
Education Unions: Facility Time Report

Report being considered by: Schools Forum on 17th June 2024

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Item for: Information **By:** All Forum Members

1. Purpose of the Report

1.1 To inform members about the activities of the teaching trade unions

2. Recommendation

2.1 That Schools' Forum note the report

3. Introduction/Background

3.1 The industrial dispute was resolved with the acceptance of a 6.5% pay rise from September 2023. Whilst this is welcome and is now above inflation, it is lower than the average pay rise in the private sector and is still historically, for experienced teachers, 13% lower pay in real terms than in 2010. In the private sector, average wages in real terms are approximately 2% higher than in 2010. So there is a general picture of stagnation of wages, but it is deeper and longer in the public sector and for education staff.

The STPRB reports its findings and recommendations to the DfE in May. The DfE have not made a submission with guidance about the amount of a percentage pay rise, but Gillian Keegan, the Education Secretary has said that the '*impact of pay rises on school budgets should be considered*¹. This implies that there will be a below inflation pay rise – again – exacerbating all of the problems outlined below and increasing the likelihood of more industrial action. The NEU electronic ballot did reach the 50% threshold, but any move to a formal ballot will not take place until the Autumn term.

The March 24 report by the NFER paints a pretty grim picture: '*This sixth annual report shows that teacher supply is in a critical state, representing a substantial risk to the quality of education*². **The recruitment crisis is obviously adding to the workload of all in education and it is driving virtually every aspect of casework which we undertake.** We are now in a situation where we have amongst the largest class sizes³ in the OECD with the smallest classrooms. This is creating unsustainable pressure on staff and can often be the trigger for ill health and prolonged absence, disciplinary issues and stress related illness and capability. All of this is surfacing in the casework that union officials are dealing with. Research by the TUC backs up the findings of the NFER. Their analysis found the following on teacher vacancies which are particularly acute in the South East: '*data shows the total has risen nearly six-fold, with 2,100 teacher vacancies in November 2023 — compared with just 355 in November 2010.*⁴ The inability of schools to be able to recruit new staff and retain experienced staff is clearly having a significant knock on effect. Whilst it is correct that there are more teachers than ever before, this needs to be understood within the context of teacher-pupil ratios and the demographic of the

¹ [Teacher pay: Consider 'impact' on budgets, Keegan tells STRB \(schoolsweek.co.uk\)](https://schoolsweek.co.uk/teacher-pay-consider-impact-on-budgets-keegan-tells-strb/)

² [Teacher Labour Market in England Annual Report 2024 - NFER](https://www.nfer.org.uk/teacher-labour-market-in-england-annual-report-2024-nfer/)

³ [Student-teacher ratio and average class size \(oecd.org\)](https://www.oecd.org/student-teacher-ratio-and-average-class-size/)

⁴ [Six-fold rise in teacher vacancies under Tories, TUC analysis shows | Morning Star \(morningstaronline.co.uk\)](https://www.morningstaronline.co.uk/six-fold-rise-in-teacher-vacancies-under-tories-tuc-analysis-shows/)

workforce. In England, teachers are amongst the youngest in the OECD: *'In England (UK), teachers are, on average, 39 years old, which is lower than the average age of teachers across OECD countries and economies participating in TALIS (44 years old). Furthermore, 18% of teachers in England (UK) are aged 50 and above (OECD average 34%)'*⁵ This is, of course, historic data being 6 years old now so it is bound to be even worse given the passing of time. It represents the loss of a wealth of experience and is driven by older teachers leaving early or retiring early. They are often over 50 and therefore more expensive and tend to be disproportionately female. Several casework issues have emerged where older teachers are in effect 'managed out'. A younger workforce injects energy without doubt (and they are cheaper) but there are issues with lack of experience which can generate its own issues.

West Berkshire, at least, does not have some of the issues which big MATs are experiencing given most of the schools in the county remain within the LA. Teacher turnover in MATs is very high and perhaps a cautionary tale for any school considering joining one. The EPI's report outlined in Schools Week makes interesting reading: *'Big MATs have highest teacher turnover, EPI finds'*⁶

This, of course, takes place against a backdrop of real term funding cuts. Schoolcuts.org allows average cuts to be tracked via its site which is robustly calculated and peer reviewed.⁷ The IFS Annual Report on Education spending states: *'In 2022–23, total public spending on education in the UK stood at £116 billion (including the cost of issuing student loans and in 2023–24 prices). In real terms, this represents an 8% or £10 billion fall since 2010–11.'*⁸ Essentially, schools are being asked to do more, for less and the consequences are clear.

3.2 III Health and Absence Management

All of the issues above have led to an increase in ill health management and referrals to OH. A good deal of this is stress related which leads to mental health issues. The Fifth Annual Workforce Attitudes to Mental Health states: *'this new survey has revealed that education is actually the most stressful career path with a staggering 93% of those in the profession feeling stressed at least once a week'*⁹ Schools for the most part are very good at trying to support their staff, with the help of the LA and union involvement, but the root causes of the issue is often beyond the control of those involved and members often have an unrealistic expectation of what can be done.

School leaders bear the brunt of things and this is clearly impacting them too. The government's own workload report¹⁰ outlines the issue and its findings were published in Schoolsweek: *'While teachers reported working fewer hours on average than leaders, there was an increase since 2022 (from 48.7 to 49.4). Average hours worked per week increased for full-time teachers (from 51.9 to 52.4'*¹¹ This means that it is often impossible to get a work life balance and it is taking its toll on our educators and particularly our school leaders.

Ofsted is, we are told, undergoing change in light of the dreadful impact it has on the working lives of educational staff. However, single word judgements are being retained in

⁵ [\[Title\] \(oecd.org\)](#) Talis report for OECD 2018

⁶ [Big MATs have highest teacher turnover, EPI finds \(schoolsweek.co.uk\)](#)

⁷ [School Cuts](#)

⁸ [Annual report on education spending in England: 2023 | Institute for Fiscal Studies \(ifs.org.uk\)](#)

⁹ [On its way: Fifth Annual Workforce Attitudes Toward Mental Health \(headspace.com\)](#)

¹⁰ [Working lives of teachers and leaders – wave 2 - GOV.UK \(www.gov.uk\)](#)

¹¹ [Leaders and teachers work longer hours despite workload push \(schoolsweek.co.uk\)](#)

defiance of the advice of the Education Select Committee. The Education Support organisation reports the following: *'The overall picture of wellbeing is poor in the sector, with senior leaders remaining at risk, and classroom teachers seeing a significant decline in overall wellbeing'*¹². It is to be hoped that campaigners like Professor Julia Waters, sister of Headteacher Ruth Perry, will eventually be listened to. *'Perry's sister, Prof Julia Waters, reacted with fury to the government's statement, published on Thursday in response to an inquiry into Ofsted by MPs on the Commons education committee, describing it as "woefully inadequate"'*¹³.

A development worthy of note in relation to reducing sickness absence emerges from research into the use of HEPA filters which many schools used during the COVID crisis. Whilst the government is yet to act on this data, reported by Professor Cath Noakes, it states that findings indicates *"illness rates over 20% lower than those in the non-HEPA arm" according to Professor Cath Noakes, the study's lead investigator who disclosed this figure at the WHO/ Europe conference on indoor air'*¹⁴. These units are cheap to make¹⁵ and it is certainly worth schools considering installation in the most poorly ventilated areas.

3.3 **Malicious and Vexatious complaints (and social media)**

We have seen an increase in the number of these referrals. They are often made by parents. Whilst they do have to be investigated, it is often a time-consuming process which has a detrimental effect on staff and investigating officers. A report in March 24 by Leora Crudas stated that *'the volume of complaints that its members are seeing is "not sustainable" and "will have an impact on our ability to retain our leaders"'*¹⁶. The unions are aware of at least one senior leader at a primary who has resigned as a result of vexatious complaints. With staff, especially younger staff (as alluded to above), there is often a naivete around the use of social media which can lead to difficult situations. The unions would urge all schools and the LA to make sure that they have robust policies and guidance on social media usage which protects staff and leaders. There is a duty of care here which often gets neglected in the context of KCSIE.

