

DIRECTORATE OF EDUCATION & LEISURE

JCC MEETING – SCHOOLS

Thursday 19th September 2013

PRESENT:	
Sandra Aspinall	Director of Education and Life Long Learning
Keri Cole	Manager – LEI
Gareth Hardacre	Head of HR & OD
Donna Jones	Health & Safety Manager
Ravi Pawar	ASCL
Michelle Matthews	ATL
Graham Smith	UNITE
Juan Garcia Roberts	UNISON
Mererid Lewis Davies	UCAC
APOLOGIES:	
Pamela Ireland	NUT
Gary Enright	UNISON
Philip Jones	NAHT
Matthew Ferris	NASUWT

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1.	WELCOME AND APOLOGIES LH welcomed everyone to the meeting and the apologies that were received were noted as above.	
2.	Minutes of the previous meetings held on 18th July 2013 The minutes were agreed as an accurate record.	
3.	Matters arising from the previous minutes No matters arising at this stage.	
4.	Code of Conduct - Gareth Hardacre GH advised that:	

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	<p>Under an Authority Wide Governance Review, the Code of Conduct has been reviewed and will be re-launched. All staff will receive a letter enclosing the revised code. The Code is wide ranging covering behaviour issues, declarations of interest etc.</p> <p>All staff will be required to sign for the safe receipt of this revised code, confirming that they have read and understood the content.</p> <p>Staff will be reminded to declare declarations of interest and there will be clarity surrounding what should be declared. Heads of Service will be responsible for receiving, collating and reporting these.</p> <p>HR along with Legal are looking into whether this policy should apply and be circulated to Schools for adoption. It is understood that the teaching profession carries its own professional code of practice for teachers and if it is agreed appropriate to circulate to Schools, all acknowledge that this revised code could only supplement the professional code, not replace it.</p> <p>GH clarified that if this revised Code is adopted by Schools, the Headteachers role will mirror the Heads of Service role.</p> <p>Discussion ensued on gifts and circumstances in which gifts may be acceptable, such as small presents for the teacher from the children at the end of the year and those which may not be acceptable, for example hospitality gifts from agencies that supply the Council/School.</p> <p>GH clarified that the Revised Code will be available on the Intranet and runs to 30 pages. This one is not a re-write of the original policy. Whilst it was the original intention to re-write it, a re-write has been postponed until the WG code of conduct materialises. The WG Code that is expected in due course will apply to the 22 Local Authorities.</p> <p>SA advised there would need to be some work around what is acceptable and what is not acceptable in Schools. Social Media is a relevant matter at this time for example.</p> <p>SA confirmed that regardless of the awaited legal advice, it is good practice to give advice to Schools through the commendation of a relevant policy.</p> <p>GH confirmed that the legal advice appears to be that</p>	

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	<p>Schools would be bound by this Code of Conduct should they adopt it but that he would confirm this.</p> <p>JGR advised that there were issues in Schools where the pupils had been directly employed by the school at the point of leaving it as a pupil. The lines between being a pupil and employee can become blurred. Advice on matters such as these would be welcome.</p> <p>GS asked whose responsibility will it be to communicate this.</p> <p>GH confirmed that the Code of Conduct would be circulated by the Chief Executive through the Heads of Service. If applied to Schools, it would cascade through the Governor process.</p> <p>RP advised that teachers in School are bound by the GTCW Code of Conduct and agreed that it is advisable to encourage schools to adopt the Code referred to, i.e. to supplement other codes. He was not sure the Code would be automatically binding otherwise.</p>	
5	<p>Cwmcarn Update</p> <p>DJ confirmed that the asbestos removal from site was coming to an end and scheduled to finish by the end of September. Works relating to the ceiling tiles, the heating system would be completed by 7th October 2013. It was anticipated that these contractors would leave site at that point.</p> <p>The Local Authority have picked up the electrical remedial works and work on this is likely to commence on 30th September 2013. The intention is to complete for the School to return to the Cwmcarn Site after Xmas half term.</p> <p>DJ confirmed that she would keep everyone updated in this regard.</p> <p>JGR asked if a health and safety SLA would be offered to the School.</p> <p>DJ confirmed that advice had been sought in this respect and that the SLA that has been offered as a goodwill gesture to Cwmcarn in the past has been the same as other schools. Knowing the needs of the School as we do now, the Health and Safety Service cannot continue to offer the same.</p>	

