
MEETING: EXECUTIVE COMMITTEE

DATE: 24TH AUGUST 2005

SUBJECT: TEACHING ASSISTANTS – CAREER DEVELOPMENT
FRAMEWORK

REPORT FROM: EXECUTIVE MEMBER FOR CHILDREN & YOUNG PEOPLE

CONTACT OFFICER: DAVID PRITCHARD, DIRECTOR OF LEARNING & CULTURE

TYPE OF DECISION: KEY DECISION

REPORT STATUS: FOR PUBLICATION

PURPOSE/SUMMARY:

This report follows a previous report on Remodelling the School Workforce and implications of implementation of the National Workforce Agreement. That report was considered by Management Board and approved by Executive on 11 February 2005. This report updates members on progress made on the implementation of the National Workforce Agreement in relation to teaching assistants in all Bury schools. It outlines a new career development framework for teaching assistants to support the National Workforce Agreement, the Remodelling the Workforce Initiative and the significant financial implications and difficulties found in implementing the new framework.

OPTIONS AND RECOMMENDED OPTION (with reasons):

This report updates members on the implementation of the National Workforce Agreement in regard to teaching assistants in all Bury schools. Executive Committee is requested to approve the recommendations of the framework in principle and refer the implementation of the recommendations to the Human Resources and Appeals Panel. This option is recommended in view of the comments in the report on risk consideration and financial implications.

IMPLICATIONS -

**Financial Implications and
Risk Considerations**

As the report indicates it considers some of the implications of the implementation of the National Workforce Agreement in relation to teaching assistants in all Bury schools. It illustrates the significant financial implications and difficulties found in implementing the new framework. It also outlines some of the concerns of trade unions and professional association in regard to the implementation.

Corporate Aims/Policy Framework:Do the proposals accord with the Policy Framework? Yes No Are there any legal implications? Yes No Implementing the new framework will involve varying terms and conditions which could have significant legal implications.**Considered by Monitoring Officer:** Yes The proposals take further the national initiative contained in Regulations made under Section 133 of the Education Act 2002 and the National Agreement.**Statement by Director of Finance and E-Government:****Any additional costs as a consequence of these proposals will be met from budgets within the Schools Block. These will either be schools' delegated budgets or the Pupil Learning Centre or various Education Support Services or the Contingency Provision for in-year Statements.****When formulating the 2005/06 Revenue Budget the DfES included additional factors within the Minimum Funding Guarantee (MFG) and the increase in the Schools FSS to cover the cost of these proposals. The Schools Forum and the Authority fulfilled all the statutory requirements of the MFG and the Schools FSS. The DfES have indicated that these factors will continue in 2006/07 and 2007/08 when there are substantial changes to education funding when the Schools Block is wholly replaced by the Dedicated Schools Grant.****The impact on the non-schools sectors of Children's Services will be minimal and therefore the Authority does not need to make any budget provision for these proposals.****Staffing/ICT/Property:****Wards Affected:** All**Scrutiny Interest:** Children and Young People Scrutiny**TRACKING/PROCESS****DIRECTOR:**

Chief Executive/ Management Board	Executive Member/ Chair	Ward Members	Partners
04.07.05			
Scrutiny Panel	Executive	Committee	Council
	24.08.2005		

1.0 BACKGROUND

Context

- 1.1 A new Career Framework is proposed to support the developing role of teaching assistants in schools in response to the Remodelling the School Workforce Agenda and the National Workforce Agreement. No national pay structure is to be recommended for teaching assistants and work is being carried out by many local authorities throughout the country on implementing their own teaching assistant career structure. The new framework is to apply to all staff currently paid on Nursery Staffs in Educational Establishments Pay and Conditions. This encompasses Nursery Nurses, classroom assistants, bilingual language assistants, special support assistants and learning support assistants. The new proposals will affect approximately 700 staff throughout primary, high, special schools and services.
- 1.2 Job descriptions and person specifications have been drafted based on job profiles provided by the National Joint Council for Local Government Services in the document 'School Support Staff – The way forward' and in conjunction with school representatives and other North West Local Education Authorities. These have been subject to job evaluation.
- 1.3 It is proposed that four levels of teaching assistant are to be established:

Level of Teaching Assistant	Evaluated Grade
Teaching Assistant Level 1	Scale 2
Teaching Assistant Level 2	Scale 4
Teaching Assistant Level 3	Scale 5
Higher Level Teaching Assistant	Scale 6

- 1.4 The Level 2 and Level 3 grades are to be a continuous scale linked to qualifications and duties.

