

National Assembly for Wales
Children, Young People and Education Committee
ST 35
Inquiry into Supply Teaching
Evidence from : NASUWT Cymru

1. The NASUWT welcomes the opportunity to submit written evidence to the Children, Young People and Education Committee (CYPEC) Inquiry into Supply Teaching.
2. The NASUWT is the largest teachers' union in Wales and the UK representing teachers and school leaders.

GENERAL COMMENTS

3. The NASUWT notes that the inquiry appears to be seeking to find evidence to undermine the valuable contribution that supply teachers make to the education system in Wales.
4. The NASUWT is clear that the appropriate use of supply teachers, and the complexity of the roles that they are asked to fill, provides pupils with much needed continuity of education to cover teacher absence in a variety of circumstances. The extent to which supply teaching is used in schools reflects the nature of schools, the duties, roles and responsibilities of teachers, and the health, safety and welfare of the school workforce in general.
5. The NASUWT maintains that this inquiry presents a missed opportunity to address some of the fundamental issues relating to supply teaching and supply teachers.
6. These include:
 - low pay;
 - lack of access to the Teachers' Pension Scheme;

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- denial of basic employment rights;
 - limited training and development opportunities;
 - exploitative employment practices;
 - lack of regulation of umbrella companies and supply agencies.
7. The NASUWT has been campaigning for some time about the abuse and exploitation of supply teachers in schools and maintains that the Welsh Government should seize the initiative to ensure that the supply agencies that provide supply teachers to schools in Wales are appropriately and effectively regulated and do not use umbrella/offshore organisations for tax avoidance purposes.
8. The NASUWT calls on the CYPEC to support the following principles and practices relating to supply teaching in Wales:
- all supply teachers, including those who work for supply agencies, should be engaged/employed under the provisions of the School Teachers' Pay and Conditions Document (STPCD);
 - all supply teachers, including those who work for supply agencies, should be able to have their service counted as pensionable under the Teachers' Pension Scheme;
 - all supply teachers, including those who work for supply agencies, should be provided with access to high-quality continuing professional development (CDP);
 - all supply agencies, as recipients of public money from schools, should be regulated and kite-marked;
 - all supply agencies should be required to have fair and transparent employment policies, practices and procedures.

SPECIFIC COMMENTS

9. The NASUWT offers the following comments and observations, as considered appropriate, in response to questions posed on the questionnaire. The Union has made reference to and included

information from a survey of the experiences of supply teachers across Wales and England in March and April 2014 (the NASUWT Supply Teacher Survey 2014). A copy of the survey is attached at Annex A to this response.

Consultation questions

Question 1 – What are your views on whether there is a prevalence in the use of supply teachers on a planned and unplanned basis?

The NASUWT maintains that schools use supply teachers in both circumstances.

If you believe that this results in problems (for example, for schools, pupils or teachers), how do you think they could be resolved?

The NASUWT sees no reason why this should present a problem for schools. However, the Union is gravely concerned about the experiences of supply teachers in gaining employment.

In the NASUWT Supply Teacher Survey 2014, supply teachers were asked about when they are able to obtain work and whether they face difficulty in doing so.

Two fifths of supply teachers (40%) described the nature of their work as being whatever they can get, as opposed to just over a third (35%) who stated that they are employed by one school on a regular basis.

More than half of supply teachers (54%) reported that they have experienced some problems getting work. Almost three fifths (59%) of supply teachers working for agencies reported problems getting work.

When asked how many days they work a week, almost one fifth of supply teachers (19%) said they work one day a week, over a fifth (23%) two days a week, and over a quarter (27%) three days a week. Only 13% of supply teachers work four days a week and 18% work five days a week.

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However, almost a third of supply teachers (31%) stated that they wished to work five days a week, compared to only 10% who wished to work one day a week.

Two fifths of supply teachers (41%) reported that there has been a decline in the work available since September 2010.

Supply teachers were asked about whether their work is primarily on a daily or longer-term basis. Almost three fifths (59%) stated that they primarily work on a daily basis.

For those supply teachers working on a longer-term basis, a fifth (22%) stated that they worked on a weekly basis, a tenth on a monthly basis, just over half (51%) on a termly basis and just under a fifth (17%) on a year-long basis.

