

**THE NASUWT SUPPLEMENTARY SUBMISSION
TO THE WALES INDEPENDENT SCHOOL TEACHERS' REVIEW BODY
11 APRIL 2019**

The NASUWT – the teachers' union.

If you require further information about this submission, please contact:

Ms Chris Keates
General Secretary
NASUWT Cymru
Greenwood Close/Clos Greenwood
Cardiff Gate Business Park/Parc Busnes Porth Caerdydd
Cardiff/Caerdydd
CF23 8RD

0121 453 6150
www.nasuwt.org.uk
nasuwt@mail.nasuwt.org.uk

CONTENTS

	Page
1. Introduction	3
2. The Welsh Government's Evidence	3
3. The WLGA's Evidence	8
4. Conclusion	9

1. Introduction

- 1.1 The NASUWT is pleased to make this supplementary evidence submission to the Wales Independent School Teachers' Review Body (the Review Body).
- 1.2 Whilst the NASUWT recognises the challenges presented to the Review Body, given that this is the first remit, the Union draws to the attention of the Review Body the extremely constrained timetable for the submission of both initial and supplementary evidence. The NASUWT was still receiving submissions from consultees as late as 3 April, giving just over a week to respond to these.
- 1.3 Given the importance of the issues under consideration, it is vital that sufficient time is given to consultees to submit evidence and also respond to initial evidence submissions. The Union notes the ambitious programme which the Review Body has set itself, including consideration of the recommendations in the Waters Review, *Teaching: A Valued Profession*. Future Review Body, remits will, