

**CAERPHILLY COUNTY BOROUGH COUNCIL
DIRECTORATE OF EDUCATION AND LEISURE**

**JOINT - TEACHING JOINT CONSULTATIVE COMMITTEE (JCC) AND
SUPPORT STAFF ASSOCIATIONS JCC**

Record of Decisions/Action taken at the Meeting held on Wednesday, 14th July 2004

PRESENT:

David Hopkins	-	Director of Education and Leisure (in the Chair)
Bleddyn Hopkins	-	Head of Planning and Strategy
Bob Howells	-	Head of School Effectiveness
John Hogan	-	Change Manager
Sian Phillips	-	Manager, Personnel & Admin
Kate Knight	-	Personnel Assistant
Colin Vickers	-	NASUWT
Jen Francis	-	NAHT
Gwenllian Jenkins	-	UCAC
Leigh Woodland	-	Unison
Phil Smith	-	Assistant Branch Secretary Unison

APOLOGIES FOR ABSENCE:

Steve Davies	-	SHA (Corporate Health & Safety Meeting)
Richard Parsons	-	ATL

AGENDA ITEM NO.		ACTION BY	DATE
1	<p><u>Apologies</u></p> <p>Apologies were received from Steve Davies - SHA and Richard Parsons - ATL</p> <p>Sian Phillips advised that she had received an indication from Bruce Barrowman that a number of Support Staff members were unavailable to attend as a Corporate health and safety meeting was being held at the same time.</p>		
2	<p><u>Minutes of previous Joint JCC meeting held on 12th May 2004</u></p> <p>The minutes were agreed as a true record.</p>		
3	<p><u>Matters Arising from above meeting held on 12th May 2004</u></p> <p>3.3 – 3.3 – Secondary Reorganisation:</p> <p>The Director advised that the decision had been made to close Bedwellty Comprehensive School from 31st August 2005. The process of cross matching to secure posts for existing staff was ongoing.</p> <p>He advised that an advert had been placed for the Headship of St Ilan, but there had been a very poor response. It had been agreed to re-advertise in September 2004, but the Authority would be providing support to the current acting Headteacher in the interim period.</p> <p>Colin Vickers asked whether the issue raised by Richard Parsons in the previous meeting with regard to the Internet advert for St Ilan, indicating the school was an 1148 school, had been clarified.</p>	N/A	

	<p>Sian Phillips advised that when Mr Parsons had printed off the advertisement, the dash between the figure 11 and the figure 18 describing the school as a 11-18 school had appeared as if it was crossing the 1 of the figure 18, making it look as if it had been 1148.</p> <p>3. 6 – Sickness Absence Management Reporting:</p> <p>Colin Vickers questioned whether any training had been provided in relation to this matter.</p> <p>Sian Phillips advised that the reports had not yet been sent out to schools, but she said that they would be at the end of this term. She said that the Sickness Absence Management Policy for school based staff was due to be revised and she proposed to provide comprehensive training sessions to headteachers and governors once the revised policy had been agreed. Until this time, she was proposing to attach to the report going out to schools generic advice from ACAS on dealing with sickness absence management issues.</p> <p>3. 9 – Exclusions</p> <p>The Director stated that the overall report had been positive. He stated that he would arrange for copies of the report to be circulated to the Association representatives.</p> <p>7 – School Term and Holidays Dates 2005/6</p> <p>Colin Vickers stated that standardised dates had been agreed in England and that these dates were different to the ones that had been agreed by the JCC in the previous meeting. He advised that Caerphilly dates now conflict with the dates for the NASUWT conference.</p> <p>The Director stated that the dates had been agreed through a democratic process and that schools had now all been notified of these agreed dates. He went on to say that ADEW had discussed the changes to term dates for future years, but had not reached a resolution.</p> <p>Colin Vickers stated that schools could take 10th and 11th April 2006 as inset days which they could then convert to twilight sessions.</p> <p>The Director stated that the dates could not now be changed, as they had all been agreed and communicated. Changing dates would potentially cause more difficulties, as staff may already have made holiday arrangements. He stated that the determining of inset days was and always had been a matter of for governing bodies, not the LEA.</p> <p>John Hogan suggested that if staff wished to attend the conference they would probably approach their headteacher directly.</p> <p>Bob Howells suggested that should there be any difficulties in such a situation, then the member of staff could alert the LEA.</p>	<p>Sian Phillips</p> <p>N/A</p> <p>N/A</p>	
	<p>Minutes of previous Teachers JCC meeting held on 12th May 2004</p> <p>The minutes were agreed as a true record. There were no matters arising.</p>		
	<p>Minutes of previous Support Staff Associations JCC meeting held on 12th May 2004</p> <p>The minutes were agreed as a true record. There were no matters arising.</p>		