How significant is this issue? (Please select one option)

<i>1 - This is a key, urgent problem.</i>	✓
<i>2 - This is a problem that needs to be addressed.</i>	
<i>3 - This is a minor problem.</i>	
<i>4 - Not a problem.</i>	

Question 2 – What are your views on the circumstances in which supply teachers are used for example, the types of classes they cover; the types of learning activities which take place under the supervision of supply teachers; whether they are qualified to teach relevant subjects?

The NASUWT maintains that this will depend on the circumstances and settings in which the supply teachers are engaged/employed.

If you believe there are problems in this area, how do you think they could be resolved?

The NASUWT believes that there should not be problems in this area, if

supply teachers are deployed appropriately according to their skills and specialism.

However, the Union recognises that problems can result where supply teachers are engaged to cover for an absent teacher but are subsequently deployed to a different class or group of pupils.

In the NASUWT Supply Teacher Survey 2014, supply teachers were asked about their daily placements and deployments.

For supply teachers on daily placements, over four fifths (84%) said that they are expected to mark and assess work, three quarters reported that they undertake break duties, and over two fifths (44%) said that they plan and prepare lessons. Five per cent of supply teachers said that they are expected to write reports.

When working on longer-term placements, almost all supply teachers (97%) reported that they are expected to mark and assess work, more than nine out of ten (92%) said that they plan and prepare lessons, two thirds (67%) stated that they attend break duties, and over three fifths (62%) said that they write reports. A majority of supply teachers on longer-term placements reported that they are expected to attend out-of-school meetings (61%), attend parents' meetings (54%), be observed teaching (53%) and participate in educational visits (51%). Over one fifth of supply teachers (21%) on longer-term placements are expected to undertake lunchtime supervision.

How significant is this issue? (Please select one option)

<i>1 - This is a key, urgent problem.</i>	✓
<i>2 - This is a problem that needs to be addressed.</i>	
<i>3 - This is a minor problem.</i>	
<i>4 - Not a problem.</i>	

Question 3 – What are your views on the impact of the use of supply teachers on the outcomes for pupils (including any impact on pupil behaviour)?

The NASUWT maintains that the appropriate use of supply teachers should have a positive impact on pupil outcomes.

In terms of the impact on pupil behaviour, the NASUWT maintains that this will depend on the level of support provided to supply teachers by the school management and the ethos and culture of the school, in terms of discipline and behaviour management.

If you believe there are problems in this area, how do you think they could be resolved?

Where problems arise, the supply teacher should be able to feel confident in seeking support and advice from the school's management team without fear of losing their job or being denied access to further work.

In the NASUWT Supply Teacher Survey 2014, supply teachers were asked if they were able to access behaviour support mechanisms and processes available to, and common within, schools.

Over a fifth of supply teachers (22%) said that they are not able to access pupil behaviour support mechanisms in the schools in which they teach.

Over a quarter of supply teachers (26%) stated that they believe their requests for support to manage pupil behaviour are not taken seriously.

Over two fifths of supply teachers (44%) reported that they believed they are used to cover the lessons of more difficult pupils.

How significant is this issue? (Please select one option)

1 - This is a key, urgent problem.

✓

2 - This is a problem that needs to be addressed.

3 - *This is a minor problem.*

4 - *Not a problem.*

Question 4 – What are your views on the Continuous Professional Development of supply teachers and the potential impact of the National Professional Learning Model?

The NASUWT is aware that this is a major problem for supply teachers but maintains that this is a result of the failure to provide high quality professional development opportunities to the school workforce as a whole.

In the NASUWT Supply Teacher Survey 2014, supply teachers were asked about access to training and support on their work placements.

Almost two thirds of supply teachers (64%) reported that they have not had any access to CPD opportunities.

Of those supply teachers who did receive CPD, half (50%) said that they obtained it through their work and over a third (35%) from supply agencies. Six per cent reported that they had to pay for it themselves.

Over four fifths of newly qualified supply teachers (82%) stated that they have not received the appropriate level of induction support to which they are entitled and of those qualifying in the last two years, over two thirds (70%) said they did not receive the appropriate levels of support.

Almost two thirds of supply teachers (64%) reported that they are not provided with a regular contact/mentor by the employer for which they work and a similar number (63%) said that they do not have a line manager identified for them from within the schools in which they teach (58%).

If you believe there are problems in this area, how do you think they could be resolved?

The NASUWT maintains that resolution is obvious. Supply teachers, and

teachers generally for that matter, should have a contractual entitlement to paid professional development opportunities, including those that work through agencies.

How significant is this issue? (Please select one option)

<i>1 - This is a key, urgent problem.</i>	✓
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<i>2 - This is a problem that needs to be addressed.</i>	
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<i>3 - This is a minor problem.</i>	
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<i>4 - Not a problem.</i>	
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Question 5 – What are your views on performance management arrangements for supply teachers?

The performance management arrangements for supply teachers are enshrined in The School Teacher Appraisal (Wales) Regulations 2011 (the 2011 Regulations).

The 2011 Regulations do not apply to teachers on short term contracts, defined as a contract of employment for a fixed term of less than one school term.

If you think there are problems in this area, how do you think they could be resolved?

The NASUWT maintains that there should not be problems in this area, if schools adhere to the 2011 Regulations.

However, the Union recognises that where supply teachers on short term contracts request involvement in the performance management process due consideration should be given to such request but, equally, due regard must be taken of the workload implications for appraisers and their right not to involve themselves in a non-statutory process.

How significant is this issue? (Please select one option)

<i>1 - This is a key, urgent problem.</i>	
<i>2 - This is a problem that needs to be addressed.</i>	
<i>3 - This is a minor problem.</i>	✓
<i>4 - Not a problem.</i>	
Question 6 – Do you consider that local authorities and regional consortia have sufficient oversight of the use of supply teachers?	
<p>As the consortia have no employer function in relation to school-based staff, including the engagement and deployment of supply teachers, the NASUWT questions the need for a consortium to have an oversight over the use of supply teachers.</p> <p>In contrast, the Union maintains that a local authority, as the overarching employer of the school-based workforce in maintained schools, should have such an oversight.</p> <p>The Staffing of Maintained Schools (Wales) Regulations 2006 (the 2006 Regulations), states at regulation 4-(1):</p> <p style="padding-left: 40px;"><i>‘At any school there must be employed, or engaged otherwise than under contracts of employment, a staff suitable and sufficient in numbers...’</i></p> <p>The NASUWT maintains that the reference to staff being <i>‘engaged otherwise than under a contract of employment’</i> must embrace agency supply teachers and other agency workers.</p> <p>It is for this reason that the NASUWT believes that local authorities should ensure that the provision of the 2006 Regulations, especially in relation to the conduct, discipline and capability of staff, are applied to supply teachers.</p>	
If you believe there are problems in this area, how do you think they could be resolved?	

The NASUWT believes that the most effective way of local authorities having an oversight over the use of supply teachers is to return to a system of central supply teams, where those engaged/employed benefit from the provisions of the STPCD, are to able to have their service counted as pensionable under the Teachers' Pension Scheme, and have access to high-quality to high-quality CPD.

How significant is this issue? (Please select one option)

1 - This is a key, urgent problem.

2 - This is a problem that needs to be addressed.

✓

3 - This is a minor problem.

4 - Not a problem.

Question 7 – Are you aware of any local and regional variation in the use of supply teachers and if so, are there any reasons for this?

The NASUWT is constantly reminded of the local and regional variations in the conditions and circumstances under which supply teachers are engaged.

One or two local authorities appear to keep a central register of supply teachers who continue to be engaged under the provision of the STPCD, whereas others have entered into arrangement with a single supply agency, and expect their school to use the agency. Supply teachers engaged through these agencies do not benefit from the provision of the STPCD.

Schools sometimes have their own arrangements with supply teachers provision, whereas others use a variety of agencies.

In the NASUWT Supply Teacher Survey 2014, supply teachers were asked a range of questions about their level of pay.

Over half of supply teachers (56%) stated that they are currently not paid on the national pay rates at a level that is commensurate with their experience. Almost four fifths of supply teachers (78%) working for agencies reported

that they are not paid at the appropriate levels.

In terms of rates of pay, over three fifths of supply teachers (61%) stated that they are paid between £100 and £149 per day, just under one fifth (19%) said they are paid between £150 and £199 per day and only 1% reported that they are paid more than £200 per day. Almost a fifth of supply teachers (18%) said that they are paid between £51-£99 per day and 1% said that they are paid less than £50 per day.

Over three fifths of supply teachers (61%) reported that they have been offered roles that do not utilise their skills and knowledge as a teacher and where they have been offered these roles, over two thirds (68%) said that they were offered them at a lower rate of pay.

Over a fifth of supply teachers (22%) stated that they have had to claim Job Seeker's Allowance since becoming a supply teacher and over one in ten (11%) reported that they have had to claim other state benefits.