2.0 ISSUES

2.1 The National Workforce Agreement and Remodelling the Workforce

- 2.1.1 It is imperative that schools are able to use support staff in developed and expanded roles to help implement the National Workforce Agreement. A new career structure for teaching assistants is essential to reflect the changing roles of these staff and to ensure they are appropriately rewarded for taking on more challenging roles. The implementation of a career structure will have financial implications for all schools. A summary of estimated costs is shown on Page 5 of this report.
- 2.1.2 From September 2005, each teacher is to be allocated 10% of their timetabled teaching time for planning, preparation and assessment (PPA time). One of the methods which can be used to release teachers for PPA time is by the use of higher level teaching assistants (HLTAs) in the classroom. These staff will be able to take whole classes without a teacher present in the classroom. This is also the most cost effective ways of introducing PPA time for Bury schools who work under significant financial constraints. The HLTA fits into the new career structure at Level 4. Funding to support the assessment and training of HLTAs has been allocated to LEAs

(£36,100 in the 2004/5 and £48,000 in the 2005/06 financial year) by the Teacher Training Agency. Funding is to continue into the 2006/7 financial year. The use of higher level teaching assistants to deliver PPA time is a strategy many primary schools intend to use.

- 2.1.3 From September 2004, each teacher has been limited to covering up to a maximum of 38 hours per year for absent colleagues. Ideally, schools should be working towards no teachers being required to cover classes other than their own. One of the strategies to help implement the 38 hour limit, is the use of cover supervisors within schools. Cover supervisors are required to oversee a class, whose work has been set by a qualified teacher. No teaching is to take place by the cover supervisor. Teaching assistants can be used by heads to cover classes, and this new role has been included as part of the duties of a Level 3 teaching assistant. The new structure allows head teachers to deploy teaching assistants in this new way and ensures the teaching assistant is paid appropriately for the level of duties carried out.

2.2 Consultation with UNISON and Professional Associations

- 2.2.1 Consultations with the local branch of UNISON have been held regarding the new structure. The job profiles on which the job descriptions have been based have been agreed nationally by the signatories to the National Workforce Agreement including professional teacher associations, UNISON and GMB. Locally, the grades allocated to the different levels of teaching assistant following the job evaluation process have been agreed. Agreement has not however been reached on the issue of term time only or all year around pay. Approximately 570 teaching assistants are paid on a part time, term time only basis (i.e. for 38 weeks of the year). Approximately 130 teaching assistants are paid on a full time, all year round basis (52 weeks of the year) according to national Nursery Nurse Conditions of Service.
- 2.2.2 In accordance with principles of the Single Status Agreement and contractual arrangements for other staffs throughout schools and the Authority, it is proposed to employ all teaching assistants on a term time only basis (unless they work throughout the year) with full time hours of 37 per week. Teaching assistants in schools work term time only. Other non teaching staff who work throughout the year in schools e.g. administrative staff, technicians and caretakers are paid for 52 weeks of the year only if this is worked. Harmonisation of the method by which salary grades are determined and conditions of service under which staff are employed will promote fairness and consistency in the treatment of all Green Book staff.
- 2.2.3 UNISON nationally holds the view that support staff should be given the opportunity to work for 52 weeks of the year, and thus be paid for 52 weeks of the year, as opposed to term time only. Schools may well be able to work towards opening throughout the year in the future under the Extended Schools Initiative. However the majority of schools still continue to work the usual 38 week pattern at the moment. Opportunities for throughout the year working for teaching assistants is, unfortunately, at the moment limited, although schools will be encouraged to consider ways in which to employ teaching assistants throughout the year. Due to this national view, local negotiations have been unable to continue.