	<p>The Director alerted those present to the publication of the CLWYCH report relating to child protection issues in a school in the former Mid Glamorgan County Council. He advised that he had been asked to draft a report for Education and Leisure Scrutiny. In this report it was his intention to address the recommendations directly related to schools and local education authorities. He stated that the report must be taken seriously, but that there was a need to have a measured response and not a knee-jerk reaction.</p> <p>Jen Francis asked what responses other agencies have been asked for.</p> <p>The Director stated that the LEA works in partnership with a number of agencies and that they are all expected to respond in a similar fashion.</p>	Director	
4	<p><u>School Rationalisation</u></p> <p>Bleddyn Hopkins indicated that he was currently in the process of holding consultation meetings with regard to five different proposals:</p> <ol style="list-style-type: none"> 1. Proposed amalgamation of Lansbury Park Infant and Junior Schools – a view has been expressed by Van Community Council against the proposal, but as this will not be formally published until the Autumn Term, they are at present only a view and not a formal objection. 2. Proposed amalgamation of Plasyfelin Infant and Junior Schools – a letter has been received from the Assembly Minister on behalf of one parent, specifically relating to the proposed appointment procedure for the headteacher and deputy headteacher posts at the new school. Bleddyn Hopkins stated that the Authority would look into the issues raised. 3. Oakdale Infant and Rhiw syr Dafydd Junior Schools – the proposal is to close Rhiw syr Dafydd Junior School and to build extra accommodation on the Oakdale Infant School site. It was acknowledged that there were traffic issues that needed to be addressed. 4. Bargoed Infant and St Gwladys Junior Schools – Bleddyn Hopkins reminded those present that consultation had taken place in relation to this issue. It would appear that there were still objections to the proposed rationalisation. However, he indicated that if there were to be a delay of any kind, there would be severe financial implications for Bargoed Infant School. 5. Penallta Bi-Lingual Primary School – Bleddyn Hopkins stated that this would be a new school which the Authority had tried to propose previously, but had failed. He advised that he and Bob Howells would be attending two consultation meetings later on this evening (14th July 2004). He advised that the developers would make available an 8-classroom school for £3/4 million. He advised that should this proposal be unsuccessful, then the establishing of an English medium primary school may become an option, however, he stressed that the consultation process would have to start again from the beginning. <p>The Director expressed his disappointment that the English and Welsh medium schools could not work together in regard to this issue.</p> <p>Colin Vickers stated that in the consultation report circulated by Bleddyn Hopkins, it indicated that there were another 5 primary schools within a mile radius of the proposed school. The report however did not contain any indication of the impact the establishment of a new school may have on the existing schools.</p> <p>The Director acknowledged that there were sometimes difficulties in recruiting Welsh medium teachers to more senior posts.</p>	Bleddyn Hopkins	

	<p>Bleddyn Hopkins circulated a map which was to be collected back at the end of the meeting which identified where the proposed school was in comparison to the 8 other schools mentioned. He stated that it would be difficult to assess the impact a new school was likely to have because of a number of reasons. The uncertainty regarding the type of school it would be, in addition to parental choice. He advised that the proposed new school would more than likely be given catchment areas currently covered by Ystrad Mynach Infant School, Ystrad Mynach Junior School and Ysgol Gymraeg Bro Allta. All three schools were currently at or near capacity.</p> <p>Bleddyn Hopkins advised that if prospective parents choose to send their children to the existing schools, it was likely that the LEA would have to put in additional demountable classrooms. This would be a cost to the Authority. He said that concern had already been expressed about the state of the existing buildings and went on to say that if potential parents proposed to send their children to the existing schools, it could crowd classrooms already not fit for purpose.</p> <p>Jen Francis enquired about the situation regarding falling rolls.</p> <p>Bleddyn Hopkins referred her to a section of the consultation document which covered this issue.</p> <p>Gwenllian Jenkins suggested that this situation could be considered as being similar to that when Cwrt Rawlin Primary School was established. She indicated that she had received a number of pupils from the new estate.</p> <p>Phil Smith asked what the WAG view was of the proposal.</p> <p>The Director stated that the WAG promotes the notion of bi-lingual education.</p> <p>Bob Howells stated that teaching and support staff would likely be recruited from both the English and Welsh medium schools.</p> <p>Colin Vickers stated that he believed the LEA should have a plan for the managing of staff in these situations.</p> <p>Bleddyn Hopkins reminded Colin Vickers of the reasons why he did not feel this could be done.</p>		
<p>5 /6/12 (taken together)</p>	<p>Remodelling Update/Minutes of CWAMG/Local Workload Agreement Monitoring Group</p> <p>John Hogan provided an update with regard the Workforce Remodelling Agenda.</p> <p>At the meeting of Caerphilly WAMG Group on 21st June 2004, copies of the draft job descriptions were circulated and members were asked to consider the content and provide feedback by the 2nd July 2004. As no feedback had been received, it was presumed that the documents were accepted.</p> <p>Jen Francis raised the issue of the apparent disparity in the number of hours worked by an NNEB compared to a teacher.</p> <p>Both John Hogan and Sian Phillips indicated that the conditions of service for both these groups of staff were determined nationally.</p> <p>John Hogan went on to remind Panel members that, as with other groups of staff, the hours and rates of pay for the support posts established as part of the Workload Agreement were for the governing body to determine.</p>		

	<p>Jen Francis stated that in her opinion existing NNEB's did not understand what changes there would be to their terms and conditions of service.</p> <p>John Hogan stated that new posts would be advertised in the usual way, which meant that salaries and hours of work will be identified. Should existing NNEB's choose to apply for these posts, if appointed, they would have the salary, hours of work, terms and conditions identified in the advert. If they chose not to apply and remained an NNEB, their salaries, terms and conditions would remain unaltered.</p> <p>It was acknowledged by all that there were issues nationally with the concept of term time only working.</p> <p>John Hogan advised that Caerphilly County Borough Council was the only LEA in Wales who had developed a delivery plan.</p> <p>Phil Smith stated that Unison nationally had indicated their wish to withdraw from the Workforce Agreement on a number of issues. Wales Unison however was still signed up to the Agreement currently, but was due to meet with Jane Davidson, WAG Minister, shortly.</p> <p>The Director indicated that he welcomed Unison Wales' stance on this matter.</p> <p>Colin Vickers expressed his concern that he had not been invited to attend the Caerphilly WAMG Group.</p> <p>Sian Phillips advised that she had written out to all Teacher representatives, as Support Staff representatives had already made nominations for people they wished to attend the Caerphilly WAMG Group. The only reply she had received was from Jen Francis. She advised that surprise had been expressed that Colin Vickers had not put his name forward to attend the Working Group.</p> <p>Colin Vickers knew he had replied and was therefore surprised not to be invited.</p> <p>Both Sian Phillips and John Hogan said that they would welcome Colin Vickers participation in the Group and would include him in all future meetings. Both stated that his reply had not been received.</p> <p>The Director asked for confirmation in regards to whether there was a requirement to hold the separate JCC's which had been convened to follow this Joint meeting</p> <p>Phil Smith stated that there was nothing he wished to raise as a separate issue, but did seek clarity on Point 13 of the minutes of the last Joint JCC meeting with regards to the statement indicating that one caretaking member of staff had been issued with a redundancy notice.</p> <p>Sian Phillips advised that the Headteacher had confirmed that consultation with the usual parties had been undertaken. However, she understands that the caretaker had chosen not to seek representation. Discussions were currently ongoing with a Governing Body to determine whether they would be in a position to offer this individual employment.</p> <p>It was determined that there was not a requirement to hold the separate JCC scheduled to follow.</p>		
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<p>7/8/9 (taken together)</p>	<p><u>Draft Grievance Procedure/Draft Capability Policy & Procedure/Draft Whistleblowing Policy</u></p> <p>Sian Phillips provided draft copies of the Grievance, Capability and Whistleblowing policies and identified that black script was that which had been taken from the Corporate policy documents already agreed. The blue script was the additions made to adapt the policies for use by schools. The red script was the text that had been deleted from the agreed Corporate documents. She asked that unions met to discuss the documents with a view to forwarding detailed comments by the end of September 2004.</p> <p>Jen Francis asked whether headteachers could be provided with an e-mailed list of all meetings at which they are requested to attend.</p> <p>The Director stated that he did not know whether this would be possible, but would look into the viability of providing a list of meetings called by the Director.</p> <p>Gwenllian Jenkins asked whether meetings could be avoided on the last day of term. She was advised that this meeting had been rescheduled and, as we were in the habit of calling meetings on Wednesdays, in order to accommodate Colin Vickers's availability, this Wednesday was the only date available when all members of the Senior Management Team could attend.</p>	<p>Director</p>	
<p>10</p>	<p><u>Draft guidance flexible working</u></p> <p>The Director introduced Kate Knight from Personnel to the Group and advised that Kate would be taking them through the draft guidance on flexible working. It was recognised by all that this was a positive step forward. Suggestions were made for a guide to be developed for the applicants and this was agreed.</p> <p>Gwenllian Jenkins offered her views in relation to a recent experience she had had regarding job share applications within her school. It was agreed that Kate would make minor amendments to the documentation which would then be circulated to schools.</p> <p>At this point Bob Howells left the meeting at 11.15 a.m.</p>	<p>Kate Knight</p>	
<p>11</p>	<p><u>Information about Redundancies (Section 188)</u></p> <p>Colin Vickers stated that he had prepared a 3-page report in relation to general redundancy issues and Section 188 issues which he wanted to read out at the meeting. It was suggested that the Panel have copies in the same way as representatives had been given copies of policy documentation and time to respond, Colin should provide copies of his report to members of the JCC's, in order for LEA representatives to consider and respond.</p> <p>Colin Vickers was adamant that he should be allowed to read the report at the meeting and proceeded to identify that the report covered 3 main areas:</p> <ol style="list-style-type: none"> 1. Bedwellty Comprehensive School 2. Fixed term contracts 3. Recent issues <p>At this point Gwenllian Jenkins left the meeting at 11.25 a.m.</p> <p>The Director asked for clarity with regard to the issues Colin Vickers had raised previously in regard to the Section 188 issues.</p>	<p>Colin Vickers</p>	