If you believe there are problems in this area, how do you think they could be resolved?

The NASUWT maintains that, in the longer term, the most effective way to resolve the problems of exploitation in this area is to introduce legislation to regulate and kite-mark the supply agencies that provide supply teachers to schools in Wales.

In the short term the NASUWT believes that the Welsh Government should issue statutory guidance to schools that discourages the use of supply teachers who are being exploited by supply agencies, especially but not exclusively those that use umbrella/offshore organisations for tax avoidance purposes.

How significant is this issue? (Please select one option)

<i>1 - This is a key, urgent problem.</i>	✓
<i>2 - This is a problem that needs to be addressed.</i>	
<i>3 - This is a minor problem.</i>	
<i>4 - Not a problem.</i>	
Question 8 – Do you have any views on supply agencies and their quality assurance arrangements?	
<p>As highlighted elsewhere in this response, the NASUWT is gravely concerned about the lack of regulation of supply agencies. Consequently, the Union has little confidence in their quality assurance arrangements.</p> <p>The NASUWT maintains that the information from the NASUWT Supply Teacher Survey 2014, referred to in answer to previous questions demonstrates clearly that scant regard is given to quality assurance by the supply agencies.</p> <p>Additionally, almost three fifths of supply teachers (57%) reported that they were not made aware that after 12 weeks of working in the same workplace, they would be entitled to the same pay and conditions as permanent members of staff, and almost two thirds of supply teachers (65%) stated that they have been asked to sign a contract or agreement with an umbrella/offshore organisation.</p>	
If you believe there are problems in this area, how do you think they could be resolved?	
<p>As referred to in answer to question 7, the NASUWT maintains that regulation and statutory guidance will be needed to ensure that the supply agencies are held to account for the way in which they operate in Wales. The NASUWT would expect both the regulation and statutory guidance to address the issue of quality assurance.</p>	

How significant is this issue? (Please select one option)	
<i>1 - This is a key, urgent problem.</i>	✓
<i>2 - This is a problem that needs to be addressed.</i>	
<i>3 - This is a minor problem.</i>	
<i>4 - Not a problem.</i>	
Question 9 – Are you aware of any specific issues relating to Welsh medium education? If so, what are they?	
<p>The NASUWT anticipates that any specific problems relating to Welsh-medium education in respect of supply teaching would reflect similar issues relating to the teacher shortages in this area generally.</p>	
If you believe there are problems in this area, how do you think they could be resolved?	
<p>As stated elsewhere in this response the NASUWT maintains that the most effective way of addressing problems in this area is to return to a system of local authority, central-supply registers and/or centrally employed pools of supply teachers.</p>	
How significant is this issue? (Please select one option)	
<i>1 - This is a key, urgent problem.</i>	
<i>2 - This is a problem that needs to be addressed.</i>	✓
<i>3 - This is a minor problem</i>	
<i>4 - Not a problem.</i>	

Question 10 – If you had to make one recommendation to the Welsh Government from all the points you have made, what would that recommendation be?

In focusing specifically on this question, the NASUWT would recommend that the Welsh Government introduces legislation to prevent the continuing exploitation of supply teachers.

Question 11 – Do you have any other comments or issues you wish to raise that have not been covered by the specific questions?

As stated in the general comments of this response, the NASUWT urges the CYPEC to take the opportunity presented by this inquiry to highlight the plight of those teachers in Wales who are only able to secure work through supply agencies.

Supply Teachers:
a survey of their experiences

Introduction

In March and April 2014 the NASUWT surveyed supply teachers on the nature of their work, the issues and problems that they currently face, and their experiences as a supply teacher.

Almost 1,500 supply teachers responded to the survey.

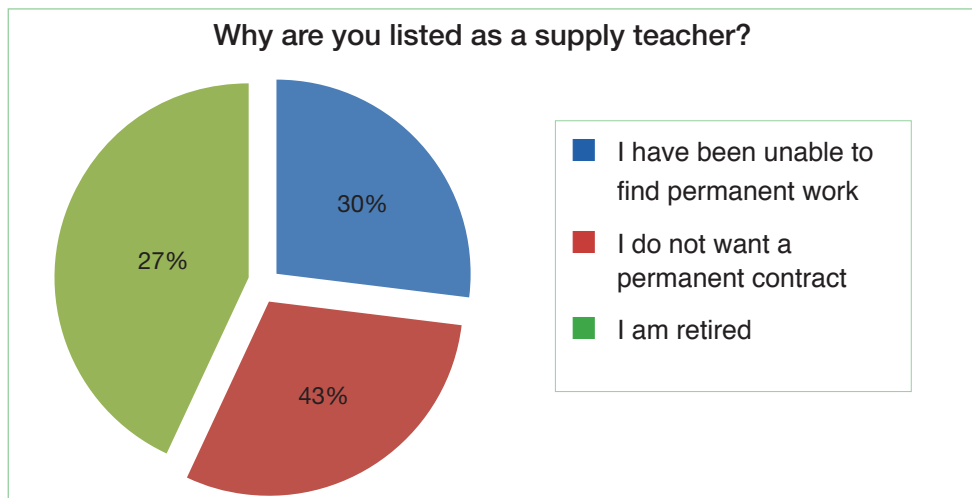
The survey highlights the continuing issues that many supply teachers face in gaining work and being paid appropriate to their skills and qualifications. For some supply teachers, it is clear that they are not being supported appropriately by schools or their employers. It is also evident that the majority of supply teachers are unable to access appropriate training.

Many of these issues, particularly regarding availability of work and pay, are exacerbated for those teachers who work primarily or wholly for supply teacher agencies.

The Survey

Nature of work

Supply teachers were asked about why they currently carry out supply work. Almost a third (30%) stated that they have not been able to find permanent work. Over two fifths (43%) stated that it was because they did not want a permanent contract and over a quarter (27%) stated that it was because they were retired and it was to supplement their pension.



When asked about where they obtained work, almost two thirds of supply teachers (63%) said that they are employed through an agency or agencies, two fifths (40%) through a school and under a fifth (17%) through a local authority.

Of those supply teachers working for supply agencies, more than half (52%) stated that they are signed up to more than one agency. Almost three quarters (74%) said that they do so because this is their only route for obtaining work.

Availability of work

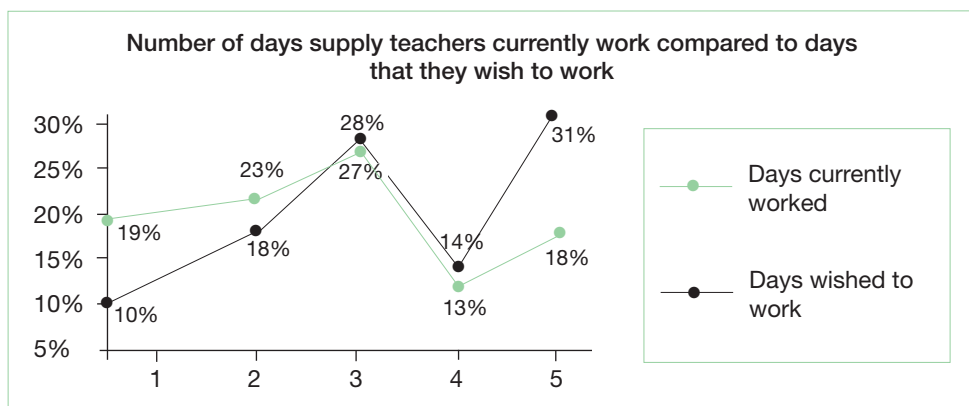
Supply teachers were asked about when they are able to obtain work and whether they face any difficulties in doing so.

Two fifths of supply teachers (40%) described the nature of their work as being whatever they can get, as opposed to just over a third (35%) who stated that they are employed by one school on a regular basis.

More than half of supply teachers (54%) reported that they have experienced some problems getting work. Almost three fifths (59%) of supply teachers working for agencies reported problems getting work.

When asked how many days they work a week, almost one fifth of supply teachers (19%) said they work one day a week, over a fifth (23%) two days a week (28%), and over a quarter (27%) three days a week. Only 13% of supply teachers work four days a week and 18% work five days a week.

However, almost a third of supply teachers (31%) stated that they wished to work five days a week, compared to only 10% who wished to work one day a week.



Two fifths of supply teachers (41%) reported that there has been a decline in the work available since September 2010.

Supply teachers were asked about whether their work is primarily on a daily or longer-term basis. Almost two fifths (59%) stated that they primarily work on a daily basis.

For those supply teachers working on a longer-term basis, a fifth (22%) stated that they worked on a weekly basis, one in ten on a monthly basis, just over half (51%) on a termly basis and just under a fifth (17%) on a year-long basis.