- 2.2.4 Support staff either receive paid holidays where employed throughout the year or payment for their holiday entitlement where employed on term time contracts.
- 2.2.5 Following the circulation of the draft report, UNISON have reiterated their concerns in regard to the implementation of the national agreement and asked for formal consultation.
- 2.2.6 Responses have also been received from the National Union of Teachers (NUT) and the Association of Teachers and Lecturers (ATL). The NUT response focuses on paragraph 2.1.2 and 2.1.3. The NUT is opposed to the suggestion that staff who are not qualified to teach (or are in training to be qualified teachers) being required to teach whole classes. ATL asks to be consulted about general working conditions and about individual members in schools where this is appropriate.

2.3 Current Position of Teaching Assistants Pay and Grading

National Joint Council Pay Scales are attached as Appendix A

- 2.3.1 All qualified teaching assistants are currently paid on the Nursery Staffs in Educational Establishments Pay Scale, Spinal Column Points 6 to 15.
- 2.3.2 One additional increment is awarded for holding the Bury Certificate of Special Needs and two additional increments for holding the Advanced Diploma in Childcare & Education.
- 2.3.3 Staff who work less than 32.5 hours per week are classed as part time and paid as term time only.
- 2.3.4 Staff who work 32.5 hours are classed as full time and are paid as such throughout the year.
- 2.3.5 Teaching assistants who work with children with statements of special needs are also paid a Special Needs Allowance currently £1075 for a full time member of staff per year.
- 2.3.6 Teaching assistants are required to hold a Level 3 qualification in order to progress up the pay spine to point 15. Unqualified staffs are paid on a spot point – Spinal Column Point 6.

2.4 Salary Assimilation Costs

- 2.4.1 Two salary comparison tables are attached (full time and part time) for each of the different grades as Appendix B and details of the proposed assimilation process are included as Appendix C.
- 2.4.2 Teaching assistants will be placed on the appropriate level of the new career framework as commensurate with their current salary or duties following consultation as deemed by the school. Teaching assistants carry out a large variety of roles within schools and it is therefore not possible to accurately assess the final costs of the assimilation process. However, from initial consultation it is thought that the majority of teaching assistants will fall into Level 2 or Level 3 on the new framework. The new salary for a teaching assistant will therefore depend upon the Level to which they are assimilated.

2.4.3 Estimation of initial costs

Initial costs can be estimated by placing the teaching assistant on the nearest equivalent salary on the new scale.

Hours of Staff	Initial cost of assimilation onto new framework
Full time (32.5 hours)	£41,416
Part time (average of 23 hours)	£114,221
Total cost	£155,637

Follow up costs

Staff will continue to receive annual increments until they reach the top of their grade. Schools will therefore incur further costs for between a further three and seven years.

If all staff reach the maximum of the Level 3 Teaching Assistant grade (Scale 5), total costs are shown below.

If all staff placed on Level 2/Level 3

TA3	Extra Cost (£)
Part time Staff (23 hrs)	914,956
Full time Staff (32.5 hrs)	85,960
Total cost	1,000,916

2.5 Changing full time hours from 32.5 to 37 per week

2.5.1 It is proposed to base the new grading structure of a full time week on 37 hours, in line with other Local Government Staff on the NJC Pay Spine and the Single Status Agreement, as opposed to the current 32.5 hours.

2.5.2 Schools will be able to offer contracts of up to 37 hours to more realistically reflect the hours worked by these staff. It will also allow staff involved in planning and preparation to be allocated hours outside of core school time to carry out these duties. Further, support staff in schools are to be used in more extended roles to help implement the National Workforce Agreement and the Extended Schools initiative. Numerous staff in schools hold more than one post for example midday supervisor, teaching assistant and clerical assistant. New posts are being established which combine some of all these roles. By ensuring all staff in schools have the same terms and conditions of service, it will ensure equality of pay for all support staff. New 'amalgamated' posts can be fairly evaluated, instead of the current need to split the post into separate roles and apply the correct terms, conditions and pay to each.

