

SCHOOL TEACHERS' REVIEW BODY

**EVIDENCE FROM THE REWARDS AND
INCENTIVES GROUP**

21 JULY 2006



department for
education and skills
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21 July 2006

Dear Bill

REWARDS AND INCENTIVES GROUP:

The Rewards and Incentives Group is pleased to submit this jointly agreed evidence on teachers' pay to the STRB.

This evidence is the outcome of detailed consideration and close working over recent months and we look forward to discussing it with you.

Yours sincerely

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General Secretary

Dr Mary Boustead
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Jim Knight
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REWARDS AND INCENTIVES GROUP: JULY 2006 JOINT EVIDENCE TO THE STRB

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SECTION 1 OVERVIEW

1.1 This evidence, jointly submitted by RIG, marks a further significant step in making the improvements we are committed to delivering to pay and conditions of teachers. This is a process that, for the social partnership, had its beginnings in the National Agreement on Workforce Reform and has been taken forward in three successive sets of jointly agreed evidence for the STRB. It has also encompassed the DfES's new professionalism agenda set out in the Five Year Strategy for Children and Learners.

1.2 We share a vision of a remodelled school workforce in which teachers and headteachers, working with qualified support staff, have conditions of service which enable them to focus on their core roles of teaching and leading teaching and learning. The successive submissions to the STRB agreed by RIG build on this work. The reform of the pay system, in which RIG has been engaged, ensures that it reflects the refocusing of the roles of teachers and headteachers introduced by workforce reform, recognising and rewarding them as highly skilled professionals whose contribution is fundamental to the provision of high standards of education for all pupils.

1.3 Remodelling, the changes to the teachers' pay structure, introducing Teaching and Learning Responsibility Payments and the Excellent Teacher scheme, and the staffing structure reviews all had a common purpose to support schools by ensuring that they are able to organise themselves in ways which deliver the best outcomes for children. The provisions of the agreements on workforce remodelling and rewards and incentives laid the foundations for a new teacher professionalism agenda which will build on and embed these achievements to deliver further improvements in teaching and learning and in teachers' and headteachers' motivation and morale.

1.4 In this evidence, we seek to address a number of issues that, in one form or another, will be familiar to the STRB and to those who follow developments in teachers' pay and conditions. In submitting this evidence RIG is very conscious of the place it takes within the wider context of teacher pay reforms. Of key importance is the significant review conducted by the STRB in 2005, leading to a second multi-year pay award, providing further welcome stability to schools. We also recognise that schools have been heavily engaged in the implementation of the staffing restructuring following the recommendations of the STRB's 14th report in 2005. Furthermore the DfES, with RIG's support, is in the process of consulting on important changes to the performance management arrangements and to the professional standards for teachers in England; and will be consulting further on the pay standards for England and Wales. All these developments are key component parts of the new professionalism agenda and set the framework for this set of evidence.

1.5 We are also aware that it is likely that, subject to decisions to be taken by the Secretary of State, the STRB will be asked in 2007 to address issues arising from the current leadership review. The STRB is also likely to be asked to consider pay levels for the period from September 2008 – a period covered by the next Spending Review. The extent of the evidence that we are able to provide on some issues is necessarily contingent on the outcomes of both of

these processes. We do not believe that it is appropriate to reach firm conclusions in these areas at this stage. Indeed, our view is that it is important that the different aspects of the pay and conditions agenda are drawn together in a coherent way, in the context of the spending review.

1.6 Nevertheless, the Secretary of State's remit for 2006 identified a number of significant issues that take forward our shared reform agenda, and on which RIG is pleased to give joint evidence for consideration by the STRB at this stage.

1.7 Our evidence on the excellent teacher salary, part-time teachers, and performance management and pay progression builds directly on our evidence on these issues in 2005 and the STRB's subsequent comments and recommendations. As such, each of these items is a key part of implementing our shared vision for the teaching profession.

1.8 In Section 2, our proposals for factors to be taken into account in deciding on spot salaries on the excellent teacher range carry forward our aim set out in our September 2004 evidence. We want the excellent teacher scheme to provide an alternative career path for those teachers who are excellent experienced classroom practitioners and who want to make further progress professionally by making a significant contribution to the professional development of their colleagues. This is a key aspect of the new professionalism agenda.

1.9 Our evidence on part time teachers in Section 3 sets out the further work on this area asked for by the STRB in its Fifteenth Report. RIG believes progress in this area is essential to ensure the principle of fairness, which is a key underpinning of any credible pay system.

1.10 In Section 4, our proposals on performance management and pay progression take forward the implementation of the STRB's recommendation on this matter in the fifteenth Report. They specifically address the question of what changes to the School Teachers' Pay and Conditions Document (STPCD) are needed to ensure we make a reality of RIG's view that professional development in the context of performance management should underpin pay scale progression – another key tenet of the new professionalism agenda.

1.11 The need to address the serious and persistent shortfall in specialist maths and science teachers, as outlined in Section 5, is an issue with which the STRB is of course familiar. A key development of the course of the last year has been the publication in March 2006 of the Government's *Ten Year Science and Innovation Investment Framework 2004 – 2010: the Next Steps* (the 'Next Steps' document), which announced a series of measures to improve the standards of attainment of science in schools. They include two specific recommendations on matters to be referred to the review body, which we take forward in this evidence.

1.12 The remaining three items in the evidence – Wales, duties, and SEN allowances – require a different approach, because of their dependency on other processes which have yet to reach their conclusion. Here, we are seeking to provide the STRB with evidence which will be helpful to later consideration of these issues, but on which the STRB may wish to give a preliminary view.

1.13 There is a long history to the use of SEN allowances, as the evidence in Section 6 sets out. It is an issue that assumes particular significance in the light of workforce remodelling and the introduction of Teaching and Learning Responsibility payments and of the current debate about the appropriate nature of SEN provision. RIG felt that it was timely to set out its view of the current context, as a basis for future further examination of the role of SEN payments.

1.14 In the Secretary of State's remit letter he asked the STRB to consider, given the independent educational developments and directions in England and Wales in the light of devolution, whether it was appropriate for an identical approach to pay matters across both England and Wales to be maintained or whether a more flexible approach might be adopted. This is a matter on which the STRB has previously highlighted concerns. The RIG evidence in Section 7 sets out our view of the main points to be brought to bear on consideration of this issue.

1.15 Finally, Section 8 on professional duties seeks to address the question raised by the STRB in its fifteenth report and subsequent letter to consultees. The evidence seeks to make the case that there should be a set of statutory duties set out in the STPCD. We also set out some proposed principles for the purposes that a set of duties should fulfil. Our view remains that which we put forward in the 2005 evidence, that a set of professional duties setting out the fundamental expectations of all teachers is a necessary component part of the new professionalism agenda, alongside the other important reforms of the pay system which ensure a coherent set of standards, strengthened performance management, improved CPD, fairness, clarity and transparency.

SECTION 2 FRAMEWORK FOR EXCELLENT TEACHERS' SALARY

Introduction and background

2.1 The School Teachers' Pay and Conditions Document now provides a framework for the establishment of Excellent Teacher posts. Once in post, Excellent Teachers should continue to maintain high standards; demonstrate a commitment to develop themselves professionally; and, through their professional expertise, provide an exemplary role model for staff.

2.2 Excellent Teachers should have a distinctive role in achieving improvements in teaching across the school. In addition to their normal classroom duties the specific professional expectations of an Excellent Teacher are:

- a. Participating in the induction of newly qualified teachers;
- b. Participating in the professional mentoring of other teachers;
- c. sharing good practice through demonstration lessons;
- d. helping other teachers to develop their expertise in planning, preparation and assessment;
- e. helping other teachers to evaluate the impact of their teaching on pupils;
- f. undertaking classroom observations to assist and support the performance management process; and
- g. helping other teachers, including those on capability procedures, improve their teaching practice.

Whilst they should have a substantial involvement and specific responsibilities in each of these areas, in practice the relative loading of these should be determined by local circumstances.

Setting the salary framework

2.3 RIG's view is that the approach to Excellent Teacher salaries should be consistent with the general approach to teachers' pay. It should also be consistent with our view that, within a national framework, the profession looks for certainty in making local decisions on teachers' pay and conditions. (See Section 8 Para 8.18b.)

2.4 With the acceptance by the Secretary of State of the salary ranges recommended by the STRB in its Fifteenth Report a key part of the national framework for Excellent Teachers salaries is in place. But it remains for schools to be given the help we think they will welcome in setting appropriate spot rates on the range. The aim is for schools to have the local flexibility to set a spot rate on the range that properly reflects the weight of the expectations of the Excellent Teacher role and one which is attractive to teachers bearing in mind a range of

factors, including that Excellent Teachers cannot hold TLR payments.

2.5 It is important to recognise that the role is fundamentally about excellence of pedagogical practice and expertise and it is our understanding that the salary ranges recommended by the STRB are intended to reflect the degree of excellence which will be common to all teachers who meet the standards and are appointed to excellent teacher posts. This is about fulfilling the expectation that the ETS will provide a “distinctive and attractive career option for the most experienced teachers”¹ which in RIG’s view recognises the importance of the contribution made by our best and most experienced practitioners; and the role they can and should play in contributing to the development of others, as reflected in the professional duties set out above.

2.6 Within this context, schools will need a basis for reaching fair and consistent decisions on the spot rate they choose to award excellent teacher posts within the ranges. It is our view that there should be no scope for differences in remuneration of posts to arise on the basis of the degree of excellence of the teacher or from differences in the professional duties (which are applicable to all) and hence that these should not be factors which should be reflected in the salary.

2.7 However, we do expect that it will be the case that, in the context of the staffing structure in which excellent teachers are based, there will be differences in the nature of the work which excellent teachers will undertake. Setting national criteria for determining the spot on the range, similar to those for determining the AST salary range will ensure coherence, clarity and fairness. We propose that the criteria which the relevant body shall to have regard to in setting the spot rate for each and every Excellent Teacher post they create in their structures should be:

- a. the nature of the work to be undertaken in the context of the staffing structure in which they are based; and
- b. the degree of challenge in the expectations of the particular role

Such an approach is consistent with our proposals on why the professional duties of teachers should remain in the Pay Document. (See Section 8 Para 8.18b.)

2.8 Where schools have more than one Excellent Teacher post, we would want them to be advised that if they were to propose any differential in the salary rates between the posts, that the rationale for that difference should be clearly understood and be capable of justification in relation to the criteria and with the provisions of Para 2.6 above.

2.9 We would also want to advise schools not to impose constraints beyond the criteria on the use of the full salary range for Excellent Teachers. The creation of the ET role is intended to present a genuine alternative career option to experienced teachers, as part of a shared vision of a new professionalism where the essential pedagogical skills of a teacher - and the ability to share those

¹ STRB 15th report, 5.17

skills with others - should be explicitly recognised. This means that schools should decide where to pitch the Excellent Teacher salary using only the criteria proposed to determine the appropriate weighting of the post or posts.

2.10 RIG proposes that there should be the same provision for relevant bodies to review Excellent Teachers' salaries in response to changes to the pay policy or the staffing structure as already exists for other posts.

2.11 RIG believes that by introducing the pay ranges recommended by STRB from September 2008, together with clear criteria for determining appropriate spot rates and supporting guidance (similar to that already issued to help schools determine the AST salary range), schools will be given the certainty that they need to consider the appointment of teachers to Excellent Teacher posts as an integral part of their overall staffing structure and within the overall funding available to them.

SECTION 3 STANDARDISATION OF PAY FOR PART TIME TEACHERS

Introduction

3.1 RIG welcomes the strong endorsement of the STRB for the principle that part-time teachers should be treated on a consistent basis with their fellow part-time teachers and equitably with their full-time colleagues. The Fifteenth Report of the STRB noted that there was a high degree of consensus between respondents on the principle that part-time teachers should be treated equally, and a generally shared diagnosis of the potential problems and inconsistencies in calculating working time. On this basis, STRB recommended that the DfES undertake further work with interested parties to consider the issues in standardising pay and conditions for part-time teachers and identifying possible solutions. STRB also noted and made a number of suggestions for further work to clarify the position on a range of other issues of relevance to part-time teachers.

3.2 RIG is therefore returning with evidence to STRB on the options for calculating pay for teachers in regular part-time service and proposes a process for moving towards a standardised formula approach which it believes will assist teachers and employers in assuring equity and transparency. It also suggests, without prejudice, that, once agreed, a standardised approach is applied to those teachers excepted from the working time provisions in paragraph 75.1 of STCPD, that is, the leadership group, advanced skills teachers, Fast Track teachers and those teachers employed to teach part-time and subject to the paragraphs cited there.

3.3 The second part of this evidence from paragraph 3.27 onwards provides an update on a number of the areas noted by STRB as issues relevant to the experience of part-time teachers namely: the situation on cover requirements for part-timers; guidance on AST, Leadership and Fast Track posts; pensions; access to CPD and issues relating to teachers working multiple contracts with a number of schools.

Pay and conditions

3.4 RIG continues to believe that it is important that the terms and conditions of employment for part-time teachers should be no less favourable than those of teachers employed on a full-time basis. Part-time teachers are a significant and growing part of the total teaching force. The proportion of part-time teachers as a part of the teacher workforce has increased from 7.4% in 1997 to 9.7% in 2005. RIG has noted elsewhere that the opportunities for flexible working for teachers are in practice effectively limited to part-time working. Ensuring that part-time teachers and their employers are clear about their rewards and responsibilities is essential if opportunities are to increase and teachers are to be effectively deployed.

3.5 The STCPD states at paragraph 51.1 the general principle that teachers in regular part-time service should be paid a proportion of the remuneration that would be appropriate if they were employed full-time as school teachers. The

evidence considered last year by STRB demonstrated that, in practice, there was considerable variation in the methods adopted at local level and there were concerns that this was giving rise to inequitable treatment. The desired outcome was to arrive at a formulation which is clearer and gives less scope for local interpretation and is therefore more compatible with existing legislation on the treatment of part time workers. In principle, the disadvantages in terms of local flexibility would be offset by the gains in terms of fairness, equity and transparency.

3.6 In considering the evidence on pay and conditions for part-time teachers, RIG has considered the options based on what we understand of existing approaches by local authorities against the principles of fairness, equity and transparency. The evidence below brings forward RIG's proposal on a proposed uniform approach for STRB's agreement. RIG recognises that changes in policy will affect the pay and conditions of a significant number of teachers and acknowledges that this will entail changes for local authorities, teachers and schools. In the light of this, RIG proposes that it undertakes further work with interested parties to assess the scale of change which this uniform approach would entail and assess in detail the costs impact.

3.7 RIG proposes that, if agreed, the methodology for the proposed uniform approach on pay should replace the existing paragraph 51.1. This could be accompanied in the statutory pay guidance, if appropriate, by further guidance on the management and expectations on part-timers in respect of other issues, for example, entitlement to continuing professional development.

Modelling for effects of options

3.8 The work done by RIG in commissioning a questionnaire based survey across all 171 LAs in England and Wales for the 2005 evidence remains the best evidence available for the treatment of pay for part-time teachers. All 171 LAs in England and Wales were asked the question in January/February 2005 "What method of calculation of part-time teachers' salary do you recommend to schools in your LEA?" A total of 78 LAs (46%) responded and 72 gave usable responses. This was an anonymous survey – while some authorities identified themselves, the majority did not and this means that the responses could not be weighted. The quality of the returns also varied. Some authorities gave a prose account of their method, others attached unannotated data which required interpretation and may therefore be subject to different interpretations. Examples of these are LAs which reported more than one method or LAs that allow their schools to do this locally without giving clear guidelines. Nor is it clear whether local authorities have included only part-time teachers in regular employment or whether the figures given also include the cost of supply teachers. (It appears that around 17% of LAs use the same method for part-time teachers and supply teachers.) However, the size of returns (46% of LAs) suggests that meaningful analysis can be conducted.

Terminology

3.9 The responses from LAs used the concept of a "session" as the basis for

calculating pay for part-time teachers. Schools, teachers and LAs are accustomed to describing the school day in terms of a morning and an afternoon session when the school is open, separated by a lunchtime break. The morning session is typically longer than the afternoon session.

3.10 During a session a teacher (part-time or full-time) will be at the direction of the head teacher (that is, on “directed” time) and may or may not be teaching pupils. A primary teacher will typically spend the majority of time during a “session” in a class but may also be using some time for planning and preparation, or in meetings or undertaking other directed duties. A secondary teacher will typically spend less time during a “session” in class, but will equally be using the time on other duties. The total of a full-time teacher’s weekly directed hours exceeds the hours that the school is open for session times.

3.11 The legislative basis for “session” times is under the 1999 Regulations (“The Education (School Day and School Year (England) Regulations 1999 (SI 1999/3181). At least 380 sessions shall be held in a school year. Section 3 of the 1999 Regulations defines that every day which a school meets shall be divided into two sessions separated by a break in the middle of the day. Under s32 (1), (2) and (4) of the 2002 Act the governing body is the relevant body for determining the length of the school sessions i.e. the times at which each of the school sessions (or session) is to begin and end on any day.

Methodology

3.12 The responses were initially scanned in order to identify the various methods that LAs appeared to use in calculating part-time teachers’ salaries. A total number of nine different methods were initially identified. These were then reduced to four methods by merging those which were very similar or led to exactly the same results.

The four main methods identified were:

- a. A part-time teacher’s salary is based on the **number of sessions a teacher works** (either AM or PM sessions) with each session worth 0.1 FTE. The length of the sessions worked is not taken into account even if morning sessions in general are longer than afternoon sessions.
- b. A part-time teacher’s **weekly session time** (in hours) is calculated. This is then divided **by a full-time teacher’s weekly session hours** (usually 27.5 hours) to give the FTE equivalent proportion. The part –time teacher’s salary is the FTE proportion multiplied by the full-time teacher’s salary. Consequent on this, the teacher **is expected** to also work the equivalent proportion of a FT teacher’s total directed time (usually 32.5 hours).
- c. A part-time teacher’s salary is calculated by dividing his **weekly session time** (excluding lunch breaks) by the **ft teacher’s weekly session time** and multiplying the result by the full-time salary. The method does not take into account directed time outside school’s session hours.

d. A part-time teacher's salary is calculated by dividing his **weekly working time**² (excluding lunch breaks) by the **ft teacher's weekly directed time** (usually 32.5 hours) and multiplying the result by the full-time salary. The method does not take into account directed time outside school's hours.

The 56 responses were then allocated in each of the above four main method as shown in the following table:

Identified Process	Description	Cases	Proportion of respondents
A	Based on 10 Sessions worth 0.1 FTE each regardless of their duration	8.5	11.8%
B	Based on session hours (plus the equivalent proportion of directed time)	18	25.0%
C	Based on hours of attendance (no explicit account of directed time outside session hrs)	33.5	46.5%
D	Based on directed time of 32.5 hours a week	12	16.7%

Note: Half cases represent respondents that use 2 different methods

Table 1 – Frequency distribution of identified methods

Analysis and Discussion

The School Teachers' Pay and Conditions Document

3.13 According to the STPCD, a full-time teacher to whom the working time arrangements apply must be available for work for 195 days, of which 190 days can be days on which he may be required to teach pupils. Such a teacher must be available to perform duties specified by the head teacher for 1265 hours in any school year. These 1265 hours may include a proportion of directed non-contact time that needs to be completed outside the school hours. The STPCD goes on (Para 51.1) to state that

“Teachers in part time regular service (including persons who are employed full-time in teaching but only partly as a school teacher) shall be paid a proportion of the remuneration that would be appropriate if they were employed full time as school teachers. The proportion shall correspond to the school week that the authority deems the teacher to be normally employed as a school teacher (breaks between school sessions being excluded)”

² The weekly working time was not specified as to what it includes by the LAs that reported this or a similar method. It is possible that a large proportion of the LAs using method D actually include both session and directed non-contact time in their calculations. We believe that “working time” equates to session times only but have left this formulation to signal the difficulty in establishing. Further clarification with LAs would have been desirable but is impossible because the survey was anonymous.

As stated in previous evidence to STRB, it is obvious from the presented analysis that the STPCD is open to interpretation when it comes to part-time teachers pay as it does not clearly specify how the FTE proportion is to be calculated and whether it should include directed time outside the school session hours. For example methods A and C take into account only the school's session hours that a part-time teacher attends and do not take into account the directed time applying to full-time teachers. Method D interprets the STPCD as equating the school week to the weekly directed time when calculating part-time teachers' salary.

Advantages and Disadvantages of Each Method

3.14 A discussion of the potential advantages and disadvantages follows:

Method A: In our opinion this method oversimplifies the process of prorating part-time teachers' pay and as a result it creates anomalies. In the majority of schools, morning sessions are in general longer in duration than afternoon sessions. This fact is not taken into account under this method leading to inconsistencies even among teachers working in the same school. For example, a part-time teacher who works only morning sessions gets paid exactly the same salary as an equally experienced teacher who works only afternoon sessions despite working for more hours. Furthermore, there is no explicit reference to directed time out of session hours.

Method B: RIG's opinion is that this appears to be the preferable method as it takes into account both timetabled school time and total directed time.

Method C: No explicit reference to directed non-contact time is made under this method. As a result a teacher that has two part-time posts equating to full-time hours would have a combined salary of more than 100% of a FT teacher's salary. Theoretically, a teacher that has his salary calculated using this method is paid more, for the same hours of work, than a teacher whose salary is calculated under method B or D.

Method D: A potentially disadvantageous method for regular part-time teachers if it takes into account only session hours in calculating the teachers working hours and divides this by the directed weekly time (32.5 hours³). Hypothetically, as a result a teacher who is employed in two part-time posts in two schools using method D could have a maximum combined salary of less than 84% of the salary of a full time teacher paid on the same spine point.

Comparisons

³ In two cases the weekly directed time used is 30 hours instead of 32.5. For comparison purposes and in order to keep the number of main methods low these two cases were classified as method D.

3.15 A comparison of the four presented methods follows in the form of an example.

3.16 It is assumed that a part time teacher paid on point M6 works a total of 10.5 hours during school session hours. These hours are allocated into 1 morning session (duration = 3 hours) and 3 afternoon session (duration = 2.5 hours). The school's week in session hours is 27.5 hours excluding lunch breaks while the weekly directed time is 32.5 hours.

3.17 The example's part-time teacher's hours were calculated and expressed as a proportion of a full-time teacher's hours using each of the four methods. The results are presented in table 2.

Method	Description	Session Hours	Extra Directed Time	FTE Proportion
A	Based on 10 Sessions worth 0.1 FTE each regardless of their duration	10.5	0	0.40
B	Based on session hours (plus the equivalent proportion of total directed time)	10.5	1.91	0.38
C	Based on hours of attendance (no explicit account of directed time outside session hours)	10.5	0	0.38
D	Based on directed time of 32.5 hours a week	10.5	0	0.32

Table 2 – Calculating FTE Proportions

3.18 Annex A contains exemplifications for a full time and a part-time teacher at Grade UPS1 under method B showing the effect of different school session times.

Recommendation

General

3.19 RIG recommends method B as the preferred option of the four identified methods. This is because it calculates part-time teachers' pay based on proportion of the school's session hours that the teacher works and at the same time makes provision for a pro-rata proportion of total directed time comparable to that of a full-time teacher. A clear and equitable expectation of how much directed time a part timer can be expected to do, and how this should be managed, will enable the workload of part timers to be better managed.

3.20 In the judgement of RIG, consulting on this method as the national method for calculating part-time teachers' pay will be a fair and practicable solution to the inequalities and anomalies observed in the current system. RIG has considered whether the adoption of this method which, in effect, assumes that the school is expecting additional directed (non-teaching) time for part-time teachers pro-rata

to the additional directed(non-teaching) time expected for full-time teachers is unnecessarily restricting or limiting schools' flexibility in determining the employment patterns of part-time teachers. The proposed method is flexible in that it can take account of differences between schools in their session hours. Within this, however, it assumes that full-time and part-time teachers within a school are treated proportionately in terms of additional non-teaching time expected.

3.21 If the method for calculation of pay for part-time teachers is defined in the STCPD and accompanied by guidance on the management of the additional directed time, RIG believes that this will assist in assimilating part-timers to the normal provisions on performance management and career development.

Leadership group, advanced skills teachers and Fast Track teachers

3.22 RIG has also considered whether the pay of part-time teachers in the group excepted the provisions at paragraph 75 of the STPCD (including leadership group, ASTs, Fast Track teachers) could be calculated, without prejudice, with reference to method B. The Group concluded that as working time does not apply to these groups part-time pay for these groups should be calculated on the basis of method B up to the point that working time (1,265 hours) is applied.

Supply teachers

3.23 RIG has based its considerations on the situation for teachers in regular part-time service and is not proposing that the approach be applied to pay for teachers employed on a short notice basis, that is, supply teachers employed by LAs or governing bodies and subject to the provisions of the STPCD. Such supply teachers are typically employed on a different basis and with different requirements and expectations to those of their colleagues in regular service. If the standardised formula approach is adopted the position for supply teachers would need to be considered further.