Pensions

When questioned about their pension status, almost three quarters of supply teachers (71%) stated that they are members of the Teachers' Pension Scheme (TPS). Almost two fifths of supply teachers (39%) working for agencies said that they were not members of the TPS.

Welcome to work and access to facilities

Supply teachers were asked a range of questions about the extent to which they feel welcome within the schools that they teach and whether they have access to key school facilities.

Over three fifths of supply teachers (61%) reported that they are made to feel welcome in a new school and almost a third (31%) that they are always made to feel welcome. One per cent of supply teachers reported that they are never made to feel welcome.

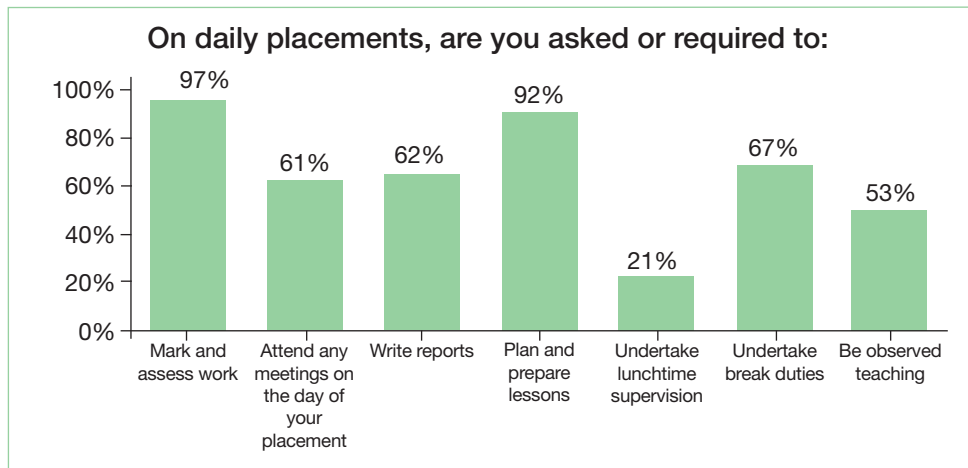
Almost a fifth of supply teachers (17%) reported that they do not always have access to staff rooms where they are available, over a third (35%) stated that they do not always have access to food and drink facilities and 7% said that they do not always have access to toilet/washroom facilities. Almost two fifths of supply teachers (39%) reported that they do not always have access to car parking.

Almost half of supply teachers (47%) working for agencies reported that they do not always have access to car parking and a similar number (46%) said that they do not have access to food and drink facilities.

Only just over one in ten supply teachers (11%) reported that they are always given the appropriate information and policies, including health and safety information, when entering a new school and 5% stated that they have never been given this information.

Supply teacher deployment

For supply teachers on daily placements, over four fifths (84%) said that they are expected to mark and assess work, three quarters reported that they undertake break duties and over two fifths (44%) said that they plan and prepare lessons. Five per cent of supply teachers said that they are expected to write reports.



When working on longer-term placements, almost all supply teachers (97%) reported that they are expected to mark and assess work, more than nine out of ten (92%) said that they plan and prepare lessons, two thirds (67%) stated that they attend break duties and over three fifths (62%) said that they write reports. A majority of supply teachers on longer-term placements reported that they are expected to attend out-of-school meetings (61%), attend parents' meetings (54%), be observed teaching (53%) and participate in educational visits (51%). Over one fifth of supply teachers (21%) on longer-term placements are expected to undertake lunchtime supervision.

