

**AGENDA ITEM NO. 5(b)**

**DIRECTORATE OF EDUCATION & LEISURE**

**JCC MEETING – SCHOOLS**

**Friday 8th February 2013**

**PRESENT:**

Sandra Aspinall	Corporate Director Education, Lifelong Learning & Leisure
Lisa Haile	HR Manager
Donna Jones	Health and Safety Manager
Michelle Matthews	ATL
Ravi Pawar	ASCL
Les Horrocks	NASUWT

**APOLOGIES:**

UNISON  
UNITE  
GMB  
NUT

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1.	<p><b>WELCOME AND APOLOGIES</b></p> <p>SA welcomed everyone to the meeting and the apologies that were received were noted as above.</p>	
2.	<p><b>Minutes of the previous meetings held on 18<sup>th</sup> July 2012.</b></p> <p>The minutes were agreed as an accurate record.</p>	
4.	<p><b>Performance Management (LA Endorsement)</b></p> <p>LH referred to the Performance management policy that she had circulated with the papers for this JCC. She confirmed that:</p> <ul style="list-style-type: none"> <li>• The LA would be endorsing and recommending this policy to Schools.</li> <li>• The LA policy remained true to the policy document produced by Mr. Ravi Pawar for Blackwood Comprehensive School. It was noted that Mr. Pawar's policy had been agreed by the NUT and NASUWT. At a meeting of the Primary Heads recently, they unanimously confirmed that the practical implementation of performance management arrangements in their Schools this year had been based on the Blackwood policy.</li> <li>• The LA policy therefore did not seek to undermine this</li> </ul>	

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	<p>good work and to a large extent now mirrored that which the schools are actively working to.</p> <ul style="list-style-type: none"> <li>• There are two main differences between the policy that the LA is presenting for recommendation and the Blackwood policy approved by the unions. The LA policy for recommendation does not include a minimum or maximum criteria for the number of objectives that should be set or the number of formal lesson observations that could/should be undertaken. In this regard, the LA policy remains true to the WG model policy.</li> <li>• The intention is to recommend this policy to the schools and to be clear where the issues of contention lie from the known union perspective, i.e. at the point formal lesson observations and/or objective setting surpasses 3, the unions will take issue.</li> <li>• SA advised that all Directors (at a recent ADEW meeting) had agreed to take the WG model policy, make relevant adaptations to it and present this to the Governing Bodies for their consideration.</li> <li>• SA clarified that discussions pertaining to the recommendation of the LA policy will clearly outline that lesson observations should not be ad-hoc but should be integral to a structured programme and clearly portrayed as such.</li> <li>• SA advised that schools on the whole would be content to work within the framework of limits stated by the Unions.</li> <li>• RP referred to the stance of ASCL, i.e. the PM policy should follow the recommendations of C. Tweedale and as such there is no requirement to endorse limits. He clarified that there may be situations where more than three lesson observations are required under a structured programme of support.</li> <li>• RP gave the example of a teacher who may have received three observations, the outcome unsatisfactory each time. That teacher under an agreed programme of support is likely to welcome a fourth observation in the knowledge that the alternative would be to progress their development under the capability procedure. This said, in his headteacher capacity, he was content to endorse that no more than 3 objectives and 3 formal lesson observations would be</li> </ul>	

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	<p>necessary at Blackwood this year.</p> <ul style="list-style-type: none"> <li>• RP advised that there were very few differences between the Blackwood Policy and the LA Policy before him. Implementation of the LA policy would make no difference at all to the practical delivery of performance management in his school. The principles were exactly the same.</li> <li>• SA advised that ADEW directors had agreed to follow the direction of WG and that she is aware of NASUWT's communications with WG on this matter. She advised that the LA would not support excessive or unnecessary use of lesson observations.</li> <li>• SA confirmed that the document before them would be recommended to Schools as the LA endorsed procedure and that it will be made clear that the NASUWT has not accepted the LA policy.</li> <li>• Les H (NASUWT) confirmed that NASUWT officers Rex Phillips and Tim Cox had rejected the policy out of hand on the basis that the policy failed the 16 point tick test. The NASUWT view of this matter was clear, i.e. failure to achieve a tick on one point or more would mean automatic rejection of the policy. Les H stated that the absence of limits could mean that some heads could schedule in 6 or more observations and this was a concern.</li> <li>• SA confirmed that she would not expect this to be the case, and reiterated her earlier comments. She also commented on the fact that Heads could legitimately enter classrooms. She did not expect the NASUWT to agree this policy but as they had in many other circumstances, she had expected that they may agree to disagree at least until a matter of contention arises from its actual application.</li> <li>• SA confirmed that she would recommend the LA policy to schools with a clear message on the appropriate use of lesson observation.</li> <li>• RP (ASCL) confirmed no issue with the LA policy.</li> <li>• MM (ATL) confirmed no issue with the LA policy.</li> <li>• SA confirmed that the EAS were to do more training on this policy and that it would be useful to share discussions/experiences/best practice.</li> </ul>	