Costs of recommendation

3.24 As with any reform the proposed method is likely to incur a change in the overall part-time teachers cost. It has not been possible, because of the anonymous nature of the survey and the factors listed at paragraph 3.8 above, to arrive at a sound basis for predicting the overall (national) cost of introduction of these changes. On an individual basis, authorities who calculate pay for part-time teachers according to method D would expect their pay bill to increase on moving to method B. Authorities who currently use method A could incur a decrease or increase of the part-time teachers' costs in the long term; depending on the proportion of teachers that work afternoon and morning sessions. RIG expects that normal provisions on safeguarding would apply to part-time teachers affected by a fall in salary. No cost change is expected for local authorities that currently use method C, though some theoretical benefits are expected. This is the clarity in the explicit provision for directed non-contact time outside school hours for all teachers.

3.25 RIG have discussed how, if STRB recommends the proposed methodology, the changes might be introduced. RIG propose that if STRB agrees that method B has significant advantages then RIG should undertake immediate further work with stakeholders to define the costs involved to employers. The Secretary of State would also consult with all statutory pay consultees on the changes proposed to the statutory pay guidance on the management and expectations on part-timers. Dependent on the result of further work the intention would be to move to a change for the pay award which begins in 2008. RIG propose that the new basis for calculating hours should not apply to current or reviewed contracts until that point and not be retrospective in effect.

3.26 RIG recognises that it is not possible to commit to funding increased costs for part-time teachers in advance of announcements on the funding settlement for education. DfES will need to consider this pay pressure alongside other priorities together with the overall size of the pay award during the relevant pay round, but the STRB should note that the DfES does not anticipate that the costs will exceed 0.23% of the total pay bill. Bringing in from 2008 will not only allow DfES to align this change with the CSR but will also give sufficient time for a detailed cost assessment to be made.

Other issues for part-time teachers

3.27 As requested by the STRB in their last report, this section updates the position on a number of issues relevant to part-time teachers identified in previous RIG evidence and in the STRB's fifteenth report.

3.28 All of the National Agreement, including contractual arrangements, applies to part-time teachers. Some of these arrangements are covered explicitly whereas others are only implicit within the STPCD. For clarity we have listed below the key references:

- a. Administration and clerical duties: part-time teachers mentioned at paragraph 4, page 167;
- b. Work-life balance: refers to "all teachers" but part-time teachers not mentioned explicitly;
- c. Leadership and Management time: PTs mentioned at paragraph 33, page 175;
- d. Assigned teachers: PTs not mentioned explicitly;
- e. Cover: PTs mentioned at paragraph 50, page 179;
- f. PPA: PTs mentioned at paragraph 84, page 186; Exam invigilation: PTs not mentioned explicitly;
- g. Dedicated headship time PTs not mentioned explicitly.

Multiple and atypical contracts

3.29 The STRB asked us to comment on part timers with multiple and atypical contracts. If a part-time teacher has more than one contract working in more than one school, any decision taken by one school to award that teacher either a discretionary point on the mainscale or movement on the upper pay scale does not impact on other schools where the teacher is employed (at the time of the decision). Once these points are awarded any new contract would have to reflect the highest awarded point. The proposed formula does not disadvantage those on multiple or atypical contracts, although RIG proposes to keep their situation under review.

CPD

3.30 RIG proposes that, if method B is adopted, the Guidance section of STPCD should contain guidance on the management of additional directed time. This could include good practice guidance on access to CPD for part-time teachers.

Pensions

3.31 New part-time contracts starting on or after 1 January 2007 will be automatically pensionable. Where an individual does not want their part-time service to be pensionable, arrangements for them to opt-out of the Teachers Pension Scheme (TPS) will be available. At present, part time employment is only pensionable if the individual elects to join the TPS. Making part time service pensionable automatically on appointment provides consistency of approach with those working full time. The change will encourage more people to take advantage of the TPS and the benefits it offers and links in with wider Government pension policy on supporting individuals to maximise their pension provision.

Advanced Skills Teachers, Leadership and Fast Track Teachers

3.32 There is no reason why part-time teachers cannot hold Advanced Skills Teachers, Leadership and Fast Track Teacher positions. The evidence above contains a proposal on the treatment for pay.

Excellent teacher scheme

3.33 The first Excellent Teacher posts can be created from September 2006. It is up to schools whether to include Excellent Teacher posts in their restructuring and posts can be either full or part time, according to the needs of the school.

Conclusion

3.34 RIG proposes method B as the preferred approach and recommends to STRB the process for taking this forward set out above.

Section 4 Performance Management and Pay Progression

4.1 The Secretary of State asked the STRB to make recommendations about:

“...with specific reference to the discussions and recommendation in your previous report, the extent to which there should be changes to the provisions of the School Teachers’ Pay and Conditions Document to ensure the outcomes of performance management reviews provide the basis for decisions about pay progression, including evidence about the outcomes of CPD, and the extent to which provisions in England and Wales should be identical.”

4.2 This remit arises from RIG’s evidence to the STRB last year about the New Teacher Professionalism (see Annex D) and the STRB’s response. In chapter 7 of the STRB’s 15th report) the STRB noted that CPD was integral to professionalism and took the view that the outcomes of CPD on teachers’ performance, assessed by rigorous performance management, should be rewarded. The STRB recommended that:

“the outcomes of teachers’ CPD and, if appropriate, their contribution to others’ development, be taken into account as part of a range of evidence when schools assess performance for pay progression purposes.”

4.3 In making this recommendation the STRB recognised that the pay system already enables linkages between development, performance and pay and noted that there were plans to introduce revised performance management arrangements based on the interdependence of performance and development. The STRB also noted that care would need to be taken when referring to specific processes where arrangements in Wales are different.

Key features of the proposals for revised performance management arrangements in England

4.4 Performance management is not in itself part of the STRB’s remit. However, the current proposals for revised performance management arrangements in England do provide the context for RIG’s evidence in relation to this part of the STRB’s remit and it may be helpful to summarise some of the key features of these proposals here.

4.5 Draft revised regulations and work-in-progress guidance for performance management are currently the subject of a consultation exercise that will end on 30 August. Many features of the revised arrangements are the same as or clarify the current system that has been in place since 2001. The proposals place greater emphasis on the importance of a structured discussion at the beginning of the performance management cycle to agree future plans to ensure that the teacher knows the basis on which decisions will be made and that there are no

surprises at the end of the cycle.

4.6 It is proposed that plans agreed at the outset include:

- a. the reviewee's objectives;
- b. the arrangements for observing the reviewee's performance in the classroom; and
- c. the other evidence that would be taken into account in judging the reviewee's performance.

4.7 Taken together it is proposed that these elements provide the basis for making an assessment of the totality of the reviewee's performance. The plans agreed at the outset must also include performance criteria so it is clear on what basis judgements of performance will be made at the end of the cycle. The relevant pay progression criteria set out in the STPCD inform this process. The revised professional standards for teachers provide a backdrop to the discussion and help to inform future development plans.

4.8 The plans agreed at the beginning of the year can be amended, for example, if the reviewee's circumstances or responsibilities change during the year, or if evidence arises throughout the year which gives rise to concern about the reviewee's performance which does not justify the application of capability procedures, or if the reviewee is absent for a period of time.

4.9 Head teachers are able to review the outcomes of planning meetings at an early stage. There is scope for their intervention to lead to plans being amended, for example, where a head teacher believes that the plans are inconsistent with what has been agreed for teachers of similar experience and who have similar responsibilities. This provision is intended to help to ensure consistency and fairness across schools.

4.10 At the end of the year the reviewer makes a recommendation about the pay progression of the reviewee (where the reviewee is eligible for pay progression) taking into account the extent to which the reviewee has met the relevant pay progression criteria set out in the STPCD which have been considered at the outset. The expectation is that the recommendations will stand, though as now decisions on pay are for the relevant body to determine.

4.11 RIG believes that these proposals are a welcome development and represent a significant step towards achieving the STRB's longer-term vision that "schools have the confidence and capability to assess performance and rewards staff" and that "performance and reward systems are managed effectively, transparently and fairly".

What the Document currently provides and what change is needed

4.12 RIG takes the view that changes are needed to the provisions of the School Teachers' Pay and Conditions Document to ensure the outcomes of performance management reviews provide the basis for decisions about pay progression.

4.13 The STPCD currently makes links between performance and decisions about pay in a number of different ways. In the case of head teachers, deputy head teachers, assistant head teachers and post-threshold teachers it is stated that there has to have been a review of performance before there can be movement up the pay spine. This is not required by the STPCD for either ASTs or main scale teachers. For head teachers, deputy head teachers and assistant head teachers assessments of performance have to take into account the performance management objectives that have been set in the context of a review of performance. For ASTs there is a requirement annually to agree performance criteria and assess performance against those criteria. For post threshold teachers the assessment is focused on their achievements and contribution to the school. For mainscale teachers there is scope for an additional point to be awarded based on judgments of excellence in relation to a teacher's professional duties and classroom teaching.

4.14 RIG believes that the inconsistencies and variations between the existing provisions are potentially unhelpful and confusing. As it stands the provisions of the STPCD fall short of providing that the outcomes of the performance management reviews (as opposed to assessments against objectives or some other aspects) provide the basis for decisions about pay progression.

4.15 RIG believes it would be preferable for the STPCD to provide a simple and explicit link between the outcomes of performance management reviews and decisions about pay progression. Such a change would help to ensure that there was greater transparency about how decisions about pay progression are made and what would be taken into account. This should help schools to move closer towards the STRB's vision that "performance and reward systems are managed effectively, transparently and fairly

4.16 It should be stressed that RIG is not proposing that there should be changes to the pay progression criteria. Teachers would still need to demonstrate that they have met those criteria to achieve pay progression. RIG believes that performance management should be the process that provides an assessment of the totality of a teacher or head teacher's performance and that this should be the only process that is needed to inform decisions about pay progression.

4.17 No changes are proposed in relation to pay progression of teachers who are subject to capability procedures or completing induction.

Taking account of the outcomes of CPD

4.18 RIG believes that performance management already provides the process for a consideration of a teacher or head teacher's engagement in CPD and the outcomes of that, including where appropriate their contribution to others' development.

4.19 The current performance management arrangements provide that the objectives agreed between a teacher and their appraiser should include

objectives relating to developing and improving the teacher's professional practice and that appraisal interviews should consider the extent to which a teacher has met those objectives. The revised regulations for England that are currently the subject of consultation provide that at the planning meeting reviewer and reviewee should, among other things, consider and determine the training and development needs and the actions which may be taken to address them and that these matters should be reviewed together at the review meeting.

The extent to which provisions in England and Wales should be identical

4.20 In England, subject to the outcomes of the consultation exercise, the revised arrangements for performance management would provide an assessment of the totality of a teacher or head teacher's performance, including the outcomes of their CPD and their contribution to the development of others, and would therefore be sufficient to implement the recommendation in the STRB's 15th report. In England it would be possible to replace the variety of references that are currently in the STPCD with a simple consistent statement that the outcomes of performance management provide the basis for decisions about pay progression.

4.21 However there are different arrangements in England and Wales (see Section 8). The proposals for revisions to the performance management arrangements that are outlined above apply to England only. In submitting this evidence RIG has taken note that performance management is devolved to Wales and the text of any amendments to the STPCD would need to reflect the different performance management arrangements that apply in Wales. The Welsh Assembly Government has been consulted and commented on this evidence. Clearly there would need to be further consultation in the light of the STRB's recommendations but RIG believes it would be possible to agree a form of words that could allow for the outcomes of performance management reviews whether undertaken on the basis of English or Welsh provisions to provide the basis for decisions about pay progression, as well as covering any teachers to whom performance management regulations do not as yet apply.

Conclusions:

- That the various current references in the STPCD to links between pay progression and performance management should be replaced with a single consistent reference that ensures that the outcomes of performance management reviews provide the basis for decisions about pay progression.
- On the grounds that performance management reviews include the consideration of the outcomes of CPD, including the contribution a teacher or head teacher has made, as appropriate, to the development of others, this would also be sufficient to implement the recommendation in the STRB's last report.
- That a form of words should be agreed that enables the STPCD to provide the same outcomes in England and Wales.

SECTION 5 SCIENCE AND MATHEMATICS TEACHERS

Introduction

5.1 Science and mathematics are priority subjects for the Government. Since 2001, the Government has made a number of commitments and undertaken a substantial programme of action across all aspects of school science and mathematics. In March this year, the Government published *Science and Innovation Investment Framework 2004-2014: Next Steps*,⁴ which made a number of additional commitments to further raise pupil attainment and improve the quality of science and mathematics education at every stage.

5.2 In the light of this increased Government focus on science and mathematics the STRB is asked to make recommendations on the following:

- a. whether there are steps that should be taken to improve the use of current pay incentives and flexibilities to improve the recruitment, retention and quality of science and mathematics teachers; and
- b. whether science teachers who are not physics and chemistry specialists should receive an incentive to encourage them to complete physics and chemistry continuing professional development, leading to an accredited qualification, to enable them to teach those subjects effectively.

5.3 This remit builds on the previous work undertaken by the STRB to look at increasing pay incentives for science and mathematics teachers. The STRB's Fourteenth and Fifteenth Reports both expressed the view that there was no case for making changes to Advanced Skills Teachers (AST) pay structures in support of science and mathematics teachers even though there were concerns from schools about filling science and mathematics vacancies with candidates of the right quality. RIG are now particularly keen that the STRB gives serious consideration, in light of fresh evidence, to re-consider pay incentives and flexibilities for teachers to improve further the quality of teaching and learning in science and mathematics.

Background

The Government's Strategy

5.4 The future economic success of the UK is dependent upon a good supply of skilled mathematicians, scientists, engineers and technologists. The Government's ambition is to create an education and training environment that delivers the best in science and mathematics teaching and learning at every stage.

5.5 The Government has continued to invest heavily in school science and mathematics and there are many signs that the programme of action is starting to

⁴ A copy of the investment framework can be found on HM Treasury's website at: www.hm-treasury.gov.uk/budget/budget_06/assoc_docs/bud_bud06_adscience.cfm

bear fruit. Key achievements since 2001 and the actions undertaken to make improvements in standards are listed in Annex B1.

5.6 The Government's *Ten Year Science and Innovation Investment Framework 2004-2014*,⁵ published in July 2004, made investment in science a priority and stressed its commitment to improving attainment of science, the uptake of science subjects' post-16 and the quality of science teachers.

5.7 The Science, Technology, Engineering and Mathematics (STEM) cross-cutting programme was launched last February as part of the ten-year framework and aims to bring better co-ordination and coherence to the many STEM initiatives available, enhance delivery at the front line and support the supply of scientists, engineers and technologists. Also, the Government's response to Professor Adrian Smith's report *Making Mathematics Count*⁶ published in 2004 set out a strategy to improve the supply of specialist mathematics teachers, support their professional development and improve the curriculum and assessment framework for mathematics.

5.8 The Government has never been complacent about the scale and nature of the challenges it still faces around science and mathematics. In March this year it raised further its ambitions and added a strong impetus to its drive to achieve them by publishing the *Next Steps*⁷ document. Section 6 covers its plans for school science and mathematics which include:

- a. Continually improve the number of pupils getting at least level 6 at the end of Key Stage 3 (11-14 year olds).
- b. Continually improve the number of pupils achieving A*-B and A*-C grades in two science GCSEs.
- c. Step up recruitment, retraining and retention of physics, chemistry and mathematics specialist teachers so that by 2014,
 - 25% of science teachers have a physics specialism (compared to 19% currently)
 - 31% of science teachers have a chemistry specialism (compared to 25% currently) and
 - 95% of mathematics lessons in schools to be delivered by a mathematics specialist (compared with an estimated 88% currently).

5.9 The £32 million implementation programme for *Next Steps* over the next two years includes £18 million of new money from the Treasury. This is in addition to the programme to take forward the Government's commitments on

⁵ A copy can be found on HM Treasury's website at: www.hm-treasury.gov.uk/spending_review/spend_sr04/associated_documents/spending_sr04_science.cfm

⁶ www.dfes.gov.uk/mathsinquiry/Maths_Final.pdf

⁷ *Science and Innovation Investment Framework 2004-2014: Next Steps*, March 2006

science to improve the curriculum, recruit more teachers, and offer subject-specific continuing professional development and initiatives to enthuse young people's interests, and the response to the Smith Report for mathematics and the support being given to programmes such as the National Strategies and the Science Learning Centres.

5.10 The *Next Steps* document is also addressing the key issues identified by the Lord's Science and Technology Committee, which is currently conducting an inquiry on namely the recruitment and retention of teachers, the quality of teaching and learning and measures to support and encourage pupils' engagement with and enjoyment of science and mathematics. The Lord's Science and Technology Committee is due to report in August 2006.

Recruitment

5.11 The Government through a range of strategies (detailed in [Annex B2](#)), which include incentives for both entrants and training providers, has managed to reverse the decline in the recruitment of science and mathematics teachers compared to the late 1990s.

5.12 The following two tables provide figures for science and mathematics Initial Teacher Training (ITT) recruitment both through conventional courses and employment-based routes. They show that over the period 1996/97 to 2004/05 there has been a 24% increase in science and 59% increase in mathematics recruitment respectively.

SCIENCE	96/97	97/98	98/99	99/00	00/01	01/02	02/03	03/04	04/05
Conventional ITT places	3,700	3,300	3,050	2,390*	2,690	2,810	2,850	3,225	3,225
Recruitment to conventional courses	2,940	2,790	2,280	2,360	2,410	2,590	2,700	2,870	2,830
Fast Track	-	-	-	-	0	20	20	60	60
Employment Based Routes Total	0	0	30	60	170	460	520	660	750
GTP	0	0	30	60	160	370	410	470	500
RTP	0	0	0	0	0	10	10	10	10
OTT	0	0	0	0	10	90	100	150	190
Teach First	-	-	-	-	-	-	-	30	40
Total Recruitment	2,940	2,790	2,310	2,430	2,590	3,080	3,240	3,590	3,640

* Places in 1999/00 exclude 300 places under the Mathematics and Science 600 scheme
Source: TDA ITT Trainee Numbers Census and TDA Employment Based Routes Database

MATHEMATICS	96/97	97/98	98/99	99/00	00/01	01/02	02/03	03/04	04/05
Conventional ITT places	2,550	2,250	2,150	1680*	1,850	1,940	1,940	2,315	2,350

Recruitment to conventional courses	1,650	1,460	1,120	1,300	1,290	1,550	1,670	1,940	2,030
Fast Track	-	-	-	-	0	10	10	20	30
Employment Based Routes Total	0	0	30	70	120	300	390	570	560
GTP	0	0	30	70	100	220	290	400	370
RTP	0	0	0	0	0	10	10	10	10
OTT	0	0	0	0	10	80	100	120	150
Teach First	-	-	-	-	-	-	-	40	30
Total Recruitment	1,650	1,470	1,150	1,380	1,410	1,860	2,070	2,530	2,620

* Places in 1999/00 exclude 300 places under the Mathematics and Science 600 scheme
Source: TDA ITT Trainee Numbers Census and TDA Employment Based Routes Database

5.13 Although there has been much improvement over the last few years there still remains scope for further improvements. The data in both tables also shows that recruitment to conventional courses remains persistently below the allocated places despite the fact that not all new recruits are new graduates. The research study *Mathematics and Science in Secondary Schools, The Deployment of Teachers and Support Staff to Deliver the Curriculum*⁸, carried out by NFER for the DfES and published in January 2006, showed that 45% of science teachers and 42% of mathematics teachers had had another career before entering the teaching profession.

5.14 The increase in recruitment has resulted in the rates of vacancies for mathematics and science teachers in secondary schools falling from a peak of 1.6% for science and 2.1% for mathematics in 2001, to 0.9% for science and 1.0% for mathematics in January 2006. Whilst vacancy rates in mathematics and science remain slightly above average (0.6%), they are now lower than ICT (1.4%) and similar to those for English (0.8%) and Religious Education (0.9%).

Retention

5.15 Overall some 9% of teachers leave the profession a year, mainly due to retirement or death. Training and Development Agency (TDA) data shows between 74-84% of mathematics teachers and 72-82% of science teachers who attained Qualified Teacher Status (QTS) in 2004 were in the maintained sector six months later.

5.16 The Employers' Organisation also looks at retention rates by subject. They have found that retention for mathematics and all sciences has increased since 2002. There is some variation with mathematics, physics and chemistry mirroring average retention for all subjects in 2003 and 2004 but biology being lower than average. However, these rates rely on the Secondary School Curriculum and Staffing Survey (SSCSS) which was last conducted in 2002; therefore these estimates become less reliable over time.

⁸ *Mathematics and Science in Secondary Schools, The Deployment of Teachers and Support Staff to Deliver the Curriculum*, carried out by NFER for the DfES and published in January 2006 at: www.dfes.gov.uk/research/data/uploadfiles/RR708.pdf

5.17 Research⁹ into why teachers leave the profession cites workload as the main reason (45% said this in 2003) - other factors being stress, 'government initiatives' and personal circumstances. The NFER research¹⁰ found the majority of teachers and heads of department under 55 felt they would remain in teaching for the next five years at least. About one tenth expected to leave within five years, which suggests that workload does not amplify the retention problem for mathematics and science.

5.18 The NFER research⁷ also found that workload was a particular factor in levels of dissatisfaction of mathematics and science teachers, although the majority were neutral or broadly satisfied. Shortage of staff in their department was a significant predictor of overall dissatisfaction for both mathematics and science teachers and heads of departments.

5.19 The Government, through the TDA, has established a pilot to examine how a sufficient cadre of science and mathematics specialist higher level teaching assistants can be recruited, trained, employed and deployed to enable every school to recruit at least one by 2007/08, should they wish to do so. These would help support teachers and reduce their workload. Overall retention rates seem to be improving.

Specialism in mathematics, physics and chemistry

5.20 The evidence so far suggests that measures introduced by Government have had an impact on improving recruitment and retention rates to the extent that overall vacancy rates in science and mathematics are comparable with other subjects. Therefore, overall there appears to be "no crisis" in recruiting teachers to fill science and mathematics posts. However, the picture is very different when science and mathematics teachers' are analysed by specialism.

5.21 The NFER research⁷ into the qualifications and deployment of secondary science and mathematics teachers suggests that there are shortages of those with physics, chemistry and mathematics specialism. (In this research specialism means being a graduate in that subject, or having studied it during ITT). These shortages were found predominantly in schools with lower than average GCSEs results, higher than average numbers of pupils eligible for free school meals or higher proportions of children with special educational needs. Specialist teachers were unsurprisingly found to a greater extent in 11-18 schools than 11-16 ones. More startling is the fact that 26% of 11-16 schools had no physics specialists, with most of these schools tending to be located in deprived areas.

5.22 Detailed findings from the research are available in Annex B3, but in summary out of about 31,000 secondary science teachers, 92% were science specialists with 44% having an initial specialism in biology, 25% chemistry and

⁹ 'Factors Affecting Teachers' Decisions to Leave the Workforce', Smithers and Robinson, DfES, 2003
<http://www.dfes.gov.uk/research/data/uploadfiles/RR430.pdf>

¹⁰ *Mathematics and Science in Secondary Schools, The Deployment of Teachers and Support Staff to Deliver the Curriculum*, carried out by NFER for the DfES and published in January 2006 at:
www.dfes.gov.uk/research/data/uploadfiles/RR708.pdf

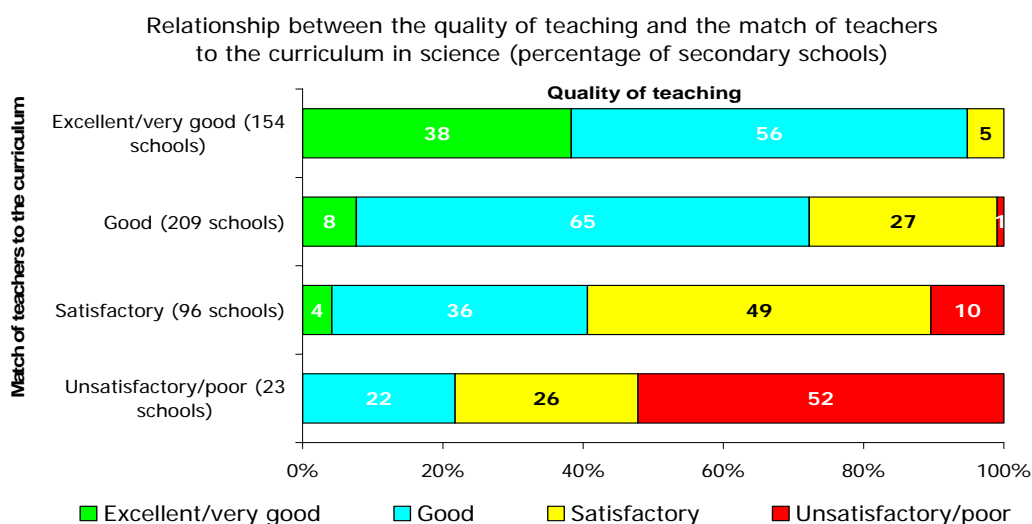
19% physics. Out of 27,400 mathematics teachers 76% were mathematics specialists, 10% had a non-mathematics related specialism and 13% were principally members of other departments.