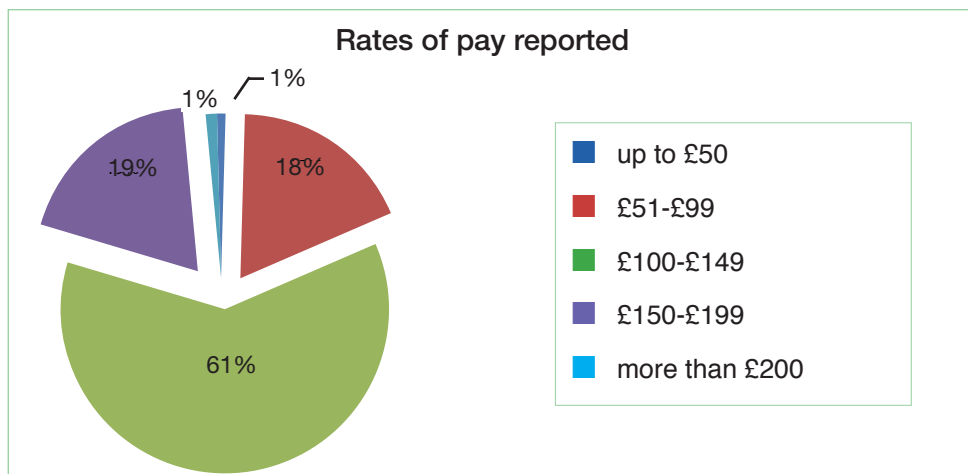
Rates of pay

Supply teachers were asked a range of questions about their level of pay.

Over half of supply teachers (56%) stated that they are currently not paid on the national pay rates at a level that is commensurate with their experience. Almost four fifths of supply teachers (78%) working for agencies reported that they are not paid at the appropriate levels.

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are paid more than £200 per day. Almost a fifth of supply teachers (18%) said that they are paid between £51-£99 per day and 1% said that they are paid less than £50 per day.



Over three fifths of supply teachers (61%) reported that they have been offered roles that do not utilise their skills and knowledge as a teacher and where they have been offered these roles, over two thirds (68%) said that they were offered them at a lower rate of pay.

Over a fifth of supply teachers (22%) stated that they have had to claim Job Seeker's Allowance since becoming a supply teacher and over one in ten (11%) reported that they have had to claim other state benefits.

Compliance with legislation

Almost three fifths of supply teachers (57%) reported that they were not made aware that after 12 weeks of working in the same workplace, they would be entitled to the same pay and conditions as permanent members of staff.

Umbrella companies

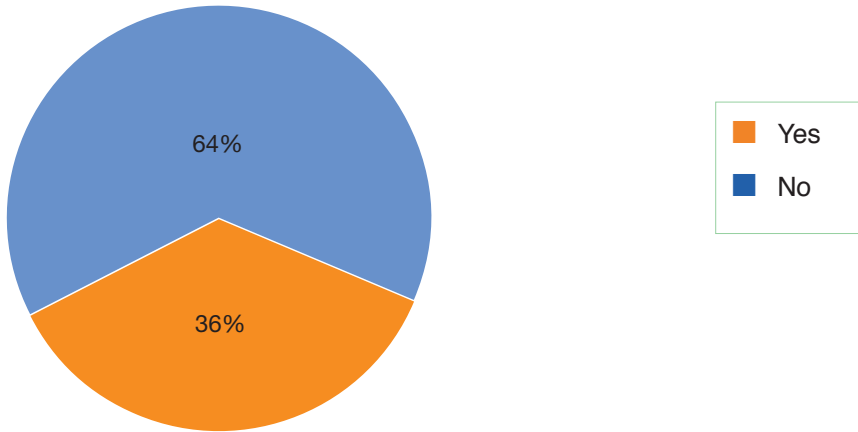
Almost two thirds of supply teachers (65%) stated that they have been asked to sign a contract or agreement with an umbrella/offshore organisation.

Training and support

Supply teachers were asked about access to training and support on their work placements.

Almost two thirds of supply teachers (64%) reported that they have not had any access to continuing professional development (CPD) opportunities.

Do you have access to continuing professional development (CPD) opportunities?



Of those supply teachers who did receive CPD, half (50%) said that they obtained it through their work and over a third (35%) from supply agencies. Six per cent reported that they had to pay for it themselves.

Over four fifths of newly qualified supply teachers (82%) stated that they have not received the appropriate level of induction support to which they are entitled and of those qualifying in the last two years, over two thirds (70%) said they did not receive the appropriate levels of support.

Almost two thirds of supply teachers (64%) reported that they are not provided with a regular contact/mentor by the employer for which they work and a similar number (63%) said that they do not have a line manager identified for them from within the schools in which they teach (58%).

Behaviour support

Supply teachers were asked about how they were able to access behaviour support mechanisms and processes available to, and common within, schools.

Over a fifth of supply teachers (22%) said that they are not able to access pupil behaviour support mechanisms in the schools in which they teach.

Over a quarter of supply teachers (26%) stated that they believe that their requests for support to manage pupil behaviour are not taken seriously.

Over two fifths of supply teachers (44%) reported that they believed they are used to cover the lessons of more difficult pupils.



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