

DIRECTORATE OF EDUCATION & LEISURE

JCC MEETING – SCHOOLS

Wednesday, 25th April 2012

PRESENT:

Sandra Aspinall	Corporate Director Education, Lifelong Learning & Leisure
Lisa Haile	HR Manager
Keri Cole	Interim Manager, Learning, Education & Inclusion
Sarah Probert	HR Officer
Les Horrocks	NASUWT
June Jones	GMB
Neil Funnell	GMB
Juan Roberts-Garcia	UNISON
Michelle Matthews	ATL
Philip Jones	NAHT
Sue Rivers	ASCL

APOLOGIES:

Graham Smith	UNITE
June Harvard	NUT
Gary Enright	UNISON

AGENDA ITEM NO:	DISCUSSION / DECISION	ACTION BY/DATE
1.	<p>WELCOME AND APOLOGIES</p> <p>SA welcomed everyone to the meeting and the apologies that were received were noted as above.</p> <p>SA introduced Keri Cole (KC) to all present and confirmed that KC had taken over as Manager of the LEI Service following Jill Lawrence's retirement. Keri's current title is Interim Manager - LEI.</p> <p>SA confirmed that KC would be present at future JCC meetings.</p>	
2.	<p>Minutes of the previous meetings held on 1st February 2012.</p> <p>The minutes were reviewed.</p> <p>SR requested an amendment to the minutes confirming that she represents ASCL and not ATL.</p>	
3.	<p>Matters arising from previous minutes</p> <p>With regards to the Unison Recruitment Drive, on page 5 of the minutes, PJ advised that he has not yet raised the</p>	LH to follow up with GE

	<p>matter with Head Teachers. He awaits information from GE and will act on this when received.</p>	
4.	<p>Child Protection Training Update</p> <p>SA confirmed that Jackie Garland (JG) who was due to attend this meeting had been called to another meeting. SA confirmed that she would give the Child Protection training update on JG's behalf.</p> <p>SA stated that it has been accepted that the Child Protection training has confused some as it is being described as "basic". The training though is not basic in content.</p> <p>SA advised that the Child Protection training not only covers the basic training but that it incorporates level 2 and level 3 training also. She explained that Child Protection is a priority and is firmly placed in KC's Service Improvement Plan.</p> <p>SR sought clarification that staff in Schools should be trained on Child Protection every 3 years? SA confirmed this to be correct.</p> <p>SR confirmed that the descriptor for training courses will be revised so that the level of course is identifiable. This should ensure that staff attend the course that is appropriate to their position.</p>	<p>SA to ask JG to come back to the meeting to provide a progress report.</p>
5.	<p>South East Wales Consortium Update</p> <p>SA confirmed that Council has approved the outline business case relating to the South East Wales Consortium Integrated Achievement Service (IAS). Work is underway to progress the set up of the IAS.</p> <p>The Lead Director, Mr Steve Davies (SD), has been appointed and will officially take up his post in June 2012. SD is trying to meet as many people as possible in the upcoming weeks and is scheduled to meet with SA next week. SD is planning on meeting staff and Head Teachers as soon as practicably possible.</p> <p>SA confirmed that work streams are now in place to progress the detail of the business case. Within these, SA confirmed that she is leading on the Literacy and Numeracy group and that the staff directly affected are actively engaged in this process.</p> <p>SA confirmed that whilst all are working toward a regional plan that includes common strands and principles, all are also mindful of any local arrangements in place and are</p>	

considering the potential consequences of unravelling those local arrangements. For example, CCBC have a group of staff working on the catch up and the active pathways programme in Schools and Colleges, which may not necessarily be replicated in other Authorities. Those discussions are ongoing.

SA confirmed that TUPE transfer discussions were taking place in May 2012.

LH confirmed that she is putting a paper together to look at TUPE, the structure and what it means to staff. LH stated that the document will outline a fair transfer process. LH advised that staff will have the right of appeal against their TUPE transfer.

LH confirmed that work is on going behind the scenes to look at the services and to match persons /appoint persons to the structure.

SA confirmed that CCBC and ESIS staff have been meeting with LH and herself on a one to one basis at their request.

SA stated that 6 ESIS employees are affected by the Central South and South East Wales Consortium arrangements. The unravelling of ESIS and the manner in which their contracts were managed under ESIS means that they have now been given the opportunity to choose which Consortium they wish to join. This has been a managed process between both consortia in the best interest of the staff. Caerphilly will retain responsibility for these staff until they are placed in either consortium.

SA confirmed that in the main, discussions with staff have been very positive. Staff appear to have appreciated the opportunity to talk things through at this difficult time.

LH confirmed that she has been enlightened by the views of staff, they appear keen and enthusiastic and wanting to drive the IAS forward.

SR stated that she was at ESIS before Easter and confirmed that meeting with staff face to face is more reassuring than listening to rumours. SA confirmed that she gave her mobile telephone number to staff as she wanted them to feel able to approach her personally with any concerns, questions. SA stated that CCBC and ESIS staff have welcomed the discussions which have been open and honest. SA advised that not everything can be viewed as rosy but they are all working towards the IAS together.