Importance of subject specialism

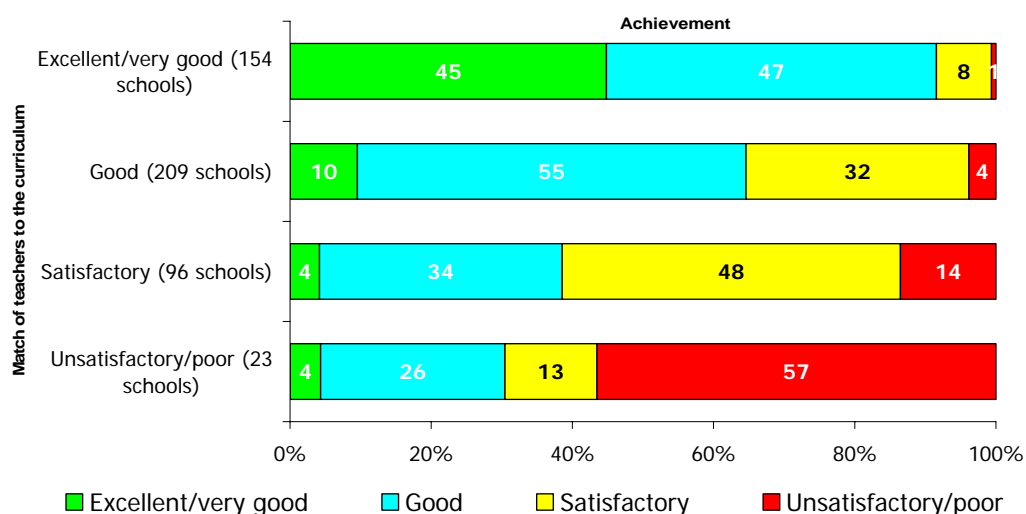
5.23 There is a positive correlation between both the quality of teaching and pupil achievement in science and the match of teachers' specialism to what they are teaching (see the two Ofsted charts that follow). The first chart shows that where the match between the teachers' qualifications and the subjects they taught was thought to be excellent/very good by Ofsted, the quality of teaching was excellent/very good or good in 94% of schools. In comparison, schools without a good match between teacher qualification and the subjects they teach resulted in the quality of teaching being good in 22% of schools, satisfactory in 26% and unsatisfactory in 12% of schools.

5.24 Similarly, the second chart shows where the match between the teachers' qualifications and the subjects they taught was thought to be excellent/very good by Ofsted, the achievement of pupils was excellent/very good in 45% of schools. In comparison, schools without a good match between teacher qualification and the subject they taught pupil achievement was excellent/very good or good in 30% of schools, satisfactory in 13% and unsatisfactory in 57% of schools

5.25 This highlights the importance of subject specialism and the need to invest and encourage existing teachers with other specialisms to train enough to reduce the shortage of specialist physicists, chemists and mathematicians.



Relationship between the achievement and the match of teachers to the curriculum in science (percentage of secondary schools 2004/05)



Source: Ofsted School Inspection Data

Regional variations

5.26 The NFER research also considered regional and London variations. The South East and Eastern regions appeared to have fewer physics and chemistry teachers per 1000 pupils than elsewhere (with Yorkshire also having fewer physics teachers). In mathematics the North East had the fewest specialist teachers per 1000 pupils. The variations were also skewed towards those areas with higher non-teaching salaries for people with those specialisms. So, for example, higher salaries for non-teachers in London and South East were not found in, say, North East, where non-teaching opportunity costs are lower (see table below).

The relative salary rates for all graduates (including teachers) of particular types of degree by Government Office Region.

Government Office Region (GOR)	Graduates	Biology	Chemistry	Physics	Maths & Related
North East	0.95	0.88	0.97	0.93	0.93
North West	0.97	1	1.1	1.06	1.09
Yorkshire	0.97	0.72	1.06	1.16	1.05
East Midlands	0.88	0.74	0.99	0.96	1.13
West Midlands	0.93	0.62	0.96	0.91	1.02
Eastern	1.05	1.07	1.19	1.22	1.28
London	1.13	0.92	1.16	1.18	1.23
South East	1.16	0.95	1.19	1.19	1.2
South West	0.93	0.82	0.92	0.96	0.97

Values above 1 indicate that the average salary of holders of that type of degree is above that of teachers in that particular GOR.

5.27 In order to meet the specific ambitions set out in the recent *Next Steps* document for increasing science specialists, and in the percentage of mathematics lessons taught by specialists, there will need to be further focus on the recruitment of mathematics specialists and science recruits to ITT, particularly those with physics and chemistry specialisms. The pool of available graduates is already subject to high levels of competition, so continued activity will be required.

Demand for Graduates

5.28 There is strong competition for good graduates of mathematics, physics and chemistry. The '*Prospects*'¹¹ website shows the destinations of graduates who left university each year. Of those physics graduates who left university in 2004, their survey found that 50% were in work, with 8.4% classed as 'educational professionals'. Rather than going into work, a quarter of the physics graduates went on to study for a higher degree.

5.29 Of those mathematics graduates who left university in 2004, 62% were in work with 12% classed as 'educational professionals'. 'Business and Financial Professionals and Associate Professionals' was the most strongly represented group, taking almost 30% of all mathematics graduates.

5.30 According to the '*Prospects*' website, there were a total of 1950 physics graduates in 2004. Although there is no systematic information of the specialism of science ITT recruits, scenario modelling, based on a range of assumptions, conducted by the DfES indicates the scale of the challenge. To increase the proportion of science teachers with a physics specialism to about one third in ten years, we needed roughly an extra 700 new entrants into teaching with a physics specialism each year. If these were all to be physics graduates, about 1,000 new recruits to ITT would be needed (due to the drop out rate during courses and between completing ITT and teaching) that is equivalent to recruiting over 50% of the total physics graduate population - a feat which RIG considers improbable given current recruitment rates. The latest estimates show that about 300 people (representing about 15%, although not all are new graduates) entered physics teacher training via traditional routes.

5.31 The NFER research also showed a seemingly low responsiveness to income, which suggests that any general salary based solution would be prohibitively expensive, as large sums of money would need to be spread across many teachers to achieve the desired impact.

Conclusions

5.32 The evidence presented to STRB shows both improving recruitment and retention rates with regards to science and mathematics teachers, which has helped to reduce vacancy rates. However, shortages still remain for both these

¹¹ www.prospects.ac.uk/cms/ShowPage/Home_page/What_do_graduates_do_2006/p!efbcdLp

priority subjects and in the case of science particularly for physics and chemistry specialists. Given regional pay effects and also the distribution of the existing specialist teachers within the system, a combination of national measures to attract the appropriate new entrants into the profession allied with local pay incentives and flexibilities is the key to overcoming the shortage of specialist mathematics, physics and chemistry teachers.

5.33 In order to attract high quality graduates the Government already has bursaries and 'Golden Hellos' in place, and from September 2006 trainee teachers in mathematics and science will receive a higher bursary of £9,000, plus a £5,000 Golden Hello after they enter the classroom. RIG considers that this range of good national conditions (including existing pay levels) now needs to be supplemented by extended use of flexibilities by schools that have difficulties with recruitment or retention (whatever the subject).

5.34 RIG considers that a local lever in everyday use by heads is the best solution to provide a further means of meeting the gaps in supply of mathematics and science teachers. Of course the existing pay flexibilities provide that and their use by schools may be the key. Previous STRB reports have also pointed out the flexibilities in response to requests for special changes to the AST pay scales for mathematics and scientists. The question is whether and how they could be used more to help ease the irregular distribution of mathematics and science specialists. The issue is the cyclical nature of the problem with science and mathematics as subjects: poor teaching in school leads to poor GCSE results and poor A-level take-up; therefore there are fewer specialist undergraduates and as a result fewer science graduates entering ITT.

Current use of Pay Incentives and Flexibilities

5.35 RIG noted that there is no systematic evidence available on the use of the recruitment and retention incentives and flexibilities, in particular since the changes applied in April 2004. However, there is some evidence both for the period 1986-2003 and for 1997-2003, that teachers qualified in mathematics in England were very slightly more likely to get the old-style recruitment and retention allowances than scientists or those qualified in any subject. There was no difference in Wales. But it is difficult to assess how pay incentives and flexibilities are being used by schools to improve recruitment, retention and quality of science and mathematics teachers – RIG can only speculate on the basis of anecdotal evidence.

5.36 At Local Authority level, in some cases, there is less specialist advice on the local application of the detail of the teachers' pay system, as a result of reorganisation; there is also concern not to risk triggering equal pay claims (whereas of course location and market forces, if genuine, are legitimate reasons for different pay levels). There may also be a practical difficulty in local authority pay roll systems rejecting payments that are outside the usual pay scales.

5.37 At school level, awareness of the flexibilities is a key issue but so is the management confidence to implement them. Concerns exist about the potential divisive effect of using pay flexibilities, particularly where management lacks

confidence or may be susceptible to pressure to accept a range of bids for retention payments. In other cases, principled objections exist to differentiated payment on this basis. There may also be budgetary constraints.

5.38 The NFER research found that teachers working in departments with high levels of staff shortages rated their professional satisfaction lower across wide range of areas of their working life. RIG believes that the effect on schools of shortage of key members of staff is such that it makes sense to offer financial incentives.

Barriers to use of flexibilities

5.39 In the absence of robust information RIG's view is that the majority of head teachers are generally aware of the pay incentives and flexibilities available to them. But a range of barriers prevent them from making effective use of them. RIG's view is that these are the main barriers:

- a. Budgetary constraints – some schools or heads do not have the budget and cannot afford to pay above the minimum.
- b. Philosophical arguments – flexibilities seen as being divisive and many heads do not agree with the principle of differentiated payments as all subjects are seen as being important.
- c. Lack of school policy – despite a statutory requirement for a pay policy many schools do not have an agreed open transparent policy around the use pay incentives and flexibilities. This makes heads, who are generally aware of the local labour market, reluctant to use them during recruitment to secure good candidates.

5.40 RIG's conclusion is therefore that it is worth investing effort in helping schools to overcome these barriers to make effective use of pay flexibilities to solve any recruitment or retention problems (whatever the subject specialism of the teacher concerned). This would be either at the point of recruitment, or by negotiation to secure retention.

Improving the use of flexibilities for science and mathematics teacher

5.41 RIG's view is that, given the national pay context and the incentives package available to recruits to teacher training, it is right that the application of the use of the recruitment and retention payment flexibilities that exist in the national pay arrangements should be decisions for individual schools and local authorities to take. Therefore, RIG asks the STRB to consider:

- a. How best to overcome the barriers identified by RIG, which are limiting the use of current pay incentives and flexibilities in schools
- b. what other barriers there may be that Local Authorities and schools may face, and how to remove them;

- c. how to remove any other perceived barriers, and
- d. whether there is a role for the STRB in circulating data on the recruitment and retention position for priority subjects, so heads are better able to judge the state of the labour market for these subjects and respond appropriately. (A recommendation of STRB's Fifteenth report).

5.42 With regard to improving the recruitment and retention and quality of science and mathematics teachers specifically, RIG asks STRB to consider:

- a. what practical steps might be taken to improve the use of current pay incentives and flexibilities so as to present teaching as a more interesting and attractive career for physics, chemistry and mathematics graduates; and
- b. how to stimulate demand by making clearer to potential ITT recruits that there is scope for extra pay in priority subjects such as physics, chemistry and mathematics.

Continuing Professional Development for Teachers

5.43 Improvements to recruitment and retention are not sufficient on their own to overcome shortages of physics, chemistry and mathematics specialists; steps need to be taken to up-skill existing staff. This means offering a specific Continuing Professional Development (CPD) programme to enable teachers of other specialisms to deliver effective teaching in shortage subjects. The next sections examine the case for incentives for science teachers who are not physics and chemistry specialists, to encourage them to undertake physics and chemistry specific CPD, which was a specific proposal in the Government's *Science and Innovation Investment Framework 2004-2014: Next Steps* document.

5.44 Annex B4 details the current developments to improve CPD in general which include TDA's remit on CPD, proposed revised professional standards for teachers and more effective performance management. It also details the specific provision for science CPD, which is being predominately provided by the Secondary National Strategy and Science Learning Centres (SLCs).

5.45 Taking into account the full range of science CPD provision available in England, it can be concluded that investment in central initiatives over recent years, such as the Secondary National Strategy and SLCs along with the wide range of other providers, is now ensuring a good supply of relevant science CPD catering for all needs which is sharply focused on both local and national priorities.

5.46 The substantial increase in the quantity and quality of science CPD, over recent years has resulted in general improvements in standards of pupil attainment, teaching practices and subject management, which have been recognised by Ofsted in England. However, Ofsted still reports concerns around the use of assessment, subject knowledge, scientific enquiry and subject leadership. Both the Secondary Strategy and the SLC are already working to

help support schools to address these areas.

The key issues and challenges

5.47 The Council for Science & Technology (CST) report of February 2000 '*Science Teachers*' concluded that teachers 'were not engaged in a subject related, classroom based, systematic process of continuous professional development.' It highlighted issues '*of leadership, capacity, products, services and supply arrangements for concern*'. Recent research, including that carried out on behalf of the Wellcome Trust '*Believers, Seekers and Sceptics*', gives an indication of the extent to which things have improved in the five years since the CST report.

5.48 The research evidence suggests that:

- a. The availability of science CPD has increased considerably.
- b. Taking all sources of CPD into account the focus on priorities is about right.
- c. Senior school managers often place lower value on subject CPD than teachers or subject leaders. This difference is particularly marked in the case of science.
- d. Even when management is supportive and suitable science CPD is available uptake can be disappointing and therefore overall impact is reduced.
- e. CPD is still narrowly perceived by both teachers and providers and this also reduces potential impact.

5.49 Whilst much has been achieved in terms of improving the supply, quality and focus of subject-specific CPD, the above evidence suggests that there is sufficient science CPD available in the system but there are barriers to science teachers making use of it. Many science teachers either do not see it as important to their own careers or are unable to convince school senior management of its worth. Supply is no longer an issue but access and attitudes still need to change at all levels in schools. The key challenges are then how to improve access and change attitudes towards science CPD, particularly around physical sciences where a quarter of maintained 11-16 secondary schools lack a physics specialist teacher and issues remain about the take-up of subject-specific CPD.

Improving Physics and Chemistry specific CPD

5.50 As one strand in its strategy to improve the teaching and learning of the physical sciences in schools, the Government entered into a commitment in *Science and Innovation Investment Framework 2004-2014: Next Steps* to 'develop and pilot a CPD programme leading to an accredited diploma to give existing science teachers without a physics and chemistry specialism the deep subject knowledge and pedagogy they need to teach these subjects effectively'.

5.51 The diploma would be aimed at existing secondary science teachers

without a degree in physics and chemistry or who have not specialised in one of these subjects during initial teacher training. Such teachers might, for example, hold an initial degree in biology, but have A level physics and/or chemistry. Each diploma would equip them to teach physics or chemistry subjects more effectively. Although it is envisaged that a teacher would undertake a diploma in either physics or chemistry, there would be nothing to prevent an individual teacher from gaining both diplomas.

5.52 The diploma is in the early stages of development and it is envisaged that it will be developed and piloted during 2006-08, with approximately 60 teachers participating in the pilot. The CPD programme leading to the diploma will be part-time and will need to be tailored to each participant's needs to take account of his or her initial specialism, experience and any CPD already undertaken. It is likely to involve a blend of several different types of CPD, including courses, mentoring and private study. Although teachers will take varying lengths of time to gain the diploma, we would estimate that it should take approximately one year to gain the diploma. Discussions are underway with the Training and Development Agency for Schools, the Science Learning Centres, the Association for Science Education, the Institute of Physics and the Royal Society of Chemistry about the development and delivery of the diploma and how it could link with other professional recognition schemes, such as the Association for Science Education's Chartered Science Teacher.

5.53 The *Next Steps* document also committed the Government to 'remit the STRB to advise on whether science teachers who are not physics and chemistry specialists should receive an incentive to encourage them to complete physics and chemistry enhancement CPD, leading to an accredited qualification.'

Incentives for Physics and Chemistry CPD

5.54 While RIG does not wish to suggest that the STRB should recommend rewarding teachers simply for undertaking CPD, the fact that 25% of maintained secondary schools have no physics specialist teacher and there are barriers to teachers accessing CPD means that incentives should be given serious consideration to stimulate demand. It is RIG's view that any incentive should not be just linked to the gaining of an accredited qualification but to achieving suitable outcomes in terms of improvements to the quality of teaching and pupil achievements in science.

5.55 RIG's view is that more creative use of existing pay flexibilities would be preferable to creating a completely new flexibility. RIG asks the STRB to consider whether it might be appropriate to encourage the following, and if so how this might be done (for example, through statutory pay guidance):

- a. schools and LAs to make better use of the recruitment and retention incentives flexibilities within the pay system to encourage subject-specific CPD in physics and chemistry leading to an accredited qualification. Clearly, the use of such incentives would only be applicable if a genuine recruitment and retention need had been identified;

- b. the 'additional payments' flexibility in the pay system to encourage out-of-hours CPD to improve subject knowledge for teachers in shortage subjects such as physics and chemistry which leads to an accredited qualification.

5.56 The STRB is asked to consider whether science teachers who are not physics and chemistry specialists should receive a suitable incentive or not to encourage them to complete physics and chemistry continuing professional development, leading to an accredited qualification, to enable them to teach those subjects effectively.

5.57 RIG notes that the Government is also considering whether there are other non-pay incentives that may stimulate demand for increased subject-specific CPD in physics and chemistry.

5.58 Funding in 2007-08 financial year has been provisionally set aside by the Government to enable a suitable incentive to be made available during the Diploma pilot, taking into account any recommendations made by the Review Body. Although this is a relatively small pilot, the idea is to test the principle of whether the incentive would be enough to attract teachers to devote the considerable time and effort that would be required to reach the outcome of becoming proficient in teaching new specialisms. It would be assumed that if the pilot were successful the scheme might expand (if demand were adequate). The principle might also be applied in other subjects in which there are shortages.

5.59 Apart from the proposed pilot Diploma, outlined in the Next Steps document, RIG is not in a position at this stage to propose or define other suitable qualifications. However, we are clear that it would not be appropriate to include GCSEs or A-levels, believing that a focus should be kept on targeted enhancement. It is possible that similar diploma courses will be developed to train teachers to teach subjects other than their original specialism, so it would be of interest to hear any general observations from STRB which might apply to wider use of the idea.

5.60 The possible impact of incentives for teachers to gain the physics or chemistry diploma on physics and chemistry graduates in the profession, who would hold higher qualifications in the physical sciences than a teacher gaining one of the new diplomas, but who would not be eligible for the incentive payment, would also need to be considered in taking forward any new incentive or development of existing incentives.

SECTION 6 SEN ALLOWANCES

Introduction

6.1 The Secretary of State's remit letter of 17 May 2006 asked the STRB to consider Special Educational Needs (SEN) allowances, in preparation for further evidence to be submitted in 2007 and possible change in 2008.

6.2 In the light of the recent Education and Skills Select Committee Report on SEN; developments around Every Child Matters; and the variety of reforms, outlined in the White Paper *Higher Standards Better Standards for All*, it is an opportune moment to begin to review SEN allowances. The Secretary of State is particularly keen to determine the extent, to which SEN allowances fulfil an appropriate function in the teachers' pay and conditions system, whether they are used appropriately and whether there is overlap in theory or practice with other permitted payments.

6.3 This remit, to begin reviewing SEN allowances builds on the previous work undertaken by the STRB to look at the issue. The STRB's Fifteenth Report highlighted that there needs at some point in the future to be a review of rewards for teachers making contributions to the teaching of SEN pupils. It also recommended that the DfES draw up guidance, in consultation with interested parties, on how the payment of higher-level SEN allowances might take account of the enhancement of the teaching of SEN pupils brought about by specialist qualifications.

6.4 The Rewards and Incentives Group's (RIG) evidence in respect of these matters is set out in the paragraphs that follow and includes:

- a. Background – a brief history of SEN provision and its development.
- b. Current SEN Landscape – information, data and our current knowledge base.
- c. Progress to date – what has been achieved so far and what challenges remain.
- d. SEN allowances – brief background and what we know about them.
- e. Reasons for a review – a brief look at the current reforms impacting on schools that warrant a review.
- f. Key issues for consideration – summary of the keys issues for the STRB to consider.

Background

History and Development of SEN Provision

6.5. Until relatively recently, access to special educational provision was not a systematic process, it did not involve a statutory multi-disciplinary assessment of individual needs and nor did it protect parental rights. Prior to 1944 most special

educational provision was in the charitable sector with some state schools for the 'handicapped' and although not statutory, depending on needs, there were multi disciplinary assessments.

6.6. The Education Act 1944 extended the range of needs, for which local authorities (LAs) had to make specific educational provision for, to 11 categories of 'handicap'. The Act provided a systematic classification and confirmed that all such pupils were entitled to education in special schools. However, children with profound or severe learning difficulties were still considered incapable of being educated, so LAs were not required to provide such children with education. The Education (Handicapped Children) Act 1970 remedied this but until that time LAs were required to provide Junior and Senior Training Centres for such children. These usually had high education content and staff were often qualified but not always teachers. In any case access to special educational provision between 1944 and 1981 was dependent on LA policies with parents having no rights to disagree.

6.7. The 1978 Report of the Committee of Enquiry into the Education of Handicapped Children and Young People ("the Warnock Report") suggested that children should not be categorised into different sorts of learning difficulties but should instead be recognised as having 'special educational needs'. The Report also recommended the classifications from the 1944 and 1970 Acts be removed and that local authorities should look at individual needs and the provision required to meet them.

6.8. The 1981 Education Act reflected the Warnock Report and defined SEN and set out processes for identification and multi-disciplinary assessment, including statements. However no time limits for assessments or making statements were set, there was a lack of clarity about what were special educational needs and around the respective roles and responsibilities of schools and LAs. The Act did give parental rights of appeal in respect of the statement, as a two-stage process; firstly to a local panel whose decisions were not binding on the local authority and then to the Secretary of State with parents having to wait anything up to two years for a decision.

6.9. The 1993 Education Act established the SEN Tribunal, and with the subsequent 1994 Code of Practice on the Identification and Assessment of Special Educational Needs, produced a clearer framework for SEN provision, speeding up the assessment and statementing process and giving parents a more effective system through which to challenge local authority decisions.

6.10. The SEN framework ensured that children with SEN were identified; their needs assessed; and received support to help them make progress in their learning. Under the 1993 Education Act, maintained schools' governing bodies duties were strengthened towards children with SEN. They were to do their best to see that children with SEN got the support they needed and that maintained mainstream schools must appoint a person responsible for co-ordinating provision for children with SEN (usually known as the SEN Co-ordinator, or SENCO). Local authorities also had important and extensive duties to identify, assess and make provision for children with SEN and to keep their arrangements for doing so under review.

6.11. The 1996 Education Act consolidated previous Education Acts. The SEN and Disability Act 2001 amended Part 4 of the Education Act 1996 requiring all children with SEN but without statements to be educated in mainstream schools, amending the criteria on which parents could seek a mainstream place for a child with a statement whilst preserving their right to request a special school. It also made clear that no child without a statement, except in exceptional circumstances set out in regulations, should be placed in a special school. It requires LAs to arrange to provide parents of children with SEN with advice and information, and a means of resolving disagreements with schools and LEAs. Additionally, there were new requirements on LAs to comply, within set periods, with orders of the Special Educational Needs and Disability Tribunal (SENDIST) and other technical changes in support of the appeals process and the process by which a child's needs are assessed.

6.12. The subsequent Special Educational Needs Code of Practice 2001 reflected these changes and made explicit the central role of parents and parent partnership whilst advocating that the views of the child should be sought. The second half of the SEN and Disability Act 2001 amended the Disability Discrimination Act 1995 bringing education within the ambit of that Act. It is designed to widen access to education and prevent discrimination against disabled children on grounds of their disability.

6.13. In addition to the discrimination duties, the Act placed new duties on LAs and schools to plan strategically to progressively increase access to schools for disabled pupils over time. This covers access to the curriculum; physical improvements to premises and facilities and information in a range of alternative formats. The first plans were published in April 2003 and run for three years, after which they will be reviewed, revised and published afresh for a further three years.

6.14. From 2006 LAs and schools will have new duties under the Disability Discrimination Act (DDA) 2005 to promote equality of opportunity for disabled people, including disabled children and young people. The new duties will provide an impetus for schools and LAs to ensure that their planning and activities "in the round" improve opportunities for disabled people, including learners and staff.

6.15. Parents of disabled children who believe that their child has been discriminated against can appeal to the SEN and Disability Tribunal and through local admissions and exclusions appeals panels. The Disability Rights Commission has produced a Code of Practice for Schools explaining the new discrimination duties and runs a helpline for parents, schools and LEAs.

What are special educational needs?

6.16. Under the Education Act 1996, the statutory definition of special educational needs (SEN) is broad and a child has SEN¹² if they:

¹² Children are not defined as having SEN simply because their first language is not English, though some

- a. have a significantly greater difficulty in learning than the majority of children of the same age; or,
- b. have a disability which prevents or hinders them from making use of educational facilities of a kind generally provided for children of the same age in schools within the area of the local authority
- c. are under compulsory school age and fall within the above definitions or would do so if special educational provision were not made for them

6.17. Children with SEN have a range of needs such as physical or sensory difficulties, difficulties in cognition and learning, difficulties with speech and language, difficulties in behaviour and emotional and social development. Many children will have SEN of some kind at some time during their education and having SEN can affect children in different ways; for example, having SEN could mean that a child has difficulties with:

- a. All of the work in school
- b. Reading, writing and number work or in understanding information
- c. Expressing themselves or understanding what others are saying
- d. Making friends or relating to adults
- e. Behaving properly in school
- f. Organising themselves

Current Statutory Duties for Schools and LAs

6.18. Local authorities have important and extensive duties to identify, assess and make provision for children with SEN and to keep their arrangements for doing so under review.

6.19. Schools, early education settings in receipt of grant, LAs and others must have regard to the SEN Code of Practice, which gives guidance on carrying out their statutory duties under the 1996 Act. The Code recommends a graduated approach¹³, with school based additional or different interventions at *School Action* and *School Action Plus*. Under *School Action*, progressing in some cases to specific provision made pursuant to a statement of SEN. The SENCO and the child's teachers decide, with the child and their parents, what action to take to help the child make adequate progress in their learning. The child's progress is monitored and reviewed with their parents and if the child does not make adequate progress following interventions made under *School Action*, the school seeks help from external services; those services may provide additional advice

such children may also have SEN.

¹³ Graduated approach is a model of action and intervention in schools and early education settings to help children who have special educational needs. The approach recognises that there is a continuum of special educational needs and that, where necessary, increasing specialist expertise should be brought to bear on the difficulties that a child may be experiencing.

and support to the school under *School Action Plus*.

6.20. If a child does not make adequate progress with the support provided at *School Action Plus*, the LA may propose a statutory SEN assessment, again involving the child's parents but also obtaining specialist reports from an education psychologist, health and social care professionals and others. If a LA carries out a statutory assessment and feels that the child's needs cannot be met from within the resources available to the school, they must issue a statement of SEN.

6.21. A statement sets out in detail the child's SEN and the special educational provision required for them. Once a statement is made the LA has a duty to arrange the special educational provision specified in it. In the event of disagreement, parents may appeal to the SEN and Disability Tribunal in relation to certain aspects of SEN procedure. The Tribunal's decisions are binding on LAs.

Current SEN Landscape – What we know?

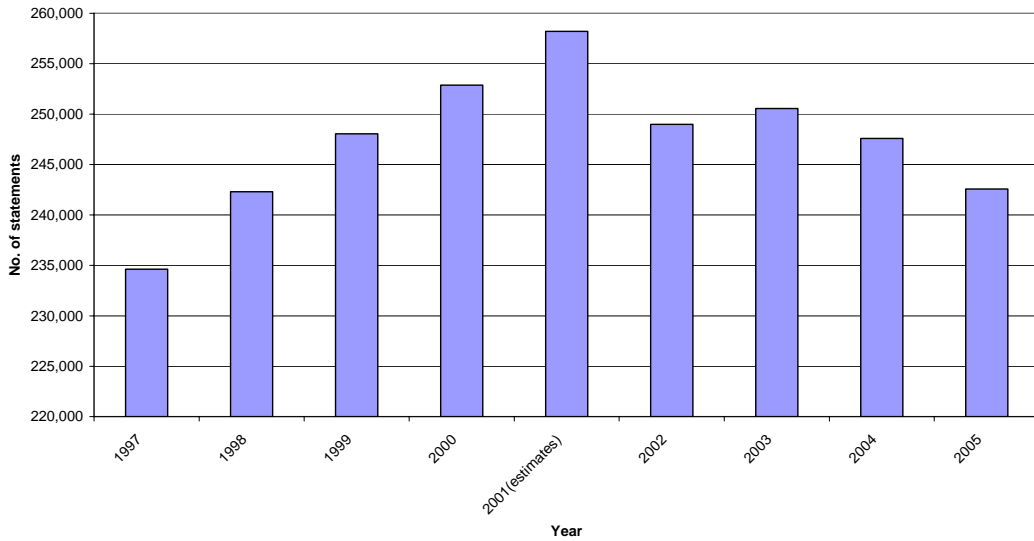
Pupils with SEN

6.22. Through its Pupil Level Annual Schools Census (PLASC), the DfES collects data from schools on the number of pupils with SEN. The latest figures (January 2005) show that about 1.45m pupils at school have SEN (i.e. 17.8% of the school population) – 242,600 have a statement of SEN (2.9%) and 1.2m are receiving *School Action* or *School Action Plus* (14.9%) support from within the resources available to their schools.

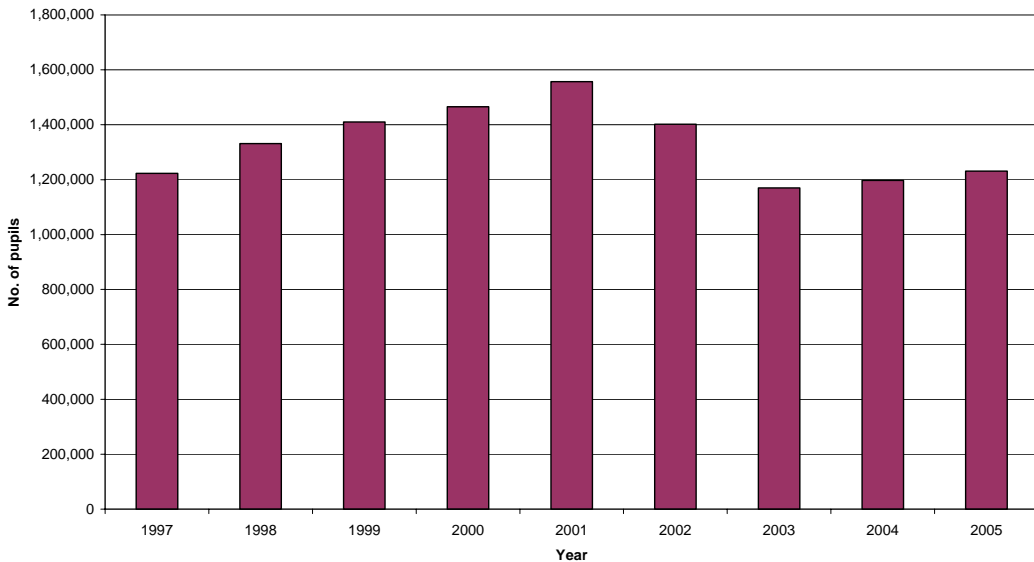
6.23. Over recent years; the number of pupils with statements rose between 1997 and 2001 but has fallen in 2005 to around 1998 levels. The proportion of pupils with statements though, has remained constant around 3.0% since 1997, despite an overall trend of decreasing pupil numbers. The number of pupils' who have SEN but no statement has also similarly fluctuated over recent years but in 2005 it is at broadly the same level as in 1997.

6.24. However it is worth noting that numbers of pupils with SEN reported in 2003 and later are not strictly comparable with earlier years because (a) changes to the provision framework – i.e. the introduction of the SEN Code of Practice in 2002 which replaced the previous five stages with *School Action*, *School Action Plus* and statements; and (b) the introduction of PLASC, in January 2003 which significantly changed the method of data collection.

ALL SCHOOLS: NUMBER OF PUPILS WITH STATEMENTS OF SPECIAL EDUCATION NEEDS BASED ON WHERE THE PUPIL ATTENDS SCHOOL



ALL SCHOOLS: NUMBER OF PUPILS WITH SEN WITHOUT A STATEMENT



Source: PLASC, DfES

6.25. There are also considerable variations between LAs and the percentage of pupils identified as having SEN; varying from 10% to 30%. The percentage of pupils with statements of SEN also varies by a factor of almost five to one – from 1% to 4.8%. Data by LAs, based on where the pupils attend school is available from the DfES's Statistics and Research website.¹⁴

Types of SEN

6.26. Children and young people have special educational needs (SEN) if there are barriers to learning, and if they are unable to access the curriculum and make

¹⁴ Data available under the additional information heading at: www.dfes.gov.uk/rsgateway/DB/SFR/s000661/index.shtml

adequate progress without additional or different provision to that which is normally available in maintained mainstream schools in their local area.

6.27. The SEN Code of Practice 2001 summarises categories of SEN into four broad areas of need:

- g. communication and interaction,
- h. cognition and learning,
- i. behavioural, emotional and social development and
- j. sensory and/or physical needs

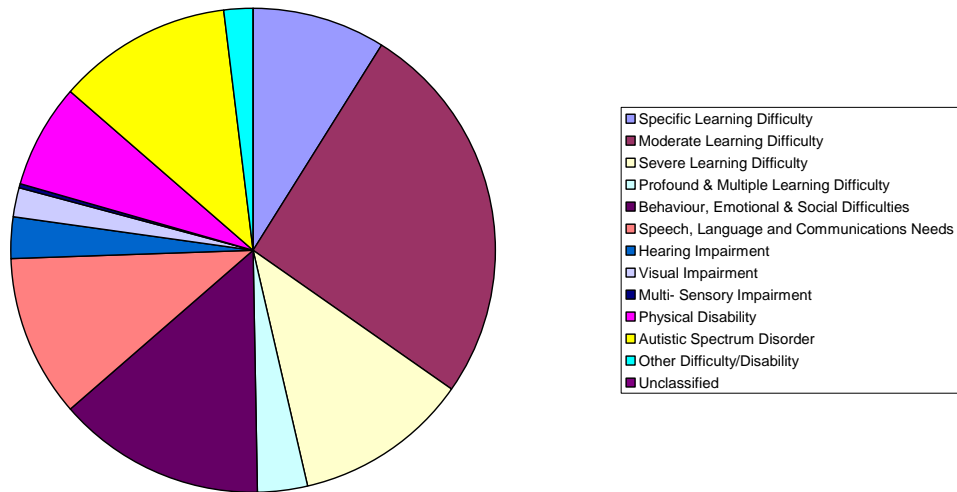
6.28. But the Code of Practice recognises that children will have needs and requirements which may fall into at least one of the four areas and that many children will have a number of inter-related needs.

6.29. Children's SEN range from mild and temporary learning difficulties in one particular area of the curriculum to severe, complex and permanent impairments that will always affect learning across the curriculum. There is a continuum of needs that requires a continuum of special educational provision.

6.30. The latest figures for England collected in January 2005 show that the most prevalent types of primary need of those with statements and at *School Action Plus* are:

- a. moderate learning difficulty (30% of children at *School Action Plus* and 25% of those with statements);
- b. behaviour, emotional and social difficulties (26% and 14%);
- c. specific learning difficulty (17% and 9%);
- d. speech, language and communication difficulties (13% and 11%, and
- e. autistic spectrum disorders (2% and 12%)

MAINTAINED PRIMARY AND SECONDARY SCHOOLS AND SPECIAL SCHOOLS: NUMBER OF PUPILS WITH A STATEMENT OF SEN BY PRIMARY TYPE OF NEED - JANUARY 2005



Where are children with SEN taught?

6.31. The following box summarises the wide range of settings within which children and young people with SEN are or can be taught.

Definitions of settings attended by children and young people with SEN
<p>Registered early years' education setting Early years' is education provision for children aged between 3-years and compulsory school age in a funded early education establishment registered with Ofsted.</p>
<p>Non-maintained special schools Non-maintained special schools are non-profit-making independent schools run by charitable trusts and approved by the Secretary of State as a special school under Section 342 of the Education Act 1996, as amended by the Schools Standards and Framework Act 1998. They may receive grants from the DfES for capital work and equipment but funding is primarily from fees charged to LAs and parents for pupils placed there.</p>
<p>Independent special schools and other independent schools An independent school is one which is neither maintained by a LA nor is in receipt of grants from the DfES and funding is primarily from fees charged to LAs and parents for pupils placed there. While there is no legal category, independent special schools are approved under Section 347(1) of the Education Act 1996 for the education of pupils within the terms of their approval. LAs must obtain individual approval from the Secretary of State to place pupils with statements in any other independent school.</p>
<p>Pupil referral units A pupil referral unit (PRU) is set up under the Education Act 1993 to make provision</p>

Definitions of settings attended by children and young people with SEN

for pupils who are out of school for reasons such as exclusion or illness. Pupils who are dually registered in a PRU and a school should be recorded under their type of school.

Educated other than in school

Section 319 of the Education Act 1996 empowers an authority to provide education for children with special educational needs "other than in school". This may include education in centres run by social services or at home. Children would normally be on another school register. Under Section 7 of the Education Act 1996, the parent of every child of compulsory school age must ensure that their child receives a full-time education suitable to their age, ability and aptitude either by regular attendance at school or by means other than in school.

Awaiting provision

Pupils may not be in school for a range of reasons, including:

- the pupil has just moved into the LA area;
- the pupil has been permanently excluded and the LA is seeking a suitable alternative placement; or
- the pupil is awaiting admission to a school.

Maintained special school

A school maintained by a LA which is specifically organised to provide special educational provision for pupils with SEN. There are two categories of LA maintained special school – community special and foundation special.

Maintained mainstream school

A school maintained by a LA. There are three types of LA-maintained mainstream schools:

- Community schools;
- Foundation schools; and
- Voluntary schools, comprising voluntary aided schools and voluntary controlled schools.

Resourced Provision

Where places are reserved at a mainstream school for pupils with a specific type of SEN, taught mainly within mainstream classes, who would require a base and some specialist facilities around the school.

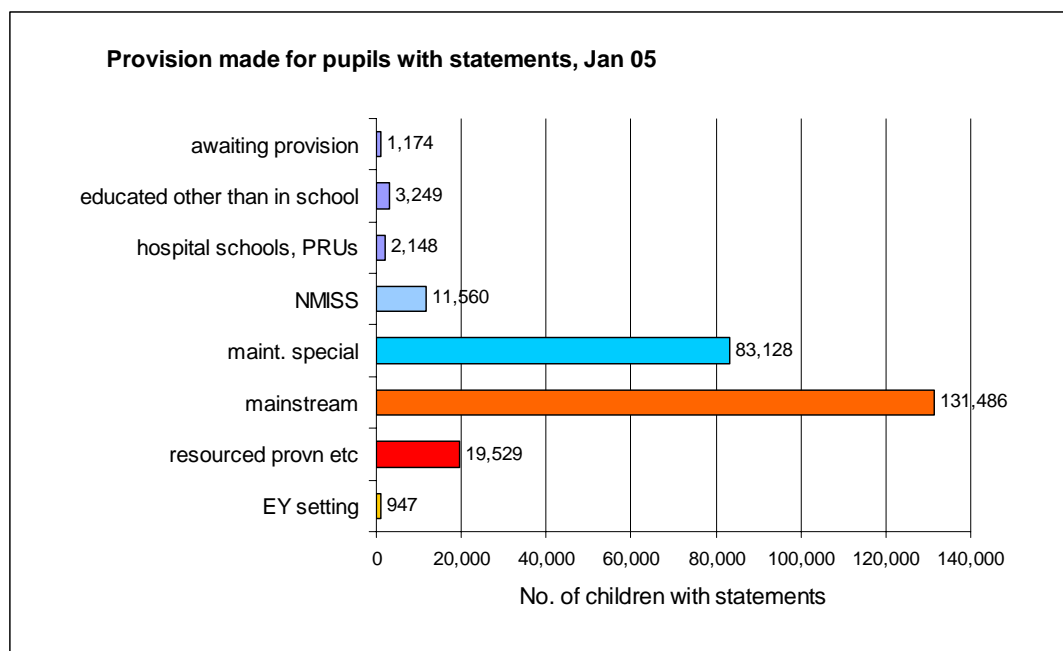
Special Units

A unit within a mainstream school, where the children are taught wholly or mainly within separate classes catering to particular types of need.

Specialist Peripatetic Teachers attached to LA SEN support services

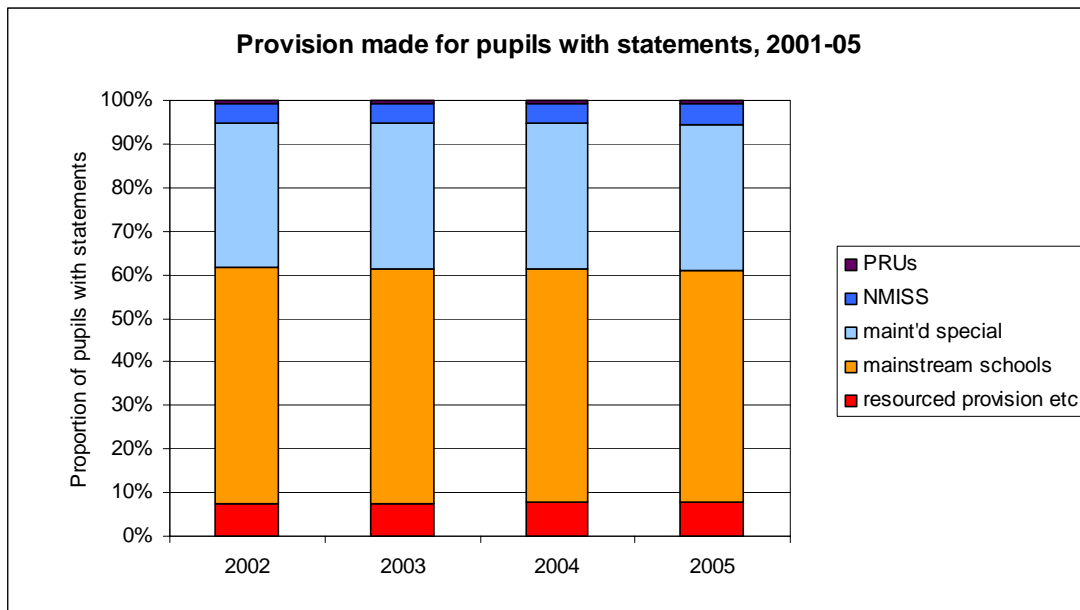
Teachers attached to central services who work with individual children in a variety of settings and with a variety of needs. These peripatetic teachers also provide specialist advice and support (including INSET) to staff working in individual schools. Many are in receipt of SEN allowances.

6.32. Data collected from LAs in January 2005, shows around 60% of children with statements of SEN are taught in mainstream schools and resourced provision¹⁵ (of that 60% some 8% were in resourced provision, units or special classes in mainstream schools). Some 34% were in maintained special schools, 5% were in non-maintained and independent schools and 0.9% were in Pupil Referral Units (PRUs).

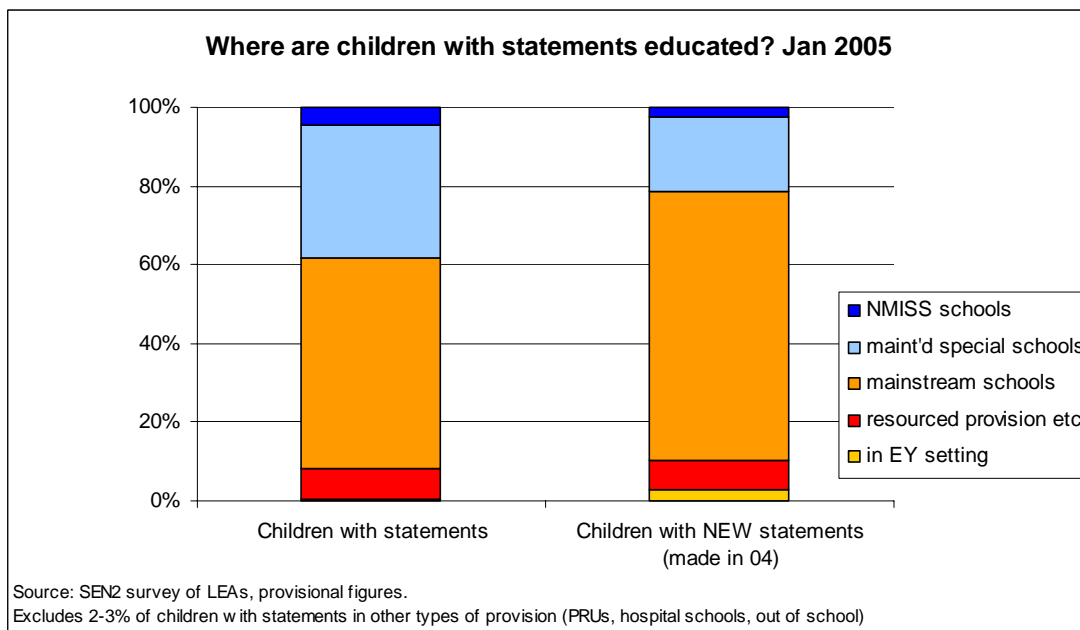


6.33. The balance of provision across maintained special, mainstream and resourced provision has been very stable over the past four years even though the number of statements has fallen.

¹⁵ Resourced provision is where places are reserved at a mainstream school for pupils with a specific type of SEN, taught mainly within mainstream classes, who would require a base and some specialist facilities around the schools. A related concept is that of the SEN unit within a mainstream school, where the children are taught wholly or mainly within separate classes catering to particular types of need.



6.34. Whilst the balance of provision has been stable, the picture for children for whom statements had been newly made in 2004 shows that some 66% named mainstream schools, 18% named local authority maintained special schools, 2.4% named non-maintained and independent schools. Overall, there has been a slight (less than 1%) rise in the proportion of pupils with new statements placed in specialist provision but there is a significant shift towards pupils placed in mainstream schools.



6.35 There are variations between LAs in the provision made for children with statements.

	mainstream schools	resourced provision, units & special classes in mainstream schools	maintained special schools	non-maintained & ind. special schools
	%	%	%	%
ENGLAND (average)	51.9	7.7	32.8	4.6
In individual authorities				
Minimum	18.9	0.0	0.0	0.4
Median	51.8	6.5	32.0	4.2
Maximum	73.0	42.8	60.0	19.2

Source: SEN2 survey, January 2005.

Children in EY settings, hospital schools and PRUs, those out of school and/or awaiting provision not included.

6.36. The number of maintained special schools has reduced by about 10% from 1,171 in 1997 to 1,049 schools in 2005. The number of non-maintained special schools has risen from a low of 61 in 1999 to 73 in 2005. During the same period the number of independent schools approved specifically by the DfES as suitable for the admission of pupils with statements has fallen from 99 to 93, while the number of independent schools registered with, but not approved by, the DfES as catering wholly or mainly for children with statements has increased from 69 to 148. This rise can be probably attributed to the modification in 2003 to the definition for independent schools, which allowed more institutions to fall into this category. The new definition is that any school that provides full time education for five or more pupils of compulsory school age or one or more such pupils with a statement of special educational needs or who is in public care (within the meaning of Section 22 of the Children Act 1989) and is not a school maintained by a Local Authority or a non-maintained special school.

6.37. Although the total number of children at school with statements of SEN has fallen in the past two years from 250,500 in 2003 to 242,600 in 2005, the proportion of children with statements placed in maintained special schools has remained broadly constant at around 34% and in addition some 20,000 children are currently taught in resourced provision.

Current Role of SENCOs and SEN teachers

6.38. Under the Education (Special Educational Needs) (Information) (England) Regulations 1999 the governing body of every maintained mainstream school must publish the name of the person who will co-ordinate SEN provision in the school, usually known as the SEN Co-ordinator or SENCO for short.

6.39. The SEN Code of Practice (2001) gave strengthened guidance on the role of the SENCO. It recommended that heads and governing bodies should give careful consideration to the time required by SENCOs to carry out their duties properly. These are set out in the SEN Code.