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	<ul style="list-style-type: none"> <li>• SA referred to the recent statements released by WG on the STRB advance warning of amendments for September 2013. In particular the fact that performance management in Wales is a separate process. Performance Management in Wales does not directly link to pay other than to inform decisions. The proposals of the STRB appear to turn this on its head and it is not clear at this stage how this could practically work under the devolved Welsh arrangements.</li> <li>• Les H confirmed that Tim Cox (NASUWT) had given a presentation on the STRB proposals, identifying the implications for members. With the removal of threshold, all that a new teacher could now aspire to is a known starting salary.</li> <li>• RP confirmed that there were 8 professional standards (England procedures) and 55 in Wales that provided the backdrop to performance management. All of which would need to be considered in pay determinations if the recommendations of the STRB progressed.</li> </ul>	
<p><b>5.</b></p>	<p><b>Policies and procedures</b></p> <p>LH advised that policies for development/review/endorsement would be a standing feature at each JCC. She confirmed that the procedures to be considered at the next meeting would include:</p> <p>Leave of Absence (resurrected from earlier JCC meetings)</p> <p>Statutory guidance - Disciplinary Procedures.</p> <p>SA asked all to give thought to which school policies they thought could be refreshed.</p> <p>Les H confirmed the Sickness Absence Policy should also follow over from the last meeting, LH agreed.</p> <p>RP advised that Schools were required to update their pay policies. Appraisers will now need to make a recommendation to inform pay.</p> <p>SA asked if the NASUWT or any of the other Unions had a model pay policy that they wished to share.</p> <p>SA advised that the EIG group could be used as a</p>	

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	<p>sounding board before launching policies for recommendation.</p> <p>Les H confirmed that the NASUWT had not accepted the redundancy policy.</p> <p>SA referred to the Governors Handbook and confirmed that to her recollection this included all statutory school policies. She advised that it would be worth considering which of these required review.</p> <p>Referring to the turnover of headteachers, discussion ensued as to how we can identify that schools are up to speed with the national agreement and their procedure requirements. Originally this was part of the Caerphilly monitor and challenge process. Due to change in provision however, programmes of support would need to be updated now in consultation with the EAS to re-emphasise what should/should not be in place.</p> <p>Les H referred to grievance and whistleblowing. LH confirmed that this was included in the statutory guidance relating to Disciplinary procedures.</p> <p>Les H stated that there had been no meeting of stakeholders for some time. Following some clarification of what stakeholders Les H was referring to, SA confirmed that the stakeholder meetings were relevant to the 21st Century Schools programme. The stakeholders involved in determining the strategic outline plan that identifies what we would look at in terms of rationalisation. That piece of work has now been completed and the stakeholder role finished in that specific respect. The second stage includes asset management plan and suitability surveys, which will be presented to stakeholders shortly.</p> <p>Les H referred to the LSP Group. SA confirmed that this could become a standing agenda item at the JCC.</p>	
<p><b>6.</b></p>	<p><b>Any other business.</b></p> <p>RP referred to issues arising out of the industrial action. For example 'rarely cover' and 'no cover' and the potential implications for schools in this regard.</p> <p>Les H referred to concerns of redundancy. Spare places could potentially lead to the closure of 3 schools in the Borough. The NASUWT have 46 members in Cwmcarn. He asked what happens to the kids/staff in September 2013.</p>	

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	<p>SA confirmed that surplus places were an issue across the Borough and not specific to Cwmcarn. There was however a meeting specific to Cwmcarn this forthcoming Monday, at which Rex Phillips and Tim Cox are due to attend. SA confirmed that decisions relating to School closure would not be made on surplus places alone. In any school rationalisation programme there needs to be a people management strategy.</p> <p>Les H advised that the only school that appears safe is Cwm Rhymini.</p> <p><b>Resetting the JCC meetings</b></p> <p>It was agreed that the JCC meeting timetable for 2013 would be refreshed and circulated. Interim meetings may be scheduled in to progress policy discussions as appropriate.</p>	
	<p><b>Cwmcarn Update</b></p> <p>DJ gave a brief update on the current position, which included the current contention over conflicting reports and that Santier had used HSE industry standards in its monitoring.</p> <p>RP confirmed that he had attended RAMIS training today, which he said was excellent.</p> <p>Discussion ensued regarding the difficulty of debating said matter in the public domain.</p> <p>It was noted that there is a significant asbestos risk at Cwmcarn School that is being managed proactively. The risk needs to be removed.</p> <p>SA wished it placed on record that the health and safety of the staff and pupils at Cwmcarn is the only reason for action relating to Cwmcarn. There is no ulterior motive, the school site had been closed temporarily. There is a statutory process in place that covers school closures, which is clear and direct. We would not put parents, children, school staff and LA staff in this position unless there was a direct need to act to ensure safety.</p> <p>SA confirmed that we would not support pupils to remain at a maintained school in these circumstances and the</p>	

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	<p>same considerations of safety apply equally to Cwmcarn as a foundation school.</p> <p>DJ confirmed that this was not an easy situation to remedy and that a lengthy process was ahead of them to resolve this contamination. She confirmed that a management options report commissioned by the School would conclude shortly and thereafter informed decisions can be made on how to progress ensuring the safety of all parties.</p>	
	<p><b>Date, Time and Venue of Next Meeting</b></p> <p>Thursday, 11th April, 2013 2.00 p.m. Sirhowy Room, Penallta House, Tredomen</p> <p>.</p>	