2.5.3 Teaching assistants may use these additional hours for work undertaken out of core school times. For example:

- Parents evenings
- Out of school clubs, extra- curricular activities, residential trips etc..
- Planning and preparation of lessons
- Professional Activity Days

Schools should monitor the extra hours as they see fit.

2.5.4 Schools should consider carefully the hours needed by a higher level teaching assistant to carry out work outside of the classroom i.e. planning and preparation.

2.6 Implications for Employees contributing to the Local Government Superannuation Scheme

The move of full time staff from throughout the year contracts of employment to term time contracts will not affect employees. Total annual salaries will be raised by the new grading structure the effect on final pensions will be very minimal.

2.7 New qualifications for teaching assistants have been developed nationally. Details of how these qualifications are to be included in the career framework are attached in Appendix D.

3. CONCLUSION

3.1 The report outlines the new Career Framework which is proposed to support the developing role of teaching assistants in response to the Remodelling of the School Workforce Agenda and the National Workforce Agreement.

**COUNCILLOR M GIBB
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Appendix A

APT&C RATES OF PAY- 01/04/05

<u>GRADE</u>	<u>SCP</u>	<u>ANNUAL</u> £	<u>MONTHLY</u>	<u>32.50HRS</u>	<u>INC 4WKS HP</u>	<u>37HRS</u> £	<u>INC 4WKS HP</u> £
Scale 1	4	10872	906.00	N/A	N/A	5.6352	6.2253
	5	11127	927.25	N/A	N/A	5.7674	6.3713
	6	11286	940.50	6.6598	7.3572	5.8498	6.4624
	8	12018	1001.50	7.0918	7.8344	6.2292	6.8815
	10	12642	1053.50	7.4600	8.2411	6.5527	7.2388
Scale 1/2	11	13458	1121.50	7.9415	8.7731	6.9756	7.7061
	12	13737	1144.75	8.1061	8.9549	7.1203	7.8658
	13	14106	1175.50	8.3239	9.1955	7.3115	8.0771
Scale 3	14	14364	1197.00	8.4761	9.3637	7.4452	8.2248
	15	14664	1222.00	8.6532	9.5592	7.6007	8.3966
	16	15015	1251.25	8.8603	9.7881	7.7827	8.5976
	17	15372	1281.00	9.0709	10.0208	7.9677	8.8020
Scale 4	18	15675	1306.25	9.2497	10.2183	8.1248	8.9755
	19	16260	1355.00	N/A	N/A	8.4280	9.3105
	20	16854	1404.50	N/A	N/A	8.7359	9.6506
	21	17469	1455.75	N/A	N/A	9.0546	10.0028
Scale 5	22	17922	1493.50	N/A	N/A	9.2894	10.2622
	23	18450	1537.50	N/A	N/A	9.5631	10.5645
	24	19053	1587.75	N/A	N/A	9.8757	10.9098
	25	19656	1638.00	N/A	N/A	10.1882	11.2551
Scale 6	26	20295	1691.25	N/A	N/A	10.5194	11.6209
	27	20970	1747.50	N/A	N/A	10.8693	12.0075
	28	21654	1804.50	N/A	N/A	11.2238	12.3991
SO1	29	22512	1876.00	N/A	N/A	11.6686	12.8904
	30	23265	1938.75	N/A	N/A	12.0589	13.3216
	31	24000	2000.00	N/A	N/A	12.4398	13.7424
SO2	32	24708	2059.00	N/A	N/A	12.8068	14.1478
SO2/PO1	33	25437	2119.75	N/A	N/A	13.1847	14.5653
SO2/PO2	34	26157	2179.75	N/A	N/A	13.5579	14.9775