3.2.1 **Capability and Appraisal**

As part of the negotiations with the DfE workload group, it has been recommended that performance related pay/appraisal is reformed in order to reduce workload. The unions support this. Often, case work emerges when members are not given pay increases on spurious grounds and appeals are made. Capability is a sufficient mechanism to deal with underperformance and is intended to be a supportive process so that staff can improve. This is an imperative given the shortage of staff.

3.2.2 **Disciplinary**

Disciplinaries have not increased significantly, but there have been more referrals. Often they emerge as a result of stress as outlined above. We are seeing suspensions being made at an early stage when it might not necessarily be needed. The LADO gives crucial advice in relation to safeguarding, but schools often have the bigger picture and what they are told is advisory.

¹² [Inspections deemed 'not fit for purpose' by teachers and education staff as they battle loneliness, stress and burnout \(educationsupport.org.uk\)](https://www.educationsupport.org.uk)

¹³ [Ruth Perry family furious as Ofsted single-word ratings are retained | Education policy | The Guardian](https://www.theguardian.com/education/2020/sep/17/ruth-perry-family-furious-as-ofsted-single-word-ratings-are-retained)

¹⁴ [Class-ACT study shows Air Cleaning reduced illness rates in UK schools during major COVID-19 epidemic - Corsi-Rosenthal Foundation \(corsirosenthalfoundation.org.uk\)](https://www.corsi-rosenthal.org.uk)

¹⁵ [UK Version - How to make a Corsi-Rosenthal Box \(squarespace.com\)](https://www.squarespace.com)

¹⁶ [Parental complaints: CST calls for policy change for schools | Tes](https://www.tes.com/news/parental-complaints-cst-calls-for-policy-change-for-schools)

3.2.3 Contracts, Pay and Conditions

Given the dispute and the near uniform application of the pay uplift, there have not been many issues here of late. However, we are hearing that at least one school did not apply the 6.5% to TLRs. This is incorrect and will be challenged. Given teacher pay and any pay rise this year will probably not be met with commensurate increases in funding, it is anticipated that issues will emerge next year around pressure to save money.

3.2.4 Grievance

Grievances are still being lodged. Advising members to try and resolve issues via informal routes has can lead to a decline in requests to move to formal grievance. However, it is worth noting that where grievances are lodged, they are again often related to work load, accountability and demands that are perceived to have contravened policies or directed time guidance.

3.2.5 Settlements

There have been a few settlement agreements this year. They are often time consuming and expensive but occur when relations between employer and employee break down beyond repair and often offer the best solution for all parties to move on.

3.3.6 Governance

Having good governors in place is vital and the union enthusiastically recommends that as much training as possible is offered. Conversely, poor governance can create more problems than it solves and can make processes protracted, especially in relation to breaches of policy and employment law if governors do not know the details, or indeed, understand them.

3.3.7 Collective issues

The amount of cover that staff are requested to do continues to be a growing concern. Schools should have 'rarely cover' policies which means that any absences known in advance do not call on staff to cover the lessons. There is always confusion over loading and protected time if staff have a TLR. Schools are in the invidious position, however, of not having enough cover supervisors in an environment where sickness absence, often related to workload, is increasing. This can lead to a spiral of decline where staff are put upon more to cover and then they themselves end up not being able to cope.

3.4 LA Policies and guidance

Rationalising the approach to dealing with policies that need reviewing is always discussed at ECM. It has been agreed that key policy documents are prioritised and that unions meet separately in order to give them proper scrutiny

4 Funding 2024-2025

Union	Total amount	Approx equivalent number of days of supply
NEU	£45,879.96	164.60
NAHT	£4,735.32	12.50
ASCL	£3,963.17	9.65

Please note that the above figures are for 23/24. Figures for financial year 24/25 have not yet been received but should be available from WB HR.

5 Consultation and Engagement

Secretaries of the recognised teacher trade unions (Association of Teachers and Lecturers, Association of School and College Leaders, National Association of Headteachers, National Association of Schoolmasters Union of Women Teachers, National Union of Teachers – position currently vacant)