SA stated that some staff want to know where they will be

	<p>based, East or West, and confirmed that discussions were still ongoing.</p>	
<p>6.</p>	<p>Leave of Absence (LOA) Policy follow up</p> <p>SA confirmed that she is keen for all policies to be discussed and brought to the table and confirmed that they needed to be looked at from a School perspective and as a step forward, corporate policies will be specifically adapted to fit Schools. This she advised is a change from what used to happen. SA stated that she wants to have a proper discussion on a policy, which is fit for purpose for Schools.</p> <p>LH confirmed that with regards to the policies in Schools, she could only advise that there needed to be consistency with corporate. Principally though it is recognised that Schools operate differently and less flexibly in many instances than Local Authorities as staff need to be on site for the education of the pupils. As long as this factor is recognised in the tweaking of policies to ensure fitness for purpose, then we were all agreeing to work in the same direction.</p> <p>LH confirmed that with regards to the Leave of Absence policy some very interesting points have been raised to date.</p> <p>LH stated that she understands that Head Teachers want to retain the good will element in a number of instances and that staff in Schools have no opportunity to work lost time back under their terms and conditions of employment. She has taken this into consideration in the revision of the corporate policy, i.e. in direct relation to dentist, hospital appointments.</p> <p>LH confirmed that Schools wished it seemed to retain its current parental leave scheme. This scheme offers 5 days paid absence and 11 weeks unpaid in accordance with the age of the child. This is a one off entitlement and not yearly. The corporate policy does not grant this in accordance with statutory guidelines. For schools to retain this, this would represent a step away from the corporate policy.</p> <p>LH confirmed that she understood the goodwill element of encouraging staff to attend their own childrens' school concerts with paid leave. This appeared in keeping with School ethos.</p> <p>LH confirmed that she had circulated the draft Schools LOA policy along with the corporate parental and paternity leave policies and advised all to note that the corporate policy for parental leave is all unpaid leave.</p>	

LH stated that she would be grateful for general feedback on the LOA policy.

Les Horrocks (LHo) stated that the NASUWT would welcome time with CCBC to discuss the policies and asked specifically if a member of staffs own child was ill for longer than 5 days, would the member of staff be on no pay. LH stated that under the Schools' current policy they could draw on paid parental leave dependant on the age of their child. Otherwise the leave would be unpaid. The corporate policy that has been included in the pack for consultation refers to unpaid leave in all circumstances.

LH confirmed that Schools have the say in which policies they adopt and that they may not choose to accept the suite of policies. They may choose to accept some, all or none of the policies. She did though ask schools to ensure consistency amongst themselves in terms of what they would be presenting for Governing Body adoption.

LHo asked if jury service was unpaid? SA confirmed that jury service was paid under the LOA current and proposed.

SR acknowledged that the policies are presented as three separate documents and within Schools she is aware that some are adopted and some are amended. SR therefore asked if all three could be amalgamated into one policy document. LH confirmed that she would welcome a steer and thoughts on this, for example, some Schools may wish to adopt the new leave of absence policy but keep their existing parental leave policy, so in this sense they would need to be kept separately.

NF asked how this affects one to one staff, i.e. those who are corporate staff employed to work in Schools. LH confirmed that this group of staff are classed as corporate staff and she has to be mindful of the equal pay agenda and would therefore have to guide SA and Gareth Hardacre (GH) on this for school policies being implemented. The implications to separate this group from NJC Terms could have far reaching consequences.

SA confirmed that this was worthy of a debate and appreciates that this can cause problems for Schools and would therefore have a discussion with GH and LH and would bring this matter back to the table.

LHo asked for a point of clarity and stated that within the policies there is reference to the line manager and asked if the line manager means Head of Department and not the Head Teacher. SA advised that the Head Teacher manages staffing and runs the School and would therefore

	<p>seek to change the wording in the policies to Head Teacher (or nominee) as they have the overall responsibility.</p> <p>LH confirmed that she can make these amendments but asked if there was anything fundamental before they looked to launch the policy.</p> <p>LHo reiterated that the NASUWT would like to have a meeting prior to giving NASUWT acceptance. SA advised that she was unable to set up individual meetings with Trade Unions on collective matters. SA understood that this was the preferred way forward of the NASUWT but confirmed that it would be impractical.</p> <p>SR added that individual meetings would be time consuming and NF stated that individual meetings should not take place because discussions should take place in this forum so that all parties are aware of the discussions and can equally contribute. He advised that there could be similarities between concerns and preferences but between them they could provide comprehensive feedback.</p> <p>SR stated that she would welcome time to meet with Head Teachers in order to discuss the policies. LH accepted this and asked if all parties present could provide her with feedback by end of play on Friday 4th May 2012.</p>	<p>Feedback to LH by end of play on Friday 4th May 2012.</p>
<p>7.</p>	<p>Managing Sickness Absence – Procedure review</p> <p>SA confirmed that the Revised Managing Sickness Absence procedure has already been reviewed corporately and is out for consultation. This revised corporate procedure has now been adapted for Schools consideration.</p> <p>SA confirmed that a number of concerns had been raised with her regarding the old Managing Sickness Absence procedure, for example its reference to the disciplinary procedure and the perceived stigma that staff feel is attached to this.</p> <p>SA confirmed that triggers to consider and manage absence are still in the revised policy and that these are still necessary. The policy has to be encouraging and supportive to ensure people return to work. In the revised policy, the triggers do not lead to disciplinary investigation they lead to sickness reviews.</p> <p>LH brought every-one’s attention to the revision in this procedure that aligned the stages of review with the corporate procedure. She confirmed for absolute transparency that the disciplinary procedure in schools allowed for a verbal warning. This, she confirmed was one</p>	