	<p>Colin Vickers accepted that the Section 188 issues referred to 'notice' and not consultation. However, there was still a difference of opinion with regard to whether the notice covered 20 or more staff per establishment which was the contention of the LEA.</p> <p>Colin Vickers then started to cover detailed information in relation to Bedwellty Comprehensive School and the lack of support given to staff at the school by the LEA.</p> <p>Bleddyn Hopkins stated that he felt the staff at the school needed to consider their own actions in this regard. He advised that earlier on in this academic year four members of the Personnel Division had visited the school on two days in order to undertake 1:1 meetings with staff at the school. Both he and the Director had also had numerous meetings with staff and the senior management of the school.</p> <p>Colin Vickers stated that staff remaining in the school had problems with potential cross matches and stated that they were unsure whether to stay in Bedwellty Comprehensive School or to apply for posts that they would not normally consider.</p> <p>Bleddyn Hopkins advised that despite all the meetings with Personnel staff and the Senior Management Team of the Directorate, it was only in the last few weeks that a very small number of staff had submitted CVs to the LEA to allow them to circulate their details in an attempt to secure alternative employment for them. This had only happened as a result of a further prompt by the Headteacher of Bedwellty Comprehensive School following representations again by LEA officers.</p> <p>Sian Phillips advised that not one of the teaching staff at the school had alerted her directly to say that they were applying for posts elsewhere in the Authority. The reason they needed to do this was to enable Personnel staff to alert the selection panels of the predicament of any applicant.</p> <p>Bleddyn Hopkins also stated that discussions were also ongoing with regards to possible cross matching for September 2005.</p> <p>Colin Vickers complained that if Bleddyn Hopkins was going to respond to each point he raised, then it would take a considerable time to get to the end of the report.</p> <p>Bleddyn Hopkins stated that he must have the right to reply to the points raised, as he did not want members of the JCC to leave the meeting having been given only one perspective which in his opinion was not entirely accurate.</p> <p>John Hogan stated that he believed that the report drafted by Colin Vickers should be tabled for the next meeting of the Group.</p> <p>The Director stated that in his opinion Colin Vickers' document should be circulated in order to allow everyone to have the opportunity to view and comment on.</p> <p>Phil Smith asked Colin Vickers why he had difficulty in tabling the paper for the next meeting of the Group in September.</p> <p>Jen Francis stated that she believed the Directorate had a right to respond.</p> <p>John Hogan indicated that he had also had meetings with staff at Bedwellty Comprehensive School, where they had been told to engage in discussions with the LEA in order to assist them in seeking alternative employment prior to the closure of the school.</p>		
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	<p>Colin Vickers therefore indicated that he would like to cover the main principles without going into detail.</p> <p>It was agreed that Colin Vickers could make reference to the main points of his report, but would not cover the detail at this point.</p> <p>He identified that there had been procedural problems with regards to:</p> <ol style="list-style-type: none"> 1. Bedwellty Comprehensive School 2. Fixed term contracts – where he claimed that the Authority had failed to abide by legislation 3. A number of recent cases where he complained that the selection criteria had been unfair. <p>He went on to say that insufficient information was being provided with regard to redundancy consultation, he felt that the current VER scheme should be widened and that all school redundancies should be frozen where there was the likelihood of redundancies being actioned.</p> <p>The Director stated that he wished to be provided with copies of the report that Colin Vickers was referring to, to enable the LEA to respond.</p> <p>Phil Smith suggested that Colin Vickers’s report be put on the agenda for the next meeting, where the LEA’s response could be discussed.</p> <p>The Director stated that in his opinion it would be very difficult to freeze school based posts as per Colin Vickers’s suggestion.</p> <p>John Hogan stated that the selection criteria based on ‘last in first out’ was deemed to be inappropriate, as it potentially conflicted with incoming age discrimination legislation.</p> <p>Bleddyn Hopkins stated that he had recently provided information to the Secondary Headteacher Group to illustrate the costs of early release of teaching staff. He was shortly to put a report to members regarding the cost implications for releasing teaching staff under the VER scheme. It may well be that members consider moving towards a redundancy programme which may mean that compulsory redundancies were considered, rather than VER retirement, as this would result in far lesser costs to the LEA.</p>		
13	<p><u>Any Other Business</u></p> <p>Colin Vickers raised the issue of the Budget Forum.</p> <p>The Director indicated that the minutes from that group would be brought to the next meeting of the Joint JCC.</p> <p>The Director thanked all those present for their contribution over the last 12 months.</p> <p>The Meeting concluded at 4.30 p.m.</p>		