APPENDIX B

Pay Scale Proposals

Salary Comparison Table for Full Time Staff

Current Salary Scale (NSEE)	Current Full time Annual Salary	Salary plus Special Needs Allowance (£1074)	SCP	Proposed New Grades	Proposed Salary for 32.5/37hours per week term time (with PADs & long service)	Proposed Salary for 37/37 hours per week term time (with PADs & long service)
6	11286	12360				
8	12018	13092				
10	12642	13716				
11	13458	14532	11	TA1	10460	11909
12	13737	14811	12	I	10677	12156
13	14106	15180	13	▼	10964	12482
14	14364	15438				
15	14664	15738				
16*	15015	16089				
17*	15372	16446				
18*	15675	16749	18	TA2	12184	13871
			19	I	12683	14388
			20	I	13100	14914
			21	▼	13578	15458
				Unq bar		
			22	TA3	13390	15859
			23	I	14341	16326
			24	I	14809	16860
			25	▼	15278	17394
			26	TA4	15775	17959
			27	I	16300	18557
			28	▼	16831	19162

* dependent upon qualifications

Salary Comparison Table for Part time Staff
(based on an average 23 hours per week)

Current Salary Scale (NSEE)	Current 23 hours term time salary	Salary plus Special Needs Allowance	SCP	Proposed New Grades	Proposed Annualised Salary for 23/37 hours term time only (includes long service)
6	6761	7404			
8	7200	7843			
10	7574	8217			
11	8062	8705	11	TA1	7242
12	8230	8873	12	I	7392
13	8642	9300	13	▼	7591
14	8800	9458			
15	8984	9642			
16*	9199	9857			
17*	9418	10076			
18*	9603	10261	18	TA2	8435
			19	I	8750
			20	I	9070
			21	▼	9401
				Unq bar	
			22	TA3	9645
			23	I	9929
			24	I	10253
			25	▼	10578
			26	TA4	10922
			27	I	11285
			28	▼	11653

* dependent upon qualifications

APPENDIX C

Assimilation

1. Teaching assistants are to be placed on the nearest commensurate salary on the new Career Framework and will progress up the scale annually until the top of the grade is reached.
2. No teaching assistant is to have a change of role unless full consultation has taken place with the teaching assistant and the relevant unions.
3. Increments for Bury Certificate of SEN and ADCE to be abolished.
4. All supply teaching assistants to be appointed as Level 2 – Scale 4 SCP 18.
5. Previous appropriate experience to be recognised when considering SCP.
6. Special needs allowance to be abolished.
7. Teaching assistant will be able to progress from a Level 2 TA to a Level 3 TA if:
 - They hold a relevant Level 3 qualification that is accredited to the National Qualifications Framework.
 - Will undertake the duties of a Cover Supervisor (if appropriate to the role).
 - Provide specialist SEN/subject/other support to pupils.
 - Deliver national and local intervention programmes.
 - Carry out evaluation and record keeping.
 - Work closely with other professionals.

APPENDIX D

Qualifications and Training

1. Qualifications currently deemed as acceptable are the CACHE Diploma in Childcare & Education (NNEB), NVQ 3 in Early Years Care & Education, the BTEC National Diploma in Childhood Studies or a recognised teaching qualification.
2. New qualifications at Level 2 and 3 (equivalent to NVQ 2 and 3 respectively) have been developed specifically for teaching assistants and are accredited to the National Qualifications Framework. They are linked to the new career framework as follows:

Teaching Assistant Level 1	No specific qualifications
Teaching Assistant Level 2	NVQ 2 for Teaching Assistants
Teaching Assistant Level 3	NVQ 3 for Teaching Assistants
Teaching Assistant Level 4	HLTA Status

3. The qualifications currently being accepted by the LEA need to be expanded to encompass both these new qualifications for teaching assistants and others as deemed equivalent on the National Qualifications Framework (See Appendix B). The three qualifications currently accepted by the LEA are equivalent to the NVQ 3 for Teaching Assistants.
4. The majority of teaching assistants employed in Bury schools hold one of the three Level 3 qualifications listed above. However, a certain level of qualification will not automatically entitle current teaching assistants to be assimilated onto the new career structure at the equivalent level e.g. holding an NVQ 3 will not mean a TA will be slotted into the grade of Level 3 teaching assistant. TAs must meet the progression criteria to move from a Level 2 to a Level 3 TA.
5. New staff can be placed on the appropriate grade commensurate with the duties being carried out.