Do you have any further comments on the structure of the STPCD?
 - BATOD Response: It is a complex document but with a range of scales and conditions of employment, it needs to be.

System of reward for leaders (Remit matter {f})

STRB Questions

Other consultees have proposed there should be discretion to vary the ISR by up to two school groups higher in certain circumstances to enable STPCD to provide for the merging models of leadership, such as different types of federations, and schools with Executive Heads. They have also proposed a new discretion that would allow a separate remuneration for head teachers who have taken on additional responsibilities for extended services as part of the local authority's area plan.

- a. Do you have a view on these proposals?
 - BATOD Response: See ASPECT. Seems similar in many ways to the merging of Services – HI/VI/PD. So, what about Heads of Services?

Other BATOD comments (not all made!)

- Problems with NCSL and NPQH being relevant to Service Heads.
- Problems with recruitment of people with NPQH to be Heads of Special Schools for Deaf Children. People in peri jobs won't undertake this. New Head without the qualification has to then undertake the training whilst coming to terms with running a 'new' school.
- Agree with sabbaticals for Heads but in special education difficult to find a replacement.
- Why PRUs mentioned and not Units for deaf children?
- 20% PPA time?
- Deputy and Assistant Heads - this section should be revised so as to bring out more clearly the specific senior roles and responsibilities attaching to these posts. Little difference in job descriptions, i.e. only difference is that Deputy is required to stand in for Head.
- Criteria for determining the pay of 'Heads' of Services?
- Title 'unattached' – where are we with this? STRB seemed to agree in principle but did not suggest alternatives.
- We emphasises the preventative role of ToDs and the difficulties it would create if Services had to be bought in..

P Preston and E Moore