	<p>stage more in a review procedure than the corporate procedure allowed. In aligning the policy, the opportunity for a verbal warning is no longer stated, thus meaning one less stage in the process of review.</p> <p>SA confirmed that the corporate procedures have not allowed for verbal warnings to be issued for some time.</p> <p>LH confirmed that the Managing Sickness Absence procedure was circulated with the agenda and was not expecting everyone to have read through it.</p> <p>LHo stated that the NASUWT are currently in dispute over the old Managing Sickness Absence policy. SA and LH acknowledged that this dispute is ongoing and that Tim Cox did not want the new policy to be brought up until they had met to resolve the dispute.</p> <p>NF sought clarification upon why there was a dispute with an old policy when a new policy was on the table. SA stated that the dispute with the old procedure has been ongoing for some time, before the new procedure was brought to the table. SA confirmed that the corporate procedure was out of sync with the Schools and now with the launch of the new procedure they run in parallel. SA advised that all new policies have to be brought to the JCC arena in order for the policy to be collectively agreed.</p> <p>SA asked that feedback on the new Managing Sickness Absence procedure is sought and provided to herself and LH within the next month, by the end of May 2012.</p> <p>LH stated that moving forwards this was a new procedure and therefore any issues with this new procedure, in managing sickness absence in Schools, should be made.</p>	<p>Responses and comments to be returned to SA/LH by end of May 2012.</p>
<p>8.</p>	<p>School's VER Update</p> <p>SA confirmed that the Schools VER process is now complete for this year and five members of staff are retiring. There are no compulsory redundancies in Schools.</p>	
<p>9.</p>	<p>Any other Business</p> <p>(1) JRG confirmed that Unison and GMB were meeting tomorrow (26th April 2012) regarding asbestos in St Martin's School. JRG noted that this was a sensitive issue.</p> <p>LHo stated that concerns have been made to him by NASUWT members regarding the asbestos and missing roof tiles. LHo added that he has been informed that there</p>	

is asbestos in the building and with roof tiles missing it allows for air and fibres to circulate.

LHo stated that he has been informed of a blasé approach from Officers from Health and Safety in dealing with the asbestos. SA advised that the topic of asbestos is taken extremely seriously and a blasé approach is certainly not in place, because officers cannot afford to be blasé. SA clarified that there were issues with asbestos, which she was fully aware of and effective management of these issues were ongoing.

A discussion took place surrounding the leaking of incorrect information and how this has proved to be unhelpful.

SA advised that if the asbestos issue was that serious then nobody would be allowed to be in School and confirmed that specialists have been into St Martins School and the proper tests have been carried out.

(2) JJ asked about training outside of School hours and whether they get paid for this or not. LH confirmed that she was unable to provide a blanket “yes” as it would depend on the circumstances of the training, that is, is the training compulsory for them. If the training was compulsory, for example, then overtime payments should apply.

(3) SR asked whether it was correct that she was asked for a fuel receipt when she made a mileage claim. SA confirmed that VAT receipts need to be provided with all mileage claims and this was an Audit requirement.

(4) LHo asked about business insurance on personal car insurance. SA advised that if an employee uses their own car for business use then this should be added to their insurance policy.

It was noted that some insurance companies charge extra for adding business insurance to a policy and others do not.

SA confirmed that Mark S Williams would be providing a statement to share with Head Teachers on this subject.

(5) SR asked about communication between Schools and the Local Authority and whether it would be possible, with all the changes currently taking place, for Head Teachers to be sent a grid of names of numbers regarding who deals with what area. SA advised that staff changes have been emailed to Head Teachers but noted that Head Teachers found the grid helpful and would look to provide this as soon as practicably possible.

	<p>(6) SR asked if there was protocol, an etiquette, to calling union meetings in Schools. For example, she would inform a Head Teacher if she wanted to meet with staff union members. SA advised that it is etiquette and union officials, or anyone for that matter, cannot walk onto a School site without prior permission from the Head Teacher. LH confirmed that there is guidance, which is still relevant on this and she would pass it on.</p>	
	<p>Date, Time and Venue of Next Meeting</p> <p>18th July 2012, 2.00 p.m - Sirhowy Room, Penallta House.</p>	