6.40. As detailed in the code, the SENCO should have responsibility for:

- a. overseeing the day-to-day operation of the school's SEN policy
- b. liaising with and advising teachers
- c. managing the SEN team of teachers and learning support assistants
- d. co-ordinating provision for pupils with SEN
- e. overseeing the records on all pupils with SEN
- f. liaising with parents of pupils with SEN
- g. contributing to the in-service training of staff
- h. liaising with external agencies

6.41. The role of the SENCO is a key one within a school and the majority are qualified teachers but there is some anecdotal evidence that Higher Level Teaching Assistants (HLTAs) and Teaching Assistants (TAs) are being appointed. It is not clear if they have sole responsibility or are working to an assistant/deputy head teacher or inclusion manager (who are always qualified teachers) and that the HLTA/TA carries out administrative functions and or supports individual pupils with particular needs. Whilst regulations do not stipulate who in the school should be the SENCO; there are elements of the role where the qualified teacher status is essential. Schools, under the Government's workforce remodelling reforms, have the flexibility to determine who will fulfil the SENCO role. Therefore, schools have interpreted this differently and there is wide range of practice beginning to emerge in as to who undertakes the SENCO role. For example, in some schools the SENCO role may be part of a wider inclusion/behaviour remit. RIG is asking the STRB to investigate the extent to which school staff are being asked to undertake the SENCO role without any additional remuneration.

6.42. The role of SEN teachers can be diverse teaching children with the full range of SEN and across the graduated approach as set out in the SEN Code of Practice. They are also involved in identifying all levels of need. Responsibilities can range from teaching entire classes, working with children on an individual basis and developing plans of action and materials to support such pupils' progress within the curriculum.

6.43. A special educational needs (SEN) teacher, whether in a mainstream or a special school may undertake any of the following work activities:

- a. teaching either individual pupils or small groups of pupils within, or outside, the class;
- b. developing and adapting materials and teaching strategies, using special equipment and facilities;
- c. assessing children who have long or short-term learning difficulties;
- d. collaborating with the classroom teacher to define appropriate activities for the pupils in relation to the curriculum;

- e. working with other members of staff within a school to identify individual pupils' special needs - testing, target setting, monitoring children and writing individual education plans;
- f. liaising with parents and other agencies, such as the medical profession, social workers, speech and language therapists and educational psychologists;
- g. participating in out-of-school activities, such as trips;
- h. taking responsibility for the supervision of support staff in the classroom;
- i. assisting in pupils' personal care needs;
- j. assessing able children when necessary;
- k. working with schools to develop school action plans, policies and strategies relating to special needs issues and delivering learning support;
- l. delivering in-service training to other SEN and mainstream teachers.

Mandatory Qualifications

6.44. In order to teach a class of pupils with hearing impairment, visual impairment or multi-sensory impairment, a teacher is required, under the terms of the Education (School Teachers' Qualifications) (England) Regulations 2003, to hold the relevant approved mandatory qualification (MQ), as well as qualified teacher status. The 2003 Regulations renewed a requirement which has been in place for many decades. Eight institutions currently offer MQ courses approved by DfES. The DfES is currently in the process of extending approvals to 2008.

6.45. The requirement to obtain an MQ does not mean that a teacher needs one simply because they have, one or two children with visual impairment in their class; rather, it is a requirement on those seeking to *specialise* in teaching such pupils. However, MQs are very onerous, some taking three years to complete and there is currently a disparity between receiving a SEN allowance award (particularly the second level) for a MQ and experience of SEN teaching. Some MQ-qualified teachers work as peripatetic specialist teachers attached to local authority SEN support services, working with medical and other professionals. Specialist organisations such as the National Deaf Children's Society point to recruitment and retention difficulties with these specialised posts.

Progress to date

6.46. SEN is one of the most challenging aspects of school and LAs' responsibilities. This has been acknowledged in recent reports from the Audit Commission and OfSTED, which note that despite a robust statutory framework and improvements in practice and provision in recent years there remains a number of continuing challenges to overcome in order to further improve outcomes for children with SEN and disabilities.

6.47. The Audit Commission's report *Special Educational Needs – a mainstream issue* (2002) identified these challenges as:

- a. Too many children waiting too long to have their needs met;
- b. Parents lacking confidence in the system, leading to pressure for statements;
- c. Some children who could be taught in a mainstream school being turned away;
- d. Teachers feeling ill equipped to meet the wide range of needs in today's classrooms;
- e. Special schools feeling uncertain of their role;
- f. Variations in practice and provision between different parts of the country

6.48. The recent OfSTED report *Special educational needs and disability – towards inclusive schools* (October 2004) highlighted a growing awareness of the benefits of inclusive practice and some improvements in practice in schools. But it also found:

- a. for many schools, inclusion was a significant challenge;
- b. expectations of achievement were often ill-defined or pitched too low so that progress in learning was slower than it should be for a significant number of pupils;
- c. use of data on pupil outcomes was limited and schools under-used the potential for adapting the curriculum and teaching methods to give pupils suitable opportunities to improve key skills;
- d. few schools evaluated systematically their provision for pupils with SEN for effectiveness and value for money; and
- e. effective collaboration between mainstream and special schools was the exception rather than the rule

6.49 The STRB should be aware that another Ofsted report is imminent this month which is expected to comment on SEN staffing issues and to make recommendations.

6.50 More recently, the Education and Skills Select Committee Report on its inquiry into SEN, published on 6 July 2006, criticised the Government's policy on inclusion particularly for its confused and changing definition which was causing the closure of special schools and "forcing" some SEN children into mainstream schools when it was not in their best interests. The Committee urged the Government to clarify its position on SEN – more specifically on inclusion – and to provide national strategic direction for the future.

6.51 The report also highlighted the strong correlation between SEN and poverty and argued that policy should explicitly address this link. It also highlighted the high levels of exclusion faced by children with SEN and the long-term economic and social costs of such exclusions and urged action to address this situation. The Committee said that the current SEN framework had run its course and was *“no longer fit for purpose”*. Government was urged to develop a new system that links SEN policy more clearly with mainstream policies and the *Every Child Matters* agenda.

6.52 On training the report comments: *“It is unrealistic to expect teachers and other members of the workforce to be able to meet the needs of children with SEN if they have not received appropriate training. Particular concerns have been raised with regard to both initial teacher training and continuing professional development for all staff”*. The Select Committee recommends the Government radically increases investment in training the school workforce so that all staff, including teaching staff, are fully equipped and resourced to improve outcomes for children with SEN and disabilities. It recommended that SEN should be a compulsory part of Initial Teacher Training for all teachers; that good quality appropriate continuing professional development should be available for all teachers and schools resourced to fund them; and that SENCOs should be given ongoing training opportunities to enable them to keep their knowledge up to date as well as sufficient non-teaching time to reflect the number of children with SEN in their school.

6.53 The Government is currently considering its full response to the Select Committee’s report and has accepted that more needs to be done to improve outcomes for children with SEN. But Ministers have already indicated that they do not accept the Committee’s recommendation for *“a completely fresh look at SEN”*.

6.54 Furthermore, research published by the DfES in February 2004, *Teaching Strategies and Approaches for Pupils with Special Educational Needs: A Scoping Study*, found a large degree of overlap between effective approaches for children with different types of SEN. There was no single model of learning that informed and justified one method of teaching for each type of SEN; rather, the teaching approaches and strategies effective with children with SEN were broadly similar to those that were effective in teaching all children. The research identified different access strategies for specific kinds of disability, such as visual and hearing impairments, but found the underlying teaching and learning approach was the same.

6.55 The introduction of the Pupil Level Annual Schools Census (PLASC) has enabled the attainment of pupils in the country to be linked with the different types of special educational needs they may have. In time it will be possible to track cohorts of children with types of SEN with similar starting points and see how much progress they have made over time. This longitudinal data could then be used to study trends in progress and help with planning and monitoring the outcomes of interventions for pupils with different types of SEN.

6.56 In determining improved outcomes, it is important to note that not all children with SEN are low attainers, and that not all low attaining children have

SEN. The DfES report on the Characteristics of Low Attaining Pupils (DfES, June 2005) noted that at Key Stage 2, 61% of low attainers were classified in the 2004 PLASC as having SEN. Information on the progress of children at the lowest levels of attainment, or on those who are not entered for statutory tests, is not yet sufficiently well developed to enable meaningful analysis on the progress of children with SEN. It also needs to be recognised that there is a proportion of the special needs population who are unlikely to progress because of the nature of their particular difficulties; for example, some will deteriorate because they have degenerative conditions. For these reasons, DfES will be making P-Scales assessment statutory from 2007.

6.57 The tables below show some information about the progress of lower attaining children, of whom a significant proportion will have SEN:

Table 1: Percentage of pupils not achieving level 2 or above in KS1 (derived from DfES performance and attainment tables)

Reading		Maths	
2004	2005	2004	2005
15%	15%	10%	9%

Table 2: Percentage of children not achieving L3 in English and Maths at the end of KS2

English		Maths	
2004	2005	2004	2005
6.9%	6.3%	6.1%	5.8%

Table 3: BVPI 50: % of young people leaving care aged 16 or over with at least one GCSE at grade A to G or GNVQ (derived from Audit Commission data)*

2003/04	2004/05
48.20%	50.22%

6.58 The above tables suggest that there is some evidence of improvement amongst lower attaining groups over the past two years. In particular:

- a. increased numbers of KS1 pupils achieved Level 2 in Maths in 2005 compared to 2004.
- b. increased numbers of KS2 pupils achieved Level 3 and above in English and Maths in 2005 compared to 2004.
- c. more young people leaving care aged 16 or over achieved at least one GCSE A* to G or GNVQ in 2005 compared to 2004.

6.59 It is also worth noting that the DfES currently collects P-scales data for children working below level 1 of the National Curriculum. Collection is currently on a voluntary basis but may be made statutory from summer 2007 onwards.

6.60 P scales are assessment criteria or performance descriptions developed to help teachers recognise attainment below level 1 of the National Curriculum. These descriptions outline early learning and attainment for each subject in the National Curriculum, including citizenship, RE and PSHE. They chart progress, for pupils aged 5-16, up to level 1 through eight steps - P1 to P8. The performance descriptions for P1 to P3 are common across all subjects. They outline the types and range of general performance that some pupils with learning difficulties might characteristically demonstrate. P4 to P8, show subject-specific attainment. They also support target setting through the use of summative assessment to be used at the end of key stages and, for those pupils making more rapid progress, possibly once a year.

SEN Allowances

6.61 There are currently two SEN allowances in the teachers pay system. The first SEN1 is mandatory for teachers in special schools, and discretionary for all other teachers, and the second SEN2 is discretionary in all cases. Eligibility criteria for both discretionary elements are quite generally-worded and open to interpretation.

Brief History

6.62 Additional payments to teachers of SEN children, although amended significantly over time, appear to considerably pre-date the establishment of statutory pay arrangements for teachers in England and Wales in the 1944 Education Act.

6.63 The 2001 STRB report notes that '*historically, teachers in special schools have had a pay lead over mainstream teachers*'. As far back as 1938 the Burnham Committee Report refers to "*differential grading for teachers in schools for the deaf, blind or partially deaf, mentally defective or partially blind, open air sanatorium, cripple or epileptic*". Therefore, it seems that additional payments have always been applied to teachers in special schools either on a mandatory or discretionary basis, and special qualifications recognised. Leading to the hypothesis that additional payments or a SEN allowance were likely to have been introduced to at least some degree on the basis of extra qualifications and nature of the work.

6.64 The STRB looked at the issue of payments for teachers in special schools and classes in its second report, 1993. This report recognised the effect of the 1981 Education Act and the increase in integration of SEN pupils into mainstream schools, and recommended the award of up to two points for teachers of SEN pupils, one mandatory and one discretionary, and led to the withdrawal of the long-standing allowances specifically for teachers with qualifications relating to teaching hearing-impaired and visually-impaired pupils.

6.65 The STRB looked at the issue again in 2001. Views of those consulted varied widely. The STRB recommended that SEN1 should remain mandatory for reasons of recruitment, for teachers in special schools, teachers of children who are hearing-impaired or visually-impaired, and teachers appointed to SEN units in mainstream schools, but said that SEN1 could also be awarded on a discretionary basis. They made no other changes in principle from the broad position which they established in 1993. This was accepted and implemented. There have been no changes since 2001, except to up-rate the value of the two allowances.

6.66 Although the STRB was asked to look at SEN allowances in 2003, they did not make any recommendations for change to the allowances framework, but only proposed changes to the framing of the guidance on the award of SEN 2. This report established the STRB's broad position in respect of payments for SEN, which forms the basis of the current system. The two permitted SEN points were changed to allowances in September 2000 with the wider reform of the pay system.

SEN2

6.67 The STRB recommended in its Thirteenth Report, Part 2, March 2004 and again in its Fifteenth Report, December 2005 that 'the Department should draw up guidance, in consultation with all interested parties, including BATOD, on how the payment of higher-level SEN allowances might take account of the enhancement of the teaching of SEN pupils brought about by specialist qualifications'.

6.68 The DfES has carried forward this recommendation by consulting in writing with all statutory consultees and through holding a number of discussions with various parties on request. These discussions revealed a number of very disparate views as to the extent to which amending the guidance would be helpful and the nature of any such amendments. As a result, the DfES has consulted on minor amendments to the 2006 statutory guidance as an interim measure to promote best practice in respect of the discretionary award of SEN2, pending the outcome of any changes which may arise from the current STRB remit to review SEN allowances.

Use of SEN Allowances in schools

6.69 Whilst there is no robust information about the strategies and practices used by schools, including special schools, in awarding SEN allowances, anecdotal evidence suggests that school practice is quite diverse.

6.70 The latest OME pay survey (September 2004), revealed that overall 5.1% of teachers in primary, secondary and special schools in England and Wales (some 18,600 teachers FTE) are in receipt of SEN allowances. In more detail, the figures are as follows:

SEN allowances	Primary %	Secondary %	Special %	Total %
SEN1	2.4	1.2	49.6	3.2

SEN2	0.6	0.3	47.9	1.9
Total	3.0	1.5	97.5*	5.1

*(All classroom teachers in special schools should receive an SEN allowance: this should be 100% but may be under due to slight under-reporting)

6.71 For unattached teachers who work across a variety of settings, the number in receipt of SEN allowances is significant – a total of 44%, or a total of 6,900 teachers (FTE). This is likely to reflect the nature of unattached teachers' work, for example, teachers attached to special units.

6.72 It means that across England and Wales, a total of some 25,500 teachers (FTE) are in receipt of SEN allowances. There are variations in the award of SEN allowances across the country – the OME figures suggest the variation is from 6.1% of teachers in the North West, to only 3.8% of teachers in the North East.

6.73 Significantly more part-time teachers than full-time teachers are in receipt of SEN allowances – 8.2% of part-timers as against 4.8% of full-timers, and nearly twice as many women than men – 5.9% of women as against 3% of men. This is likely partly to be a result of the fact that more women teach in primary schools, and the percentage of those receiving SEN allowances in primary schools is twice as great as those in secondary schools. These figures suggest that it will be necessary to take careful account of equal opportunities issues when considering whether any changes to SEN allowances may be appropriate.

6.74 It would be useful if the STRB could further explore how schools, including special schools, are making use of SEN allowances, what factors are taken into consideration when making awarding decisions and how use of the allowances relates with their plans for raising standards and improving outcomes for SEN pupils. For the discretionary SEN2 the balance between expertise and experience of those teachers who teach SEN pupils.

Reasons for Review

6.75 As the evidence shows many LAs and schools have made progress in providing effectively for children with SEN in recent years but there are still considerable variations in the availability, quality of planning and provision for children with SEN and disabilities. The DfES recognises these issues and challenges and that many of them can only be addressed by sustained, long-term action. This is why it developed *Removing Barriers to Achievement (2004)*, its ten year SEN strategy.

6.76 Furthermore, the Government's drive towards a new professionalism with its reform of professional standards for teachers, changes to the teachers' pay system, workforce re-modelling, and the recent Select Committee's inquiry into SEN urging the Government to take "a completely fresh look at SEN"; means the landscape for mainstream and special schools and their teachers around SEN is starting to change.

6.77 In addition the Government's wider reforms and programmes such as Every Child Matters, and the shift towards greater personalised learning are also heralding significant changes to the way teachers and support staff will be organised to cater for the differing needs of different groups of pupils, which will ultimately effect remuneration. In its Fifteenth Report, the STRB has already acknowledged that there could be scope for confusion about SEN payments (particularly SEN2) and other permitted payments, a situation which could be exacerbated with further reforms. Therefore, it is an opportune time for the STRB to begin to conduct a wider review SEN allowances again in the light of these changes and reforms.

Overlap with other permitted payments

6.78 Besides SEN allowances there are a range of other permitted payments and allowances within the teachers pay system. It would be useful to examine the overlap or potential for overlap between SEN allowances and these other payments, particularly the new Teaching and Learning Responsibility (TLR) payments.

6.79 From January 2006, TLR payments have been introduced into teachers' pay system. Before awarding a TLR payment schools must be satisfied that the teacher's duties include a significant responsibility that is not required of all classroom teachers and that:

- a. is focused on teaching and learning;
- b. requires the exercise of a teacher's professional skills and judgement;
- c. requires the teacher to lead, manage and develop a subject or curriculum area; or to lead and manage pupil development across the curriculum;
- d. has an impact on the educational progress of pupils other than the teacher's assigned classes or groups of pupils; and
- e. involves leading, developing and enhancing the teaching practice of other staff.

6.80. The eligibility criteria for TLR payments has some similarities with the criteria for the discretionary elements of SEN allowances, particularly the contribution to the teaching of pupils which is significantly greater than that which would normally be expected of a classroom teacher. Although different, there is potential for confusion amongst schools around these two additional payments.

6.81. Also, there is anecdotal evidence that the introduction of TLR has negated responsibility points for some SENCOs with head teachers interpreting the new pay system as meaning that the SENCO role is not about teaching and learning (which it clearly is particularly raising the attainment and achievement of pupils with SEN and disabilities) and cutting the overall pay resulting in teachers carrying out SENCO duties unremunerated. It would be unfortunate if removal of SEN point and TLR made the role of the SENCO less attractive. Especially when there is some expectation that SENCOs, sometimes renamed Inclusion Managers, are likely to take the lead professional role for some SEN pupils as part of the Common Assessment Framework. If additional (non-teaching

responsibilities) are being given by the DfES (in CAF guidance) to SENCOs then the financial package must be commensurate and attractive to the role.

6.82. Listed below are brief details of Government reforms that the STRB would need to take into account when considering SEN allowances:

Workforce Reforms

6.83. In January 2003 the Government, employers and the majority of the school workforce unions entered into a national agreement – “Raising Standards and Tackling Workload: a National Agreement”. The Agreement sets out the shared vision for the school workforce of the future and features a series of phased reforms to help schools raise standards of achievement of all their pupils and tackle workload issues

6.84. The STRB’s work in respect of this has resulted in some important reforms already being in place – i.e. teachers can no longer routinely be required to carry out administrative and clerical tasks, a reasonable time must be allowed to carry out duties necessary to fulfil leadership and management responsibilities and all teachers are now entitled to expect a reasonable work/life balance. In September 2004 a 38 hour limit was placed on the number of hours teachers can be required to cover for absent colleagues and, since September 2005, all teachers have been guaranteed 10 percent of their timetabled teaching time for planning preparation and assessment (PPA) to support their teaching, both individually and collaboratively.

6.85. Workforce reforms has presented an opportunity for schools to review their use of existing resources, and how they can best utilise the range of skills within their workforce, to provide an environment where lessons can be delivered more flexibly, with teachers and headteachers supported by a wider range of staff and ICT. Support staff – including higher level teaching assistants (HLTAs) – playing an increasingly important role in the school workforce. For some SEN pupils this could mean increasingly greater contact and or time spent learning with HLTAs or other support staff instead of a teacher.

New Professionalism

6.86. In February 2005 the STRB published their fourteenth report on teachers' pay. The recommendations, which included the Excellent Teacher Scheme, were in response to the Secretary of State's remit of 22 July 2004.

6.87. The White Paper, *Higher Standards, Better Schools for All*, included proposals to reform teachers' professional standards, which included the need for teachers to have good up-to-date knowledge of their subject area and more stretch at all levels. It noted that access to the Excellent Teacher grade would require someone to show that they had developed themselves professionally, including demonstrating excellence and up-to-date knowledge in their subject area; and providing regular coaching and mentoring to others.

6.88. The DfES's 5 Year Strategy for Children and Learners included proposals for refocusing teacher appraisals as Teaching and Learning Reviews from

September 2006. This is to ensure teachers are focused on effective classroom practice; involved in professional development that best matches their needs and those of their schools; rewarded and make progress in their careers in ways that fairly reflect their classroom expertise and commitment to their own and others' continuing professional development.

SEN Strategy – Removing Barriers to Achievement

6.89. The ten year SEN Strategy provides a clear national vision and a long-term programme of action and review. It was developed after wide consultation with pupils, parents, teachers and other staff, LAs, the health services and voluntary sector on what they saw as the key priorities. It reflects the Government's policy of including children with SEN and disabilities in mainstream schools where this is what parents want and is compatible with the efficient education of other children whilst preserving parents' rights to seek a special school place. Central to this policy is a drive to build the capacity of mainstream schools to meet children's SEN and maximise the best use of specialist provision so that inclusive practice is developed throughout local communities of schools. This places new demands on all teachers in mainstream schools many of whom may not have any SEN experience and if all teachers are expected to teach SEN pupils then how does this relate to the SEN allowance (particularly SEN1, which in mainstream schools is for teachers' mainly or wholly teaching SEN pupils).

6.90. The SEN strategy also does not signal a demise of special schools but rather the opposite that they have a vital and new role educating children with the most severe and complex needs and working much more closely with mainstream schools to share expertise and extend the range of opportunities for learning for all children in all settings. Similarly, this places new demands on SEN teachers in special schools to provide outreach support for mainstream teachers and schools, a factor which is not taken into account in the current SEN allowances eligibility criteria.

Every Child Matters

6.91. *Every Child Matters: Change for Children*, introduced in December 2004, is a new approach setting out a national framework for local action to deliver well-being and improved outcomes for children and young people from birth to age 19.

6.92. The Government's aim is for every child, whatever their background or their circumstances, to have the support they need to:

- Be healthy
- Stay safe
- Enjoy and achieve
- Make a positive contribution
- Achieve economic well-being

6.93. This means that the organisations involved with providing services to children - from hospitals and schools, to police and voluntary groups - will be teaming up in new ways, sharing information and working together, to protect children from harm and help them to achieve in life. Every local authority is currently working with its partners, through Children's Trusts, to find out the needs for the children in their area and what would work best for them.

6.94. We know that many children with SEN and disabilities require support from a range of agencies to enable them to access education and make progress in their learning. Better outcomes for these children depend on getting schools and other services to work together to remove the barriers to learning and participation that they face. This is being done through the development of the Common Assessment Framework (CAF) under Every Child Matters, which provides a tool for schools and other services to identify children's needs and link up professionals from different services. The CAF is currently being trialled in a number of LAs. The evaluation of the trial will also focus on the relationship of the CAF to more specialist assessments such as the SEN statutory assessment. Again this is beginning to place new or different demands on all teachers and particularly those of SEN pupils.

Personalised Learning

6.95. Personalised learning is not a new initiative; it is a philosophy in education. It is about tailoring education to ensure that every pupil achieves and reaches their full potential, notwithstanding their background or circumstances, and it applies right across the spectrum of achievement. Good schools have been personalising learning with great success for many years.

6.96. Pupils with SEN already benefit from the personalisation inherent in the SEN framework, which provides an individualised assessment of need and provision. However, the Schools White Paper "*Higher Standards, Better Schools for All*" published in October 2005 proposed a step change in the personalised learning support available to every child, including SEN pupils. This for SEN pupils means building on the Government's SEN strategy, *Removing Barriers to Achievement*, by:

- b. increasing the sharing of expertise between special and mainstream schools;
- c. equipping, through the National Strategies, the school workforce with appropriate skills, knowledge, awareness and confidence in working with pupils with SEN; and
- d. promoting more effective measurement of and accountability for the progress made by pupils with SEN across a wide range of abilities; facilitating early intervention and high expectations.

6.97. Personalisation again presents new demands and challenges for teachers, support staff and the way schools are organised schools and which need to be reflected in teachers pay systems.

Key Issues for Consideration

6.98. In the light of this evidence presented by RIG, the STRB is requested to undertake an open, honest review of SEN allowances based around the key issues listed below, without drawing any foregone conclusions either way. The list below is by no means exhaustive and the STRB should feel free to add or amend the list accordingly.

6.99. The STRB should note that in considering the issues below that RIG will be submitting further evidence in 2007 in light of the Government's formal response to the recent Education and Skills Committee's recent report and recommendations on SEN.

- a. What is the actual use of SEN allowances in both mainstream and special schools – who receives them and for what? And how are they perceived by various different stakeholders within schools.
- b. What is and should be the purpose of SEN allowances?
- c. Does the eligibility criterion hinder or enhance the use of SEN Allowances in both mainstream and special schools?
- d. What are the overlaps between SEN allowances and other allowances or permitted payments, particularly TLR payments?
- e. How are SEN allowances used in the current arrangements for central local authority SEN services?
- f. What should be the role of LAs with centralised SEN services in awarding SEN allowances?
- g. What is the future role of SEN allowances within Every Child Matters developments, such as a common assessment framework, Children Trusts and integrated services?
- h. In the long-term what should be the role of SEN allowances within the teachers pay system.

