

SIXTH-FORM COLLEGE JUDGEMENT ON STRIKE PAY CALCULATION

As members are aware, the NASUWT has been challenging for many months, through the courts, the sixth-form college employers' formula for the deduction of strike pay.

The employers use a formula of 1/260, whereas the NASUWT believes that it should be 1/365.

The case went to the Court of Appeal where unfortunately the judgement went against the Union. However, the Union believes that the basis on which the judgement was made was perverse, relying on the provisions of the archaic Apportionment Act 1870 and therefore the Union has lodged a further appeal to seek to have this ruling overturned.

The NASUWT intends to pursue this matter through all appropriate legal channels to support our members working in colleges.

SIXTH-FORM COLLEGE PAY FRAMEWORK – TRANSITION

Over the last 12 months, the NASUWT has been involved in negotiations with the Sixth Form College Association (SFCA) over a national pay framework for teachers in sixth-form colleges (SFCs). The NASUWT has also been involved in negotiations in relation to an SFC appraisal guidance document which will be critical to annual pay progression up the nine-point scale.

The new pay framework focuses on two principal areas:

- the new SFC teachers' pay scales – where creation of a single nine-point pay spine in place of the Main Scale and Professional Standards Payment (PSP) range would restore pay parity with teachers in schools by increasing pay rates at the minimum and maximum of the pay scales, and introduce a new system of responsibility payments for promoted posts; and
- pay progression – where the proposals would remove the current progression provisions, removing the need to apply for progression, and introduce a system of pay progression linked to appraisal outcomes at all points of the pay scale on an annual basis, allowing teachers the prospect of reaching the top of the pay scale earlier than now.

The revised arrangements will be introduced in September 2015, with the first decisions in relation to progression occurring in September 2016, when assimilation to the new pay framework would also take place. Transitional guidance has been discussed with the SFCA and will be available shortly.

The NASUWT has sought a range of safeguards in order to ensure, in particular, that:

- appraisal processes remain fair and appropriate;
- present rates of pay progression are not affected by the establishment of new progression provisions, such as annual progression;
- there is an assumption that standards are met unless evidence is otherwise provided; and
- there is an avoidance of Ofsted-style language.

Continued overleaf

In relation to safeguarding, the NASUWT has secured that teachers who would otherwise suffer a loss through the implementation of the new structure (i.e. those on pay points in the middle of the spine which would reduce in value in the new structure) would be protected fully if remaining on that pay point.

The new framework allows an opportunity to improve the pay offered at entry points and also provides a higher main scale maximum.

At a time when the Government continues to attack the provision of a national pay framework for teachers in schools, it is hugely significant that the NASUWT has secured a workable national pay framework for SFC teachers.

SFCA Appraisal Guidance Checklist

The NASUWT met with the Sixth Form College Association (SFCA) on several occasions during 2015 to seek to negotiate on an SFCA Appraisal Model Policy Checklist Document.

The SFCA Checklist replicates the NASUWT Performance Management Checklist in all respects, except that the SFCA was unable to agree to the inclusion of an overall limit on observations. For this reason, unlike other unions, the NASUWT was unable to agree this document.

SFCs will now seek to develop appraisal policies in line with this guidance and are obliged to consult with members. It is vital that an overall limit of three one-hour observations is secured through these consultations. Where observations in a college are currently less than three, the status quo should remain, using the 'no detriment clause' in the SFCA document.

The NASUWT has produced a range of materials and documents in relation to managing your appraisal, which you can find at **www.nasuwt.org.uk/PerformanceManagement**.

Where members are in SFCs that are operating policies or practices where the three-hour observation limit is being abused or where they seek to introduce more observations, advice should be taken immediately from the NASUWT.