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	<p>The assets of maintained schools are local authority responsibility. In Foundation Schools, they are the responsibility of the School and there is a clear demarcation of responsibilities. The School could potentially need a facilities manager on site. They need that expert advice and the SLA that we can offer is not suitable. I feel they need someone on site and I have 3 officers and 91 schools. They need more provision than we could offer them.</p> <p>SA confirmed that the School Governors are aware of this and that they have acknowledged the difference between what they need and what the standard SLA offers. The LA will work with the School on this in the same way as they would guide a school on their Insurance, etc. The school may source this elsewhere.</p> <p>DJ confirmed that the LA policies pertaining to the Health and Safety at Work Act are not actionable in Cwmcarn. The School needs its own set of policies and procedures.</p> <p>JGR asked if the finances of the school were stable to afford them the opportunity to attain this level of health & safety advice.</p> <p>SA advised that the School will discuss this with us and we will provide them with advice and support. Our and their duty is not to allow any party back on site until such time that the site is deemed safe. It is the headteachers responsibility to manage health & safety when on site. Health & Safety has to be paramount and if there is a separation between this and the finance, this will be looked at.</p> <p>JGR asked if it was known where the responsibility will lie for the contractor and electrical facility.</p> <p>DJ confirmed that this would be a lengthy investigation. The case was opened and adjourned. It is adjourned at least until next year. All parties will be assisting the HSC to get to the root cause.</p>	
6	<p>21st Century Schools Update</p> <p>SA confirmed that Bleddyn Hopkins is unwell and unlikely to return to work within the next two months. To support him, a temporary appointment will be made to support</p>	

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	<p>major projects such as this that are running to strict timelines.</p> <p>SA offered a number of updates on matters ongoing, including:</p> <p>Phase 1 relating to the transformation of the former St Ilans' Comprehensive site to accommodate year 7 classes was completed in time for the September 2013 learners, which includes the relocated YGG Caerfilli Year 7 pupils.</p> <p>Phase Two for St. Ilan is underway and tenders have gone out. Phase 2 of the works will see the refurbishment of the Gwindy block with a nursery and hall extension, with work anticipated to start on site in October 2013. Phase 3 will see a new classroom block, currently being designed, with a view to being completed in time for September 2015.</p> <p>Phase One of Secondary rationalisation will propose the closure of Oakdale and Pontllanfraith and the opening of a new school on Oakdale Plateau 3. A formal consultation process will follow.</p> <p>Within the consultation processes relating to the Secondary rationalisation, parents will need to understand the catchment reconfiguration and how this could affect them. They cannot assume that their child will automatically go to the new school.</p>	
7	<p>Pay Model Policy</p> <p>LH confirmed that the Pay Model Policy that had recently been circulated to schools had received the acceptance of the NASUWT and NUT but not the other Unions at this stage. A further consultation period would follow ensuring the views of the other Unions are fully captured.</p> <p>LH advised that the headteacher group had produced a policy that they were originally comfortable to advocate. This was met with the reaction of a potential dispute from the NASUWT and NUT. The policy that has since been circulated took on board some of these union views, not all. That said, the policy circulated latterly was one that would not lead to teacher dispute. NAHT and ASCL had expressed the view that the policy had been watered down. ASCL had since committed to presenting a full response in due course.</p> <p>LH advised that the Pay Policy could not be looked at in</p>	

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	<p>isolation. In terms of its effective implementation, it needed to be cross referenced with a robust performance management policy and process in school.</p> <p>RP advised that ASCL were questioning the legality of the document that had been circulated. WG had circulated guidance on this matter and that it was important to cross reference back to that, particularly in relation to threshold standards and references to substantial, sustained, etc.</p> <p>SA confirmed that the Pay Policy could not override the terms of the STPCD in any case. If the policy remained silent on a matter, the STPCD would cover it.</p> <p>LH confirmed that comments were expected by the end of that week and a further communication would follow from her to this group and to schools. The hope was to promote a policy that all would be happy to sign up to but this was starting to look less likely.</p>	
8	<p>Any Other Business</p> <p>The question was asked, where are we with zero hour contracts.</p> <p>GH confirmed that the clear definition of a zero hour contract and where this is contentious is when we bind a person to be in work, making them essentially at our beck and call.</p> <p>We have zero hour contracts but they are not operated in this way. We have relief of casual contracts. We have staff who confirm they are available for work but have no expectation to attend work and we do not obligate them in any capacity to attend. 'No mutual obligation'. We are undertaking a data cleansing exercise that will give us a true picture of this.</p>	
9	<p>Date of Next Meeting</p> <p>16th January 2013 at 2:00pm, Sirhowy Room, Ty Penallta</p>	