SECTION 7 APPROACHES TO PAY IN ENGLAND AND WALES

Introduction

7.1 The Secretary of State has asked the STRB to provide initial views on the longer-term issue of whether, given the independent educational developments and directions in England and Wales in the light of devolution, it is appropriate for an identical approach to pay matters to be maintained or whether a more flexible approach might be adopted.

7.2 Recommendations made by the STRB and accepted by the Secretary of State, together with reviews currently underway, are making significant progress towards establishing a pay system which rewards teachers and headteachers as highly skilled professionals. The remodelling of the school workforce, the associated changes to conditions of service and the review of professional duties are designed to create a framework through which the educational strategies of the Westminster and Welsh Assembly Governments can be delivered.

7.3 These changes have been developed through the Workforce Agreement Monitoring Group (WAMG) and the Rewards and Incentives Group (RIG). The Welsh Assembly Government is a signatory to the Workload Agreement and is fully involved with RIG to ensure that any specific issues with regard to Wales can be considered at the earliest stage of development and during implementation. However, this does not mean that all issues can be easily or even satisfactorily resolved.

7.4 This evidence is not about the devolution of pay matters to the Welsh Assembly Government. That would be a much wider and far more complex issue, requiring primary legislation, and could not be appropriately covered in the context of an STRB remit or in evidence. Nor does it address the STRB's previous recommendations on local pay. These are not issues we aim to cover in the context of this remit item. Rather, this remit item is about looking at issues which arise in the context of a range of matters concerning education which are currently devolved to the Welsh Assembly Government, and opening up the debate on ways in which the situation as it stands might be most helpfully managed.

Background and general context

7.5 Whilst it is clear that differences in respect of education policy in England and Wales - the Welsh language curriculum, the introduction of the Welsh Baccalaureate, the privileging of teacher-led pupil assessment and removal of the system of end of stage tests and other changes - has given rise to a distinct Welsh dimension to pupils' educational experience, the extent to which this has meant that the work of teachers in schools in Wales and England has become fundamentally different is highly questionable. In essence, all teachers continue to grapple with the challenges of pedagogy, subject knowledge, pupil assessment, classroom management and organisation, planning and preparing lessons and schemes of work, and other tasks which define them as a coherent grouping of professionals. Indeed, it is unlikely that

teachers in Wales regard themselves as professionally separate from their peers in England.

7.6 Independent educational developments and direction in England and Wales should not of themselves require specific changes to pay matters or require increased flexibility. There are indeed variations in the context in which teachers and headteachers work in England and Wales but there are no essential differences between the role of teachers and school leaders in the two nations.

7.7 The Government's Five Year Strategy for Children and Learners, issued in July 2004, which relates only to England, set out the agenda for New Professionalism. It has driven policy development for teachers and played a significant part in the evidence developed for the STRB in respect of the last report (Chapter 9, RIG evidence, May 2005) and continues to be reflected strongly in this evidence, including in respect of the Section on duties. It has also played an important role in the development of the new standards framework. Inasmuch as the policy drives matters covered in the STPCD in relation to pay and conditions, there is an inevitable impact on Wales.

Recent differences in approach

7.8 Within the context of a pay and conditions framework which applies equally in every way in England and Wales, there have already been a number of differences of approach between the two countries. For example, Fast Track teachers and Advanced Skills Teachers (ASTs) have not been promoted or funded by the Welsh Assembly Government, so there are no Fast Track teachers or ASTs in Wales. These are examples of a varying application of the same pay system, which demonstrates how the systems can diverge without any formal differences between the pay arrangements.

7.9 There have also been marked differences over the years between the way funding has been provided for upper pay scale progression in England and Wales which RIG believes has led to varying approaches and outcomes between the two countries. Underlying this has been a clear difference in philosophical approach which has led to more funding for upper pay scale progression in Wales and which has put teachers in England and Wales in a dissimilar situation. Although RIG accepts that the Welsh Assembly Government has autonomous powers to make funding decisions, and has a different funding mechanism which makes direct comparison difficult, RIG is concerned that the flexibilities within the STPCD – which it supports – should not result in a general overall difference in treatment of teachers at 'country' level.

7.10 More recently, and in a slightly different context, the Welsh Assembly Government took the decision, within the context of its devolved powers on staffing, to require schools to complete their reviews of staffing structures three months later than schools in England. Unlike the situation for teachers in England, the Welsh dates did not tie in with the dates set in the School Teachers' Pay and Conditions Document (STPCD) for the ending of the award of new management allowances and the start of new safeguarding arrangements. This arose out of understandable circumstances following consultation and the Welsh

Assembly Government acted within its own powers and arrangements for consultation, which are more lengthy than those in England (even when working on the 'fast track' approach), but this did lead to tensions on a variety of fronts in both countries. For example, schools in England said that more time would have been beneficial, while some teachers in Wales commented to partners that they were at a disadvantage because they did not know where they stood in respect of the new staffing structures, even though management allowance safeguarding had already begun.

7.11 In a number of its reports, the STRB has drawn attention to the issues which can arise between England and Wales when pay arrangements are changed, and has sought to make recommendations which can be applied to both countries equally. Specific issues it has highlighted include the potential divergence in outcomes on progression to U3 (paragraph 7.25 of its 13th Report part 1, 2003). (This led to the Agreement on Rewards and Incentives for Post-Threshold Teachers, sent to the STRB as evidence in February 2004.) Prior to this, in its 12th Report, 2003 (paragraph 2.37) the STRB raised its general concerns about the likely increased divergence between England and Wales in certain areas, and flagged that this 'may make it more difficult in the future to make recommendations appropriate to both countries'.

7.12 The heart of the issue is that while pay is not devolved, many other key matters are, which as well as funding include in particular performance management, continuing professional development and induction. However in its practical application it is increasingly difficult to detach pay from these other issues.

Key current issues

7.13 RIG suggests that the current agenda presents a particular set of challenges. These arise from changes which may follow from the introduction of new performance management regulations in England; and the proposed introduction of new professional standards for teachers.

Performance management (see also section 4)

7.14 Currently, revisions to the performance management processes in England are being considered (they are subject to statutory consultation until 30 August 2006). These revisions carry forward to a significant degree the STRB's vision as expressed in paragraph 7.18 of its 13th Report Part 1, 2003, to which, as the STRB is aware from its previous evidence, the members of RIG fully subscribe.

7.15 A particular issue in relation to performance management is the extent to which the proposed new Education (School Teacher Performance Management) (England) Regulations (replacing the Education (School Teacher Appraisal) (England) Regulations 2001), which will provide the basis for linking pay decisions to the outcomes of the review of the teacher's performance,, can be tied into the determination of pay in the STPCD without undermining Welsh Assembly Government autonomy on performance management. This is referred

to in section 4 of this evidence. The proposed amendments to the STPCD would replace existing references to assessment against objectives, performance criteria or other specific criteria with generic references to the outcome of performance management reviews undertaken in accordance with performance management/appraisal regulations.

7.16 In STPCD terms, we believe that it should be possible to use wording which is the same or at least similar for both countries (see development of this argument in section 4). This is our preferred approach. The alternative is to continue to drive all performance assessment for pay purposes solely through the STPCD, which potentially duplicates procedures and confuses the situation on the ground, which is not RIG's desired approach. The issues are set out further below.

7.17 Relying primarily on performance management/appraisal regulations (it will still be necessary to take account of teachers not subject to such regulations) could mean, in the short term at least, that not all of the STRB's recommendations will necessarily be implemented in the same way in both countries, or at all in the case of Wales (depending in the Welsh Assembly Government's decisions), because of the proposals to replace the School Teacher Appraisal Regulations with the new performance management regulations in England. This, as indicated above, could threaten the furtherance of the STRB's vision in its 13th report. For example, in practice we propose relying on the new performance management regulations rather than the STPCD to ensure that the outcomes of continuing professional development are taken into account in decisions on pay in England. We believe the new performance management regulations which are currently the subject of consultation provide sufficient basis for this. However, even if in due course the Welsh Assembly Government decided to replace its School Teacher Appraisal (Wales) Regulations 2002 with the equivalent of the Education (School Teacher Performance Management) (England) Regulations 2006, the effect would be potentially different in at least some important respects for at least a year.

7.18 The other option is to have different arrangements for England and Wales in the STPCD itself, relying on the new performance management regulations for England but for Wales including some of the content of the English performance management regulations and perhaps some of the current material about objectives in the STPCD. This would add to its complexity but would drive performance assessment for pay purposes more closely to that of England – which may have the consequence of Wales needing to adopt different approaches to performance management on the ground to the extent that the STPCD's provisions on performance objectives, for example, differed from those in the current Welsh School Teacher Appraisal (Wales) Regulations 2002.

7.19 The STRB is asked to reflect on these issues in the content of performance management and also in the wider context of whether it is better as a matter of principle to have a pay system which looks the same on paper but which is different in practical effect – as at present, or one which is consciously amended to produce the same effect in both countries to the greatest degree possible, even though this may mean that the STPCD may look different for both

countries, and/or may effectively cause a separate policy decision by the Welsh Assembly Government because of a pay driver (as happened with the Review of Staffing Structure regulations, see paragraph 7.10 above).

Standards

7.20 As the STRB will be aware, the TDA has developed a new Standards Framework following widespread consultation, which was submitted to the Secretary of State on 7 April. The DfES carried out a non-statutory consultation on this Framework (including with Welsh interests) from 24 May – 21 June. Responses are currently being considered. There are five sets of ‘standards’ which have been developed to work on a cumulative basis, covering initial teacher training, induction/mainscale, post-threshold, AST and ET. However, the initial teacher training and induction/mainscale standards do not *per se* apply to Wales.

7.21 As well as being used for assessment purposes as applicable, it is RIG’s intention that these standards should be used as applicable in England in the performance management arrangements as a backdrop for the review process. This would include the induction/mainscale standards which would not just be applicable to teachers in their induction year but to all on the main pay scale until the time of threshold assessment. However, because of the differences in arrangements in Wales, the standards would not, or not necessarily, be used in this way, leading to a potentially divergent effect. Nevertheless, because of the cumulative nature of the standards as drafted, teachers in Wales would need to take the ‘earlier’ standards into account as they plan their future development.

Conclusion

7.22 This evidence highlights a number of issues which we have identified in the context of the divergence between England and Wales on pay-related matters, consequent to devolution. Some are long-standing, such as the lack of ASTs in Wales. Others are associated with the difference in funding arrangements. The most pressing, though, as spelt out in paragraphs 7.14 – 7.19 above, relate to performance management and how we might more usefully and practically align the performance management and pay systems in a context in which performance management is devolved to Wales and pay is not.

7.23 As is made clear above, RIG believes that the effect of the pay arrangements for teachers in England and Wales should be identical, in respect of the issues set out in this Section, including in respect of timing, and be fully in line with the STRB’s vision for schools. This is the key principle. Leading from this, the principle may mean adopting a range of approaches to achieve these ends, in consultation where applicable with the Welsh Assembly Government. This may mean that identical wording in the STPCD and guidance may not always be appropriate, especially where this will not necessarily lead to the same outcomes on the ground. The STRB is asked to consider whether this is in line with its own thinking and, if so, both to recommend accordingly, and to have regard to this in all its recommendations in this and future reports.

7.24 The remit letter indicates that these are issues on which we do not expect the STRB to provide immediate and full solutions. As more issues emerge in future, a fuller debate may be had. Nor is the intention of this evidence to express a preference for what the solution should be. However, the STRB's initial reactions and recommendations are critical at this time. These will need to feed especially into the handling of the proposed performance management changes in England and will shape the direction of thinking and planning in future.

SECTION 8 DUTIES

8.1 In last year's remit to the STRB the Secretary of State asked them to consider:

"the extent to which the professional duties of teachers and head teachers and the leadership group should be revised to reflect:

- a. the focus on teaching and learning and the new professionalism agenda of the DfES;
- b. the development of extended schools, including increased flexibilities in schools over opening times and out of hours activities;
- c. wider workforce reforms and the modernisation of the school workforce."

8.2 In its 15th report the STRB said, "we agree in principle with the majority of consultees that a review of the statements of duties in the STPCD is needed", but recommended that before beginning work on a revised text, "consultees consider the fundamental question of whether a description of teachers and head teachers' professional role and responsibilities is needed (specifically whether it is needed in the STPCD)".

8.3 To facilitate consideration of that and other issues the STRB has issued a questionnaire to consultees. In this evidence, RIG responds to the questions which STRB has posed throughout the text with some factual content in Annex C.

Overall context

8.4 RIG's evidence to the STRB last year set out our rationale for and expectations of the changes which we were proposing in relation to teachers' professional duties as well as the overall context of the development of the "new teacher professionalism". For ease of reference Chapter 9 from RIG's 2005 evidence is attached in Annex D as they continue to represent our views.

A definition of professional duties

8.5 RIG has given serious consideration to the specific question set out in Paragraph 8.2 above, which the STRB has put to the statutory consultees. RIG has concluded that a statement of professional duties in the STPCD is required and our reasons are detailed below.

8.6 As set out in the Overview to this evidence, the whole system of teachers' pay and conditions in England and Wales is based on a national framework locally delivered. A national framework of professional duties ensures consistency of expectations and delivery and brings clarity and fairness to the local delivery of a national education system and curriculum. They provide national points of references for schools in making decisions on staffing, job descriptions and pay policies. This not only provides the basis for a consistent

standard of education for all pupils but enables teachers to operate as professionals avoiding the imposition of inappropriate duties which could detract from the focus on teaching and learning and give rise to local and national disputes, leading in the worst case scenario to the courts and tribunals defining what is reasonable.

8.7 In relation to teachers' professional duties this means that the duties identify what are appropriate activities for teachers and head teachers and the extent to which they might be expected to carry out specific activities. These are then used to underpin specific roles and responsibilities at local level through job descriptions. It is for this reason, to ensure clarity and consistency, that RIG considers that professional duties should be retained as the descriptor within the national framework to maintain the distinction from the local interpretation.

8.8 It is also important, in the context of a national pay system which includes different pay scales for different roles and stages in a teacher's career, that there exists something beyond an overarching expression of generic professional responsibilities and expectations of conduct. It would be hard to see how national consistency and fairness in remuneration could be achieved without identifying the different expectations of teachers and school leaders paid under those different scales.

8.9 The STRB has asked how other professions define duties and probes whether other professions, and indeed teachers and head teachers elsewhere in the UK and in other countries, are constrained by detailed lists of duties. Before addressing this issue in more detail in Annex C to this evidence, RIG must emphasise that it does not regard a national statement of professional duties as a constraint. Constraint implies that having a set of duties reduces the ability to operate as professionals. There is no evidence to support this view. There is no conflict between the exercise of professionalism and the definition of duties. Whether the duties as currently defined are in all aspects appropriate and professional is a separate question which should be part of any redesign.

8.10 A national framework of professional duties is an integral part of the new teacher professionalism. The duties can both identify the responsibilities of individual teachers towards their own development and that of their colleagues and provide the contractual basis which will enable them to fulfil those responsibilities.

8.11 The STRB has queried whether the new professional standards might themselves obviate the need for duties. It is RIG's clear view that the two are very different but complementary. The duties should define what a teacher may be expected to do at different stages in the pay structure. The standards are the skills, knowledge, aptitudes, attitudes and abilities teachers can reasonably be expected to demonstrate at each stage in their career.

8.12 RIG believes that taken together all of these issues above make a strong case for the retention of a national statement of professional duties.

The place of Professional Duties in the School Teachers' Pay and Conditions

Document

8.13 The STRB has asked consultees to consider whether a national statement of duties should remain within the STPCD. RIG believes that it should. The nature of the compulsory education system in England and Wales is that it is to a large extent governed by statute. In relation to teachers' and head teachers' pay and conditions, the legislative framework is provided by the STPCD and it is to this Document that the profession looks for certainty in making local decisions on the pay and conditions of teachers and head teachers. Even where schools, teachers and head teachers are using guidance issued, for example, by local authorities or by the teacher unions, the STPCD provides the authority on which that guidance is based.

8.14 Removing the duties from the STPCD would remove their legal status and they will be seen as having less force than other elements of the framework. In practical terms this would render any national statement futile. All the issues described earlier about national consistency and the allocation of inappropriate responsibilities to individual teachers and the potential for disputes would apply. Guidance issued by different bodies in relation to duties would be likely to diverge. By giving the duties legal force through the STPCD it is possible to ensure that the contracts of individual teachers and head teachers are in line with national expectations.

8.15 Professional duties also need to have a legal basis to ensure legal responsibility and accountability for carrying out certain activities and in particular to ensure that policies set out elsewhere in legislation are put into effect. This is more often relevant to the head teacher, for example, the current duties define the responsibility of the head teacher for the curriculum relating to the School Standards and Framework Act 1998. Without the imposition of specific responsibility for carrying out such functions legally identified in the professional duties it would in some cases be difficult or even impossible to enforce the original legislation.

8.16 The advent of social partnership which has resulted in agreements on pay and conditions and much of the content of the STPCD being agreed has contributed to an increase in the usage of the STPCD as a prime source of information about issues relating to teachers' and head teachers' pay and conditions. It is now largely seen as a jointly owned document which as well as having legal status carries weight with the majority of the profession because they, through their representative organisations, have been actively involved in negotiating it and are signed up to and promote its contents and thus feel more confident in using it. It is also worth noting that since the emergence of social partnership and national agreements given legal expression through the STPCD there have been no major national industrial disputes relating to the teaching profession.

Principles which underpin a review of professional duties

8.17 Having argued for the retention of a national statement of professional duties in the STPCD, RIG remains of the view that the duties as currently drafted need revision. Our evidence to STRB in May 2005 identified some of the reasons why and areas in which such revision was necessary.

- a. the focus on teaching and learning and the new professionalism agenda;
- b. the development of extended schools, including increased flexibilities in schools over opening times and out-of-hours activities; and
- c. wider workforce reforms and modernisation of the school workforce.

8.18 We continue to believe that those are the main drivers for change and that any newly drafted duties should reflect the points we made then. We accept that it would not be appropriate at this stage, given the timescales for some other developments which will have a significant impact on the content of teacher duties such as the leadership review, to be offering specific drafts of duties. However, we have considered whether in reviewing the professional duties there are any key principles, which could be adopted and we have arrived at the following:

- a. *A national framework:* This would be a national framework which would set the parameters in which local roles and responsibilities could be set. For example, the framework could describe a particular activity as appropriate for all teachers; the degree to which a teacher might be required to discharge it at local level could vary.
- b. *Provide clarity and certainty of expectation for employers and employees.* This would ensure consistency and fairness by defining appropriate duties. It would promote harmonious industrial relations by reducing the potential for disputes.
- c. *Include both generic professional duties and entitlements and specific responsibilities associated with particular roles.* They should include both generic professional duties and entitlements and specific duties associated with particular roles. Consideration will need to be given to the generic duties and entitlements that should be common to all teachers. This will include consideration of the expectations on the upper pay spine. Specific duties are likely to need to be applied to teachers holding leadership, AST and ET posts. Consideration would also need to be given to the extent and nature of any specific duties associated with TLRs.
- d. *They should take account of the remodelling agenda and meet the provisions of the national agreement on raising standards and tackling workload.* The review of the professional duties must carry forward the commitments of the National Agreement Raising Standards and tackling workload and the principles of remodelling that the professional duties should

be those which require the skills and expertise of a qualified teacher. It would mean, for example, that the duties would fully reflect the provisions of the Agreement to bring downward pressure on working hours and free teachers and head teachers to focus on teaching and learning as well as reflecting the need to work with other adults and stripping out those aspects of the current duties which are no longer appropriate.

e. *They should take account of the New Professionalism agenda.* Any revisions to the existing duties should reflect the new emphasis on teachers' CPD and the associated expectations and entitlements – in other words, mutual responsibilities.

f. *The definitions of professional duties should be capable of enduring over time.* RIG's view is that, while the duties should be appropriate to and compatible with the educational context current when they are developed, they should avoid time-limited content. They should reflect the vision of the remodelled workforce and school leaders of the future. This would be commensurate with the strategy adopted in developing the new professional standards.

8.19 In applying these principles it must be remembered that they refer to the overarching definition of professional duties. Expectations of individual teachers and the degree to which the duties apply to them will vary depending on where they stand. These principles are put forward without prejudice to the future consideration that will need to be given to the issues mentioned before a final view should be reached on a new set of duties.

Timing of the development and implementation of revised professional duties

8.20 It will be important to ensure that the timescale for the development and implementation of any revised professional duties is aligned with those of the other allied development. Most crucially the outcomes of the leadership review. In this context RIG has concluded that September 2008 would be the most appropriate date with the revised duties being published at an earlier stage to give schools time to plan and prepare for their introduction.

ANNEX A MODELLING OF STANDARD PART TIME FORMULA

Proposed Method: **Based on method B**

Teacher Grade **UPS1**
Salary in Sept-05 (E&W
excl. IL) **£30,339**

Scenarios:

	A.	
	PT	FT
Teacher session Hours:	10.5	27.5
Weekly Directed Time:	32.5	32.5
School's Weekly session hours:	<u>27.5</u>	<u>27.5</u>
Teacher's annual working Weeks:	39	39
Total Annual Directed Time:	1,265	1,265
School's total annual session-hours:	1072.5	1072.5
Teacher's total annual session-hours:	409.5	1072.5
Teacher's FTE proportion:	<u>38.2%</u>	<u>100.0%</u>
School's non-session time:	193	193
Teacher's total teaching-hours:	410	1073
Teacher's ad. Non-teaching time:	74	193
Teacher's total Working Hours:	483	1265
PT teacher's annual salary:	<u>£11,58</u> <u>4</u>	<u>£30,33</u> <u>9</u>

*

Notes:

- 1 Teachers' working hours can be split into morning (duration =3 hours) and afternoon (duration=2..5 hours)
- 2 Each school can determine individually the weekly teaching hours

Proposed Method: **Based on Method B**

Teacher Grade **UPS1**
Salary in Sept-05 (E&W
excl. IL) **£30,339**

Scenarios:

	B.		
	PT	FT	
Teacher session Hours:	10.5	22.5	
Weekly Directed Time:	32.5	32.5	
School's Weekly session hours:	<u>22.5</u>	<u>22.5</u>	-
Teacher's annual working Weeks:	39	39	
Total Annual Directed Time:	1,265	1,265	
School's total annual session-hours:	877.5	877.5	
Teacher's total annual session-hours:	409.5	877.5	
Teacher's FTE proportion:	<u>46.7%</u>	<u>100.0%</u>	-
School's non-session time:	388	388	
Teacher's total teaching-hours:	410	878	
Teacher's ad. Non-teaching time:	<u>181</u>	<u>388</u>	
Teacher's total Working Hours:	590	1265	
PT teacher's annual salary:	<u>£14,158</u>	<u>£30,339</u>	-

*

Notes:

- 1** Teachers' working hours can be split into morning (duration =3 hours) and afternoon (duration =2.5 hours) sessions
- 2** Each school can determine individually the weekly teaching hours

Proposed Method: **Based on method B**

Teacher Grade **UPS1**
 Salary in Sept-05 (E&W
 excl. IL) **£30,339**

Scenarios:

	C.	
	PT	FT
Teacher session Hours:	8	22.5
Weekly Directed Time:	32.5	32.5
School's Weekly session hours:	<u>22.5</u>	<u>22.5</u>
Teacher's annual working Weeks:	39	39
Total Annual Directed Time:	1,265	1,265
School's total annual session-hours:	877.5	877.5
Teacher's total annual session-hours:	312	877.5
Teacher's FTE proportion:	<u>35.6%</u>	<u>100.0%</u>
School's non-session time:	388	388
Teacher's total teaching-hours:	312	878
Teacher's ad. Non-teaching time:	138	388
Teacher's total Working Hours:	450	1265
PT teacher's annual salary:	<u>£10,787</u>	<u>£30,339</u>

*

Notes

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- 1 Teachers' working hours can be split into morning (duration =3 hours) and afternoon (duration = 2.5 hours) sessions
- 2 Each school can determine individually the weekly teaching hours

Proposed Method: Based on method B

Teacher Grade **UPS1**
 Salary in Sept-05 (E&W
 excl. IL) £30,339

Scenarios:

	D.	
	PT	FT
Teacher session Hours:	14.5	25
Weekly Directed Time:	32.5	32.5
School's Weekly session hours:	<u>25</u>	<u>25</u>
Teacher's annual working Weeks:	39	39
Total Annual Directed Time:	1,265	1,265
School's total annual session-hours:	975	975
Teacher's total annual session-hours:	565.5	975
Teacher's FTE proportion:	<u>58.0%</u>	<u>100.0%</u>
School's non-session time:	290	290
Teacher's total teaching-hours:	566	975
Teacher's ad. Non-teaching time:	168	290
Teacher's total Working Hours:	734	1265
PT teacher's annual salary:	<u>£17,597</u>	<u>£30,339</u>

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Notes

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- 1 Teachers' working hours can be split into morning (duration =3 hours) and afternoon (duration = 2.5 hours) sessions
- 2 Each school can determine individually the weekly teaching hours

ANNEX B1 SECTION 3 ADDITIONAL INFORMATION

Key achievements and actions around science and mathematics since 2001

B1.1 Raising attainment, resulting in 49.9% of young people getting a good science GCSE in 2005 (compared with 48% in 2001) and 52% of young people getting a good mathematics GCSE in 2005 (up from 47% in 2001).

Work to engage more pupils in the science curriculum

B1.2 The reform of the key stage 4 secondary science curriculum to make it more relevant and engaging, while maintaining its breadth, depth and rigour.

B1.3 Changing the mathematics GCSE from three tier to a two-tier assessment to give all pupils potential access to a grade C. This is being introduced for first teaching from September 2006.

B1.4 Introducing functional mathematics at GCSE and ensure that when it is introduced in 2010 all pupils who achieve a grade C or above will have mastered the functional elements.

B1.5 Inspiring and engaging young people in science, engineering, technology and mathematics through the activities of SETNET.

B1.6 Increasing the number of science and engineering role models going into schools through the Science and Engineering Ambassadors Programme.

Expansion of opportunities for professional development

B1.7 The establishment of a network of science learning centres - a joint venture with the Wellcome Trust.

B1.8 The setting up of a National Centre for Excellence in the Teaching of Mathematics.

B1.9 The work of the Primary and Secondary National Strategies, focused on raising attainment.

B1.10 The establishment of 282 specialist science schools and 222 specialist mathematics and computing schools. We expect a further 10 new specialist science schools and 20 new mathematics and computing schools to be announced before the end of June 2006.

B1.11 Creating a network of further mathematics centres. The national network will consist of 46 centres. 36 are already open and the remainder will be established by September 2006.

Improving teacher supply

B1.12 Increasing the number of people training to become teachers by 18% in science and 41% in mathematics from 2001/02 to present.

B1.13 Reducing the science and mathematics teacher vacancy rate to 0.9% from 1.6% in 2001 and 1.0% from 2% respectively.

ANNEX B2 Recruitment of Science and Mathematics Teachers

B2.1 The Government has successfully reversed the decline compared with the end of the 1990s in mathematics and science teacher recruitment, by a range of strategies and factors:

- a. Introducing training bursaries and, for shortage subjects, Golden Hello payments, with highest rates for mathematics and science.
- b. Introducing successful advertising campaigns to attract people to take up teaching.
- c. Encouraged the growth of employment based routes to Qualified Teacher Status, enabling teachers to train while earning in a school, which tends to suit career changers.
- d. The Training and Development Agency pays training providers an extra £2000 per mathematics or science trainee they recruit above their 2002/3 baseline.
- e. As STRB is aware, teachers' starting pay has risen in real terms since 1997 by 11.5% for starting salaries (up to 17% in London), and prospects at the top of the main scale have risen 9% (13% in London). There are more possibilities for higher pay through Advanced Skills Teacher status, and from September the Excellent Teacher grade.
- f. The Student Associate Scheme and other undergraduate volunteering programmes, designed to attract undergraduates into teaching

Incentives to train

B2.2 The teacher training bursary was introduced in 2000 to attract graduates into postgraduate teacher training, and golden hellos were introduced for those who trained from September 1999, to attract those who had trained in shortage subjects to take up their first posts teaching those subjects. The value of the teacher training bursary for science and mathematics graduates was increased to £7,000 in September 2005 and for these subjects it will rise again to £9,000 in September 2006. The golden hello paid at the end of the induction year for new science teachers rose to £5,000 for trainees entering PGCE and equivalent courses in September 2005.

B2.3 Research undertaken during the TDA's 2005 Review of Financial Incentives indicated that these incentives were of greater importance to trainees with shortage subject backgrounds (including mathematics and science). These trainees saw themselves as being in a stronger labour market position – with more career choices and potentially more lucrative options. They were more interested in assessing the range of financial incentives to become a teacher and were more susceptible to their behaviour being influenced by financial incentives. This particularly applied to potential teachers of mathematics and science who were aware from media coverage of their shortage value.

B2.4 Newly qualified teachers noted the importance of Golden Hellos in encouraging them to remain in the profession through the first few, sometimes difficult, months - allowing them to develop a more balanced picture of the varying pressures of the profession during the academic year. This was particularly the case for shortage subject teachers who were more aware of the alternative careers open to them.

B2.5 The TDA therefore restructured its financial incentives in order to focus on priority subjects where recruitment was most challenging.

- a. Mathematics and science - £9,000 bursary, £5,000 Golden Hello;
- b. Secondary shortage subjects - £9,000 bursary, £2,500 Golden Hello;
- c. Secondary non-shortage and primary - £6,000 bursary.

Incentives for ITT providers

B2.6 In addition to incentives for trainees TDA has also introduced a range of incentives for ITT providers in England to recruit mathematics and science trainees.

B2.7 ITT providers receive an additional £2,000 per trainee recruited above their 2002/03 Academic Year baseline. From 2006/07, there will be additional new premiums of £1,000 per trainee to target rewards to all ITT providers who recruit an increasing proportion of their science places in physics and chemistry. Less generous premiums are also in place for biology, so to maintain pressure on the wider drive to improve science recruitment.

B2.8 In each year since these premiums were introduced, there has been improvement in the number of mathematics and science trainees recruited. This demonstrates that, alongside other measures, premiums are an effective tool to boost recruitment and reward providers for going that extra mile.

Widening the pool of potential mathematics and science trainee teachers

B2.9 Recruitment pools for trainee mathematics and science teachers are already very heavily exploited, and there is significant competition from other professions, who wish to recruit the same graduates. For example, there were 1695 Physics and 2450 chemistry English domiciled qualifiers from undergraduate courses in 2003/04, and the number of recruits for conventional ITT in those subjects was 310, and 410 respectively - the equivalent of 18% and 17% respectively (of course not all entrants are new graduates, but these figures show what large proportions of the 'pool' of these specialists are already going into teaching). TDA has introduced initiatives to widen this pool.

B2.10 Pre-ITT enhancement courses have proved a very successful way of expanding the pool of specialist teachers. These courses allow trainees to undertake six months of intensive subject knowledge training and are

intended for trainees with mathematics and science-related backgrounds who would like to teach but may not otherwise have the necessary subject knowledge.

B2.11 There is a current programme of physics, chemistry and mathematics enhancement courses, with a commitment to fund the existing courses for the next 3 years and, in *Next Steps*, the Government has announced its intention to increase the number of places available from 2006. These courses have had high success and low dropout rates, and participants are in high demand among schools.

B2.12 By developing a range of routes to QTS, each tailored to the needs of particular client groups, the TDA has made it easier for people from a wider range of backgrounds to become teachers. This range of routes has increased not only the number of new entrants but also their diversity, and brought into teaching increasing numbers of people with extensive professional and industrial experience.

B2.13 In addition to these mathematics and science-specific initiatives, much of TDA's general recruitment activity has mathematics and science focuses, or devotes significant resources towards these subjects.

ANNEX B3 Specialism in mathematics, physics and chemistry.

B3.1 'Mathematics and Science in Secondary Schools: The deployment of teachers and support staff to deliver the curriculum' research for the DfES by NFER (published in 2005) into the qualifications and deployment of secondary science and mathematics teachers suggests that there are approximately 31,000 science teachers of whom 28,800 are science specialists and 27,400 mathematics teachers of whom 21,100 are mathematics specialists in secondary schools in England. In this study having a specialism was taken to mean holding a degree in or incorporating science or mathematics respectively or specialising in science or mathematics as part of initial teacher training.

B3.2 The research found that in the 2004/05 academic year 44% of secondary science teachers (13,700 teachers) had an initial specialism in biology, 25% (7,900) had an initial specialism in chemistry and 19% (5,800) had a physics specialism, 5% (1,400) had an initial specialism in another science [or in general science] and 2% of those teaching science had a non-science related initial specialism. Six per cent of those teaching science mainly taught other subjects. The study did not, however, examine the specialisms of the latter category of teachers, so it is not possible to say what proportion had a science specialism. In mathematics the study showed that 76% of mathematics teachers were mathematics specialists, a further 10% had a non-mathematics related specialism and 1% held another qualification. Thirteen per cent of those teaching mathematics were principally members of other departments. In total at least 92% of those teaching science had an initial specialism in science and at least 76% of those teaching mathematics had an initial specialism in mathematics.

Variations by school type

B3.3 The study showed imbalances in the levels of specialist teachers between types of school by age range and pupil characteristics as well as regional variations. Teachers with a degree in the school sciences, and in particular in chemistry or physics, tended to be more strongly represented in schools with an age range of 11-18 years. Schools with higher than average GCSE results and lower than average numbers of pupils eligible for free school meals tended to have a higher proportion of teachers with a degree in biology, a degree in chemistry and a degree in physics. Schools with lower than average GCSE results, higher than average numbers of pupils eligible for free school meals or with higher numbers of pupils with special needs tended to have a higher proportion of teachers without a post-A level qualification in mathematics teaching mathematics.

Distribution of science specialisms by type of school

Specialism	All schools (N=630)	11-16 schools (N=268)	11-18 schools (N=311)	Other schools* (N=51)
	%	%	%	%
No biology specialists	1	1	0	0
No chemistry specialists	7	12	4	2
No physics specialists	16	26	10	6

* Predominately 14-18 schools, though also includes 11-14 schools
Source: NFER survey of heads of science departments, 2005

Teachers' highest post A level qualification in mathematics by school age range and type of school

Highest post-A-level qualification in mathematics	11 – 16	11 – 18	*Other
	%	%	%
Degree in maths	31	47	47
B.Sc or BA with QTS or B.Ed in maths	20	14	15
Cert Ed incorporating maths	8	5	5
PGCE incorporating maths	20	18	17
Other post-A-level maths qualification	4	5	3
A-Level maths	7	6	4
No post-16 maths qualification	10	6	9
TOTAL	100	100	100

Base: 3,201

*The 'other' category includes schools with 14-18 or 11-14 age ranges

Due to rounding, percentages may not sum to 100

Source: NFER survey of teachers of mathematics, 2005.

Teachers' highest post-A-level qualification in science by the age range of the school

Highest post-A-level qualification in science	Age range of school		
	11-16	11-18	Other*
	%	%	%
Degree in Biology	27	28	26
Degree in Chemistry	13	18	17
Degree in Physics	7	12	11
Degree in general science	6	6	5
Degree in other science	14	16	16
B.Sc or BA with QTS or B.Ed in science	14	9	11
Cert Ed incorporating science	6	3	5
PGCE incorporating science	8	6	8
Other post-A-level science qualification	2	2	1
No post-A-level science qualification	3	2	2
TOTAL	100	100	100

*Predominately 14-18 schools but also includes 11-14 schools

Base: 2,748

Source: NFER survey of science teachers, 2005.

Teachers' highest post-A level qualification in science by the GCSE achievement band of the school

Highest post-A-level qualification in science	GCSE achievement band (Total GCSE point-score 2002)				
	Lowest band	2 nd Lowest band	Middle band	2 nd Highest band	Highest band
	%	%	%	%	%
Degree in Biology	25	28	27	26	31
Degree in Chemistry	13	15	16	20	18
Degree in Physics	9	10	9	12	12
Degree in general science	6	6	6	5	5
Degree in other science	16	14	18	13	14
B.Sc or BA with QTS or B.Ed in science	14	10	11	12	10
Cert Ed incorporating science	4	4	5	4	2
PGCE incorporating science	8	7	6	5	6
Other post-A-level science qualification	2	3	1	1	1
No post-A-level science qualification	3	2	2	2	1
TOTAL	100	100	100	100	100

Base: 2,715

Source: NFER survey of science teachers, 2005.

Teachers' highest post-A level qualification in mathematics by the GCSE achievement band of the school

Highest qualification in mathematics	GCSE achievement band (Total GCSE point-score 2002)				
	Lowest Band	2 nd Lowest band	Middle band	2 nd Highest band	Highest band
	%	%	%	%	%
Degree in maths	31	39	41	47	54
B.Sc or BA with QTS or B.Ed in maths	17	18	18	14	13
Cert Ed incorporating maths	7	6	6	5	5
PGCE incorporating maths	17	18	20	20	17
Other post-A-level maths qualification	6	5	4	4	3
A-Level maths	7	6	5	5	6
No post-16 maths qualification	14	9	6	4	3
TOTAL	100	100	100	100	100

Base: 3,149

Due to rounding, percentages may not sum to 100

Source: NFER survey of teachers of mathematics, 2005.

Teachers' highest post-A level qualification in science by the percentage of pupils eligible for free school meals in the school

Highest post-A-level qualification in science	% Eligible for Free School Meals 2002 (5 pt scale)				
	Lowest 20%	2 nd Lowest 20%	Middle 20%	2 nd Highest 20%	Highest 20%
	%	%	%	%	%
Degree in Biology	32	29	26	27	25
Degree in Chemistry	20	18	14	14	16
Degree in Physics	14	12	8	11	8
Degree in general science	7	4	7	5	7
Degree in other science	12	12	20	15	14
B.Sc or BA with QTS or B.Ed in science	7	11	11	12	12
Cert Ed incorporating science	2	3	4	5	5
PGCE incorporating science	5	7	7	7	7
Other post-A-level science qualification	<1	1	2	2	2
No post-A-level science qualification	<1	2	1	2	4
TOTAL	100	100	100	100	100

Base: 2,743

Source: NFER survey of science teachers, 2005.

Teachers' highest post-A level qualification in mathematics by the percentage of pupils eligible for free school meals in the school

Highest qualification in mathematics	% Eligible Free School Meals 2002				
	Lowest 20%	2 nd Lowest 20%	Middle 20%	2 nd Highest 20%	Highest 20%
	%	%	%	%	%
Degree in maths	56	49	38	38	35
B.Sc or BA with QTS or B.Ed in maths	14	16	18	16	17
Cert Ed incorporating maths	4	5	6	8	5
PGCE incorporating maths	14	18	19	17	19
Other post-A-level maths qualification	2	3	4	6	5
A-Level maths	9	4	6	5	9
No post-16 maths qualification	1	5	9	10	10
TOTAL	100	100	100	100	100

Base: 3,188

Due to rounding, percentages may not sum to 100

Source: NFER survey of teachers of mathematics, 2005.

Regional variations

Teachers' highest post-A-level qualifications in science by Government Office Region

Highest post-A-level qualification in science	Government Office Region								
	North East	North West Merseyside	Yorkshire & Humber	East Midlands	West Midlands	Eastern	London	South East	South West
	%	%	%	%	%	%	%	%	%
Degree in Biology	20	26	27	27	25	28	29	27	34
Degree in Chemistry	20	22	14	18	16	13	15	15	13
Degree in Physics	10	10	8	11	9	13	11	11	9
Degree in general science	6	5	6	5	5	6	7	7	4
Degree in other science	14	13	15	15	16	16	16	15	16
B.Sc or BA with QTS or B.Ed in science	14	14	13	10	12	11	10	10	10
Cert Ed incorporating science	9	3	5	6	6	3	2	2	4
PGCE incorporating science	7	5	11	6	6	7	5	6	9
Other post-A-level science qualification	0	<1	<1	<1	2	3	3	4	<1
No post-A-level science qualification	1	1	1	1	3	2	2	3	2
TOTAL	100	100	100	100	100	100	100	100	100

Base: 2,748

Source: NFER survey of science teachers, 2005.

Teachers' highest post-A-level qualifications in mathematics by Government Office Region

Highest post-A-level qualification in mathematics	Government Office Region								
	North East	North West Merseyside	Yorkshire & Humber	East Midlands	West Midlands	Eastern	London	South East	South West
	%	%	%	%	%	%	%	%	%
Degree in maths	37	43	38	45	40	41	47	39	39
B.Sc or BA with QTS or B.Ed in maths	19	17	19	15	18	15	10	16	21
Cert Ed incorporating maths	8	5	8	8	7	6	5	5	5
PGCE incorporating maths	21	19	25	18	16	14	18	17	19
Other post-A-level maths qualification	3	2	1	4	4	7	9	6	3
A-Level maths or no post-16 maths qualification	12	14	9	10	15	18	12	18	14
TOTAL	100	100	100	100	100	100	100	100	100

Base: 3,204

Due to rounding, percentages may not sum to 100

Source: NFER survey of teachers of mathematics, 2005.

B3.4 No clear pattern emerges of regional differences in the provision of specialist mathematics and science teachers, although mathematics provision shows a greater variation than science. In London, almost half of mathematics teachers' highest post-A-level qualifications in mathematics were degrees. This compares with 37 per cent in the North East Government Office Region. The Eastern and South-East regions have the highest proportion of mathematics teachers whose highest mathematics qualification is either A-level mathematics or who hold no post-16 mathematics qualification. At almost one fifth of teachers, this is twice as high as the level in Yorkshire and the Humber (9 per cent). Considering the teacher provision in the context of pupil numbers, the North East has the fewest specialist mathematics teachers per thousand pupils and the East Midlands has the most.

B3.5 For science, teachers with a degree in science of some sort are relatively evenly spread across the regions and account for the majority of science teachers. However, this hides some imbalances between the sciences: for example, in the South West 34 per cent of science teachers have a degree in Biology compared with only 20 per cent in the North East. It is also clear that in all regions specialist physics provision lags behind that of biology and chemistry. The largest proportions of science teachers without a post-A-level qualification in science are found in the West Midlands and the South East. Considering the teaching provision per thousand pupils shows that biology teachers are evenly spread across the country but the South East, London and Eastern areas show a deficit of physics and chemistry specialists, with an additional physics deficit in Yorkshire and the Humber.

ANNEX B4 CONTINUING PROFESSIONAL DEVELOPMENT

B4.1 Continuing professional development (CPD) is important for all teachers, not just teachers of mathematics and science. Subject-specific CPD must ensure that teachers are up-to-date and have the specific pedagogical skills to teach their subject effectively.

B4.2 Underlying the new teacher professionalism agenda that is being taken forward with social partners is the aim that professional development should be an ongoing part of the everyday activities of a teacher rather than a separate activity that adds to teacher workload. As part of this agenda a range of reforms is in train to stimulate demand for CPD, including the proposed introduction of revised professional standards for teachers and of more effective performance management arrangements.

Standards for teachers

B4.3 The TDA as part of its remit for CPD has provided advice on revised professional standards for teachers that would provide a more coherent and progressive career framework which would enable teachers to drive their own careers and determine the professional development they require to make progress, using the standards as a reference point. Expertise in subject knowledge - both up-to-date content knowledge and knowledge of relevant pedagogical approaches - features clearly in the draft standards. Teachers would need to demonstrate increasing mastery of their subject teaching in order to progress. The standards would include a requirement for teachers to take responsibility for identifying and meeting their own CPD needs which build on self-reflection and commitment to improving their practice. They would also include an expectation that senior teachers and others would have specific responsibility for coaching and mentoring colleagues and supporting their professional development thus strengthening and raising the profile of schools' own "in house" CPD provision. The standards framework as a whole would be for England, but inasmuch as pay is concerned, there would be implications for Wales also.

Performance management

B4.4 The introduction of more effective performance management arrangements in England would help to ensure that professional development is planned and evaluated and reflected in assessments of the totality of a teacher's performance and recommendations for pay progression. In its Fifteenth report the STRB recommended that the outcomes of engagement in professional development be taken into account as part of a range of evidence when schools assess performance for pay progression purposes. This focus would help to incentivise participation in CPD that makes a positive impact. Revised performance management regulations for England are currently subject to consultation (see also Sections 5 and 8 of RIG's evidence).

Coherence of CPD

B4.5 Work is underway to ensure that CPD provision in England is sufficiently coherent, focused on identified needs and well publicised so as to stimulate and encourage people to consider undertaking CPD activities. The TDA has a remit relating to the overall provision and quality of CPD in the system in England which should have an impact on quality and quantity of science CPD with both local and national coherence to meet demand:

- a. The TDA will be working with subject associations to strengthen and promote subject-specific CPD.
- b. The TDA is currently in discussion with subject associations, including the Association for Science Education (ASE), about chartered teacher schemes that recognise expertise in subject teaching.
- c. The TDA is conducting a feasibility study with providers of training and development to investigate the value and impact of voluntary quality indicators for the provision of training and development for teachers.
- d. The TDA intends to continue to expand its Postgraduate Professional Development programme (PPD), using funding criteria to build more partnership models of postgraduate-level CPD provision, and incorporating more federations of schools to increase the relevance of provision.
- e. The TDA will focus the revised specification for returnees' courses on returning teachers meeting the standards for classroom teachers. This will include ensuring that returning teachers are meeting the standards relating to subject knowledge.

B4.6 The introduction and embedding of the revised professional standards and more effective performance management is planned to take place over the next two years. These proposed changes would be key drivers to improve the quality and relevance of CPD.

Provision of science continuing professional development

B4.7 Alongside these developments, the Government has increased substantially the amount of science CPD on offer in England.

National Strategies

B4.8 The National Strategies are a major provider of science and mathematics CPD. They have developed a variety of blended learning strategies to support science and mathematics staff's CPD such as:

- a. subject leader development meetings to develop teaching approaches and provide stimulus and support to subject leaders who can then disseminate to their staff;
- b. resources which are self directed (e.g. science pedagogical pack) which are designed to build capacity for schools to provide their CPD;

c. consultancy support in school in which consultants work for a period of time with staff to develop and improve teaching practice through coaching, mentoring, in-class support and departmental training as appropriate. This is particularly focused on underachieving schools.

B4.9 Recently the Secondary National Strategy has focused its science strand on improving teaching practices in particular areas that pupils and teachers may find challenging - for example, specific knowledge areas like geology, or improving particular scientific enquiry skills, such as written scientific explanation and graphical interpretation. They are also providing opportunities for teachers to improve their assessment skills and ability to deal with the demands of improving behaviour in science lessons. In addition, the Strategy has provided support to schools to embed and deliver the new Science GCSE programme.

B4.10 Materials and training from the Strategy have been welcomed by schools and teachers and have been used to great success. Ofsted have recognised the impact of the Strategies activities on improving teaching and learning in schools and the number of pupils achieving the expected level in science at the end of KS3 is now higher than ever.

Science Learning Centres

B4.11 CPD for science teachers and technicians is also available through the establishment of the network of ten science learning centres in a £51 million partnership with the Wellcome Trust. The training focuses on encouraging innovative and exciting teaching practice that will enthuse and inspire young people. All ten centres are now open and in 2005-06 delivered a total of 11,000 days of training. Feedback from those who have attended courses has been consistently good. It has, however, sometimes been difficult for teachers to take time out of school. Demand is growing among schools for more tailored provision and Centres are responding by offering more bespoke training alongside their published course programmes. An evaluation of science learning centres is underway and an initial report is due this autumn and final report in December 2007.

ANNEX C - Responses to STRB Questionnaire

How other professions define duties- *The position in respect of teachers in the rest of the United Kingdom and beyond:*

C.1 In Scotland with the McCrone agreement a national outline of duties was agreed which can be enhanced at local level or changed or interpreted through national circulars. Local Authorities in Scotland adopted the circulars and broadly agree changes. In Northern Ireland teachers have a statutory list of professional duties based on the conditions of service in England and Wales. They are developed through the Northern Ireland Teachers Council.

C.2 Internationally the picture is more mixed. In Europe as far as management of teaching staff is concerned, the most frequent model is one in which schools have little or no autonomy. However, there are mixed models as well. In general, in Southern and Western European countries (France, Germany, Spain, Portugal, Italy, Greece) the decision-making process of teachers' employment and remuneration is more centralised, while in the Nordic countries, Netherlands, Belgium and Central Eastern Europe, the whole process is more decentralised to local and school levels.

In relation to other professions

C.3 In relation to other professions the extent to which there are nationally agreed duties – as opposed to professional standards and values – does seem to vary according to the extent to which there are national pay grades and structures. In the NHS, for example, the new national contracts for consultants and GPs set out the types of work which people in those roles would be expected to take on. This is broken down further in relation to some specialisms with national guidance on, for example, distinctions between the roles of doctors at different levels of qualification in relation to the provision of treatment for drug and alcohol misusers. The legal profession, on the other hand, has Rules and Principles of Professional Conduct for solicitors managed by the Law Society which is mainly to do with standards and integrity. It is then left to individual legal practices and other employers to set out the specific roles and responsibilities which individuals will undertake. The other factor which comes into play is whether that employment is in the public sector. Solicitors who are employed by – or carrying out work sponsored by - state bodies do tend to work within overarching definitions of professional responsibilities which stand above the specific job descriptions of individuals.

Other potential sources of definitions of teachers' roles and responsibilities

C.4 The STRB has asked whether a separate definition of duties is required given that there already exist several identifiable sources of

expectations of teachers and head teachers which on the face of it appear to be similar in nature to those which carry out the function of defining roles in other professions. Amongst these is the GTC (England)'s code of conduct and Statement of Professional Values and Practice for Teachers, and the comparable documents in Wales. In RIG's view these neither define professional duties nor are designed to do so. In fact the GTC (England) Code of Conduct serves only to define the activities or behaviours which are professionally unacceptable and could bring the profession into disrepute. The Statement of Professional Values refers more to the way in which teachers and head teachers conduct themselves and has more affinity to professional standards than with duties. In addition, these codes have no statutory force and are used only to inform the regulatory function of the GTC. The situation is similar in Wales

Responses to STRB Questionnaire - Who uses the duties and for what

C.5 It is RIG's experience that the duties in the STPCD are currently being used in the following ways:

- a. to underpin the introduction of staffing restructuring in schools and the design – or redesign - of individual teacher's posts;
- b. to provide the new definition of what can be expected of a teacher following the workload agreement which supports the ongoing implementation of remodelling ;
- c. as a checklist to ensure that job descriptions are framed in such a way that they fall within agreed parameters;
- d. to provide clarity of expectations and therefore promote confidence in the management and recruitment of staff ;
- e. to provide the basis for advice to schools from local authority HR staff or from unions;
- f. to provide a baseline for resolving disputes which arise over working practices – both informally within schools and in relation to formal disputes or tribunals;
- g. to support decisions on the pay of individual teachers;
- h. to provide a baseline of expectations in disciplinary and capability procedures.

C.6 These uses are common to most of the bodies or groups which STRB identified in its questionnaire including governing bodies, local authorities (and the Local Government Employers organisation), teachers and members of the Leadership Group, and teacher unions, although the particular uses and the degree of use will be more or less significant to different groups at different times.

C.7 Other central bodies who offer advice on teacher employment in schools including the Foundation and Aided Schools National Association also use the STPCD for these purposes.

C.8 In addition to these users of the STPCD we have also found that

increasingly other organisations involved in the provision of education that are not governed by the terms of the STPCD are making use of it. For example, the majority of academies use the STPCD to determine teachers' and head teachers' pay and conditions including professional duties. Many have adopted it in its entirety. Many Independent schools have contracts with their teaching staff that refer to the duties and other provisions in the STPCD.

ANNEX D – Chapter 9 of RIG 2005 evidence to STRB

SECTION 9 THE NEW TEACHER PROFESSIONALISM

Vision

9.1 Previous national agreements, *Raising Standards and Tackling Workload: A National Agreement*¹⁶ and *The Agreement on Rewards and Incentives for Post-Threshold Teachers and Members of the Leadership Group*¹⁷, have laid the foundations for a new teacher professionalism by:

removing from teachers tasks which do not require their professional skills and expertise;

bringing downward pressure on working hours; and

building capacity to enable teachers to focus on their core role and enhance their professional status.

The new teacher professionalism agenda will build on and embed these achievements to deliver further improvements in teaching and learning and in teachers' motivation and morale. In January 2004, RIG agreed that the "highest rewards for classroom teachers should be awarded for excellence"¹⁸. RIG notes that *The Five Year Strategy for Children and Learners* proposes that "career progression and financial rewards go to those who are making the biggest contribution to improving pupil attainment, those who are continually developing their own expertise, and those who are helping to develop expertise in others"¹⁹.

9.2 Teachers²⁰ have always sought to maintain and develop their expertise, helped colleagues to review and improve their practice, and seen themselves as learning professionals. However, this has not always been easy to achieve. Underlying the new teacher professionalism is the aim that professional development is an ongoing part of the everyday activities of a teacher rather than a separate activity which adds to the work load of teachers. The new teacher professionalism espouses a culture of greater openness where all teachers are engaged in effective professional development which enhances pupil attainment and teachers' job satisfaction, and supports school improvement and teachers' career progression.

9.3 RIG believes that a culture must be developed whereby teachers feel confident and empowered to participate fully in performance management, including setting development objectives and assessing the impact of professional development on pupils' learning. Where all parties are properly engaged in a discussion of development needs, RIG believes that the needs of the school and those of the teacher will often coalesce and that a teacher's career development may

¹⁶ *Raising Standards and Tackling Workload: A National Agreement* was signed by employers, school workforce unions and Government in January 2003.

¹⁷ *The Agreement on Rewards and Incentives for Post-Threshold Teachers and Members of the Leadership Group* was signed by employers, teacher and head teacher unions and Government in January 2004.

¹⁸ *The Agreement on Rewards and Incentives for Post-Threshold Teachers and Members of the Leadership Group*, paragraph 6.

¹⁹ *The Five Year Strategy for Children and Learners*, DfES, July 2004.

²⁰ References to teachers in this section include head teachers unless otherwise stated.

often be progressed most effectively by pursuing activities that are relevant to the context in which they are working. Assessments of the impact of professional development need to take into account that it takes time for the benefits of professional development to be realised fully and reflected in improved classroom practice. They should not focus only on immediate results.

9.4 RIG accepts that there is some way to go to achieve these changes. The Teacher Training Agency's recent report to the Secretary of State highlighted a number of shortcomings in the current state of CPD, in terms of supply, demand, and the management of CPD in schools; and the need for CPD to be planned, sustained, and designed to improve a teacher's knowledge and skills. It also underlined that CPD should not be seen as a "bolt-on", "ad hoc" activity.

9.5 The STRB's recommendations will set in train the pay system that will support the role of teachers as:

highly skilled individuals who make judgements and exercise their professional autonomy in the classroom and in discharging their responsibilities for teaching and learning within a clear framework of accountability;

leaders of teaching and learning;

self-confident and self-reliant individuals whose approach to professional development reflects the school's needs and priorities and the achievement of the individual's career development goals;

learners who have a professional responsibility to keep up-to-date with developments in their subjects and in pedagogy and an entitlement that enables them to do so;

key professionals, who are committed to working well with (but do not replace) other children's workforce professionals; and

effective communicators with parents and other stakeholders.

Where teachers have made a significant contribution to teaching and learning in a more challenging context (see 9.23-27 below), RIG believes there should be scope for that to be recognised through accelerated pay progression.

9.6 These proposals are consistent with the STRB's longer-term vision for schools²¹, endorsed by RIG, in which:

governors, heads and teachers are comfortable with the concept of rewards related to performance;

schools are able to make decisions without detailed rules and guidance;

high-quality performance management and professional development are available to all teachers to help them to improve standards;

schools have the confidence and capability to assess performance and reward

²¹ *School Teachers' Review Body Thirteenth Report, Part 1*, November 2003, paragraph 7.18.

staff; and

performance and reward systems are managed effectively, transparently and fairly.

9.7 This agenda will be implemented during the next five to ten years. RIG will have a crucial and central role in developing all aspects of the process and monitoring progress. RIG is committed to developing a system where those who manage teachers and head teachers engage in a professional dialogue with them, respect them as professionals and make decisions about their work and contribution in an open and fair manner and in the context of the national framework and any relevant agreements secured by pay partners.

9.8 The development of a coherent framework of professional standards and the refocusing of teacher appraisal as teaching and learning reviews will be the key enablers for the delivery of these changes.

Overarching Principles

9.9 RIG has agreed the following overarching principles in considering how to develop this agenda.

- i) All teachers should have a professional responsibility to be engaged in effective, sustained and relevant professional development throughout their careers.
- ii) All teachers should have a contractual entitlement to effective, sustained and relevant professional development throughout their careers.
- iii) There should be a continuum of expectations about the level of engagement in professional development that provides clarity and appropriate differentiation for each career stage. The expectations about the contribution teachers make to the development of others should take account of their levels of skills, expertise and experience, their role within the school, and reflect their use of up-to-date subject knowledge and pedagogy.
- iv) As part of their professional development, in the context of 9.9 iii) above, all teachers should benefit from and contribute to coaching and mentoring, underpinned by focused, professionally supported classroom observation, taking into account their levels of skills, expertise and experience, their role within the school, and reflect their use of up-to-date subject knowledge and pedagogy.
- v) Performance management should provide the context for the agreement of development objectives, taking into account the school's needs and priorities as well as the teacher's needs, career and other aspirations. Teachers will recognise that the school's needs, identified in an open, professional dialogue in teaching and learning reviews, will often be consistent with their own development needs. It is envisaged that relevant provisions in current Appraisal Regulations and the Pay Document, which provide that in the event of a failure to agree objectives the school's needs take priority²², will

²² *The Education (School Teacher Appraisal) (England) Regulations 2001*, sections 12, 13 and 30 and the *School Teachers' Pay and Conditions Document 2004 and Guidance on School Teachers' Pay and Conditions* sections 7.2, 13.2.1 and 15.2.1.

continue to apply.

- vi) Performance management should provide the context for assessing the totality of a teacher's performance. Teaching and learning reviews should consider the teacher's contributions to teaching and learning; the impact of professional development activities; and how the teacher has discharged his/her professional duties, including in respect of relations with other professionals and parents. These considerations should continue to be taken into account in decisions about pay progression.
- vii) Professional standards should provide clarity about the expectations of teachers' contributions to teaching and learning and be progressive in the degree of challenge required.
- viii) There should be scope for accelerated pay progression for those who make a significant contribution to teaching and learning in more challenging contexts (see 9.23-9.27 below).
- ix) Head teachers should have expectations that clearly set out their responsibility to help to create the conditions to allow this agenda to flourish. Their success in doing so should be reflected in decisions about their pay progression.

9.10 The pay partners will develop the application of all these principles. RIG is already engaged in the development of teaching and learning reviews that will replace the current planning and review process and provide agreed criteria for assessing how these principles will be applied. The TTA has been given a remit to bring coherence to the framework of professional standards and they will be taking this work forward with RIG. RIG will have an ongoing role in monitoring the progress and impact of these developments.

9.11 This agenda needs to be taken forward in a way that is consistent with, and builds on, the previous national agreements. The principles set out below must also apply:

teachers should focus on teaching and learning;

all teachers should enjoy a reasonable work/life balance;

there should be continuing downward pressure to reduce excessive working hours;

there should be a streamlined non-bureaucratic process;

good classroom teachers should be able to aspire to a salary which reflects their important contribution to raising standards; and

the highest rewards for classroom teachers should be awarded for excellence.

9.12 These principles provide the basis for our evidence on the matters for recommendation listed at vii) to ix) of the remit letter. Further details are set out in the paragraphs which follow.

The extent to which professional development activity should be expected to have an effect on pay progression

9.13 The Secretary of State's letter of the 10 March to the STRB invited the STRB to make recommendations about the extent to which professional development activity (including the development of others through coaching and mentoring, training and observation, and other collaborations) should be expected to have an effect on pay progression, both in general and at specific levels. RIG believes that professional development in the context of performance management should underpin pay scale progression and progression through all key career stages.

9.14 We would expect professional development to have an impact on the teacher's professional practice in relation to teaching and learning and fulfilling the contractual duty to engage in meaningful professional development should be taken into account in the performance management process.

9.15 Professional development which can be demonstrated to have a positive impact on classroom practice – either the teacher's own practice or the practice of others; on school improvement; and on pupil attainment should be recognised and rewarded.

9.16 The context for reaching decisions about professional development objectives and for assessing their impact will be the teaching and learning reviews, which the Department is aiming to introduce from September 2006 by re-focusing the current performance management arrangements. The intention is that these teaching and learning reviews will help to secure effective classroom practice, by ensuring that teachers are involved in professional development that best matches the needs identified and are offering coaching and mentoring to other teachers where they have the teaching and subject skills from which other teachers can benefit. The STPCD currently places a duty on teachers with regard to professional development and the appraisal regulations currently require that professional development is considered when setting performance objectives. RIG would expect therefore that professional development objectives would be complementary to or integral to other objectives, including pupil progress objectives, which they should be designed to support. The intention is that objectives should be agreed by both parties through a proper professional dialogue but, as in current regulations and the Pay Document²³, where this cannot be achieved the final decision would rest with the appraiser. The right of appeal in such cases should be noted.

9.17 Head teachers have a key role in ensuring that teaching and learning reviews take place and do so on the basis of a professional discussion about needs and priorities – both those of the individual and the institution; and that professional development is planned as a result of the review, taking into account progress towards the achievement of the teacher's previous objectives and the agreed objectives for the coming year. Both parties have a role in ensuring that the professional development identified actually happens. Where it does not, head teachers should take account of the reasons for this in making pay progression decisions. Teachers should not be held accountable if there is a good reason why they have not been able to access agreed professional development activities but they should be expected to make every effort to achieve the objectives they have agreed.

9.18 In all these considerations it is important to recognise the wide range of activities that constitute professional development. Achieving access to CPD should not be seen solely in terms of being able to go on courses. The TTA highlighted this

²³ *ibid*

in their recent report to the Secretary of State²⁴ by defining CPD as:

“... a planned and sustained series of activities, designed to improve a teacher’s knowledge and skills. In this usage, CPD is not to be viewed as a “bolt-on” or short term experience, but as a continuous exercise in addressing individual teachers’ needs and in supporting improvements in their professional practice over time.”

Many teachers already engage on a regular and routine basis in professional activities which enhance their development. RIG believes that some of the most effective professional development is teachers learning from other teachers while working with pupils in the classroom.

9.19 The major culture change initiated by the national agreements needs to extend to schools’ understanding of CPD. RIG believes that there is scope for a greater emphasis on in-school and cross-school activities, such as coaching and mentoring, learning from others’ practice through structured, supportive, developmental classroom observation, and other forms of professional collaboration. This needs to happen in the context of effective management and leadership and in a culture of openness and mutual professional respect. This is essential if the benefits of learning from other teachers through classroom observation are to be realised. Excessive monitoring, which can include inappropriate use of classroom observation, which at its worst teachers find punitive, is entirely contrary to this agenda.

9.20 The TTA has been asked to develop a framework of professional standards which will form the context for career progression. The TTA’s work on the framework – which will be taken forward in consultation with RIG - will provide clarity about the expectations for teachers’ contributions to teaching and learning and their engagement in professional development in relation to each standard (QTS, Induction, Threshold (Senior Teacher), Excellent Teacher and Advanced Skills Teacher) and be progressive in terms of the degree of challenge at each stage.

9.21 The framework will provide the backdrop for discussions about how a teacher’s performance should be viewed in relation to their current career stage or the one they are approaching. We are not however envisaging an annual formal assessment against the standards set out in the framework as part of the teaching and learning review process. This should focus on a discussion between the teacher and the line manager about the extent to which a teacher has made good progress towards challenging objectives, including their development objectives. Work on the framework is being taken forward by the TTA working with RIG in parallel with the STRB’s remit.

9.22 RIG would welcome the STRB’s views on the approach set out above and their general recommendations on the extent to which participation in professional development should be expected to have an effect on pay progression.

Other factors which should be taken into account in determining career and pay progression: accelerated pay progression for teachers working in more challenging circumstances

9.23 The Secretary of State also invited the STRB to make recommendations about the extent to which other factors should be taken into account in determining

²⁴ *The Teacher Training Agency’s Role in the Future of Continuing Professional Development*, January 2005

career and pay progression (for example, prior successful experience in challenging classroom roles and in challenging schools). RIG believes there should be scope for teachers who make a significant contribution to teaching and learning in a more challenging context to progress more quickly than the standard provisions allow.

9.24 Current pay provisions provide a number of flexibilities, including scope to:

adjust the individual school range on which head teachers are paid to take into account whether the school is “a school causing concern”;

reflect “the scale of challenges to be tackled” in setting the pay range for ASTs;

enable, “in exceptional circumstances”, teachers on the upper pay scale to progress more frequently than every two years subject to substantial and sustained achievements and contribution to the school; and

award an additional point a year to teachers on the main scale whose performance in the previous school year was excellent having regard to all aspects of their professional duties, in particular classroom teaching.

9.25 In RIG’s view the current provisions already provide the basis for accelerated pay progression and for head teachers and governing bodies to reward significant contributions to school improvement in more challenging contexts, such as, where a contribution has enabled a school to tackle effectively significant concerns about under-achievement, or enabled a school to make significant improvements in pupil attainment or behaviour. However RIG believes that it would be helpful to make it clear that relevant bodies can award a pay point to a head teacher, deputy or assistant head teacher, AST, or classroom teacher on the main scale in recognition of the challenging context in which they have made their contribution to teaching and learning. In the case of teachers on the upper pay scale, where the pay scale is very short and subject to progression every 2 years, RIG proposes that relevant bodies should have scope to progress such teachers more frequently than every 2 years in recognition of contribution made in challenging contexts as part of their consideration of any “exceptional circumstances”. The school’s self-evaluation should help to inform the relevant body’s consideration.

9.26 There is no need for a new evidence trail or process to inform these decisions. Performance management outcomes should provide the evidence for assessments of the contributions individuals have made to teaching and learning, taking into account the contexts in which those contributions have been made.

9.27 RIG would welcome the STRB’s recommendations on this proposal. Subject to the STRB’s views, and in the context of the stated aim of simplifying the pay provisions, RIG proposes that this should be taken forward by developing the existing provisions to accommodate this rather than adding additional ones.

The extent to which professional duties should be revised

9.28 The Secretary of State also invited the STRB to make recommendations about the extent to which the professional duties of teachers and the leadership group should be revised to reflect:

- a. the focus on teaching and learning and the new professionalism agenda;

- b. the development of extended schools, including increased flexibilities in schools over opening times and out-of-hours activities; and
- c. wider workforce reforms and modernisation of the school workforce.

RIG believes that some of these are matters that it may be better to consider over a longer time-frame. RIG's views are set out in the paragraphs which follow.

Professional Development

9.29 RIG believes that clear expectations set out in revised professional duties – complemented by a coherent framework of professional standards – are essential to enable teachers, head teachers and governors to progress this agenda. There is a need for a comprehensive review of the professional duties of head teachers and teachers which provide a key reference point for discussions about professional development and help inform decisions about career progression. RIG believes that there would also be considerable benefits in reviewing the current professional duties to see what scope there is to streamline and refocus them.

9.30 The references to professional development in Parts IX to XII of the Document should be reviewed and strengthened to provide a clear and coherent continuum of expectations with appropriate differentiation at each career stage. This continuum of expectations should build on two common expectations:

- i) that all teachers and head teachers should be engaged in effective, sustained and relevant professional development throughout their careers, which includes coaching and mentoring, underpinned by focused, professionally supported classroom observation and that this should be reflected in a contractual entitlement; and
- ii) in addition, for head teachers RIG proposes that there should be expectations that reflect their role in embedding CPD in the school's culture and thus helping to create a positive learning environment.

9.31 Reflecting these expectations in professional duties will help to: encourage engagement in professional development; ensure teachers have access to the CPD they need; stimulate both the demand for CPD and the supply of high-quality CPD opportunities; and support a culture of change in schools. The TTA's remit includes monitoring the quality and coverage of CPD and the Agency will have a significant role to play promoting effective CPD. Access to high quality CPD will be essential if this agenda is to be realised. When reviewing the professional duties RIG want to give further thought to how to address the issue of entitlement to CPD without this simply reinforcing the current culture of seeing CPD as "going on courses" or other disparate activity which adds to the workload of teachers.

9.32 RIG would welcome the STRB's views on the general approach to reflecting these expectations, accountabilities and entitlements in revised professional duties that we have set out above. The detailed differentiation of expectations in professional duties for each career stage, building on the work already done in defining expectations in relation to the Excellent Teacher Scheme, is something that might then be managed through the Secretary of State's subsidiary powers under the 2002 Act, in the light of the STRB's general recommendations. This would enable us to ensure that there is appropriate alignment with the parallel work of the framework of professional standards.

Appraisal, assessment and application processes

9.33 The various references to appraisal, assessment and application processes in the current Document could also benefit from some simplification and updating to reflect the focus on teaching and learning, the introduction of teaching and learning reviews from September 2006 and the head teacher's role in considering applications for the Excellent Teacher Scheme. Subject to the STRB's views, these are matters that RIG proposes should be managed through the Secretary of State's subsidiary powers under the 2002 Act. As noted above, RIG is already engaged in developing teaching and learning reviews.

Extended Schools

9.34 The previous national agreements have made it clear that the focus of teachers and head teachers should be on teaching and learning. Any changes made to the current professional duties of teachers and head teachers need to be consistent with this.

9.35 The remit letter asked the STRB to consider the extent to which the professional duties should be revised to take into account increased flexibilities in schools over opening times and out-of-hours activities. *Raising Standards and Tackling Workload: A National Agreement* gave a commitment to bringing downward pressure on excessive working hours. Consequently, it should be emphasised that the development of extended schools is not about extending the working hours of teachers and head teachers. It is not our intention that increased flexibilities in schools over opening times and out of school activities should increase the working hours of teachers and head teachers but that consideration be given to whether it would be appropriate to explore, within an agreed framework, a more flexible application of working time within the extended opening times.

9.36 The development of extended schools highlights, particularly given the emphasis in the Department's *Five Year Strategy for Children and Learners* on collaboration and federations, the need to consider the role and responsibilities of head teachers and how these are reflected in professional duties. The review of professional duties will need to establish, among other things, whether:

there is anything in the current professional duties of head teachers that might be an obstacle to these developments;

head teachers' duties should be focused only on the leadership of teaching and learning and their role as lead practitioner should be reinforced;

the current duties should be extended to enable head teachers to take on a wider leadership role in the context of extended schools and other collaborations;

there are other models of school management which separate management of teaching and learning from administration of the school and provision of the wider children's agenda and, if so, what models would be most appropriate;

if head teachers are to be paid for undertaking a wider leadership role in relation to extended schools or children's services, this would need to be reflected in a separate contract outside the terms of the Pay and Conditions Document; and

federations of schools or collaborations between schools may lead to increases in head teachers' responsibilities related to their core professional responsibility for teaching and learning and therefore further flexibilities in the Document may be needed to enable head teachers to be paid for undertaking a wider leadership role in this context.

9.37 These are significant issues and RIG believes that they will need to be considered to a longer time-frame than the current STRB reporting period, but RIG would welcome the STRB's general views on these issues to inform our thinking on next steps. RIG will wish to provide further evidence to the STRB in due course.

Children's Workforce and Parents

9.38 Teachers' and head teachers' professional duties already refer to sharing information and to working with other bodies and with other professionals and consulting parents. RIG would welcome the STRB's views on the adequacy of the current coverage and on how, over time, it might be refreshed and updated to reflect the children's agenda, including the need to work collaboratively with a wide range of professionals. Again this is an area that RIG thinks would benefit from further consideration beyond the current STRB reporting period and RIG expects to return to this in future evidence.

Workforce Reform

9.39 Given the progress of remodelling, RIG believes that it is necessary and timely to consider what aspects of existing duties, not requiring the professional skills and expertise of a qualified teacher, might be removed. Options might include:

any administrative tasks, including documenting the personal and social needs of pupils;

participating in meetings which relate to the administration or organisation of the school;

participating in arrangements for pupils' presentation for and supervision during examinations;

attending assemblies, registering the attendance of pupils and supervising pupils, whether these duties are to be performed before, during or after school sessions; and

providing general guidance and advice to pupils on social and career matters.

9.40 RIG would welcome the STRB's general recommendations in this area to inform our thinking. Subject to the STRB's views, these are matters that RIG proposes should be managed through the Secretary of State's subsidiary powers under the 2002 Act.

9.41 Further amendments may be needed to existing duties to secure the agreed objectives behind the initial contractual changes already made, for example with regard to cover and work/life balance. Some of these changes (and other changes that the STRB may propose) may need to be phased in over an agreed period of time to ensure that schools have the capacity to implement them.

9.42 The Education (Review of Staffing Structure) (England) Regulations 2005 have placed a duty on head teachers to advise and assist the relevant body in relation to its review of the staffing structure and the preparation of the associated implementation plan. The Regulations refer to a specific process involving the preparation of an implementation plan by 31 December 2005 and its implementation by 31 December 2008. (Similar provisions are being made in Wales.) These Regulations do not preclude the head teacher from having an ongoing role in advising and assisting the relevant body in relation to reviews of the school's staffing structure and RIG believes that it could be helpful to amend the head teachers' duties in 57.3 to reflect this and to signal our expectation that schools should keep their staffing structures under review. Subject to the STRB's views, these are matters that RIG proposes should be managed through the Secretary of State's subsidiary powers under the 2002 Act.

Consistency and Coherence Between England and Wales

9.43 Matters to do with pay are not devolved but professional development and performance management are. The STRB will want to take this into account in considering how they frame their recommendations to ensure consistency and coherence between England and Wales as teachers are working within the same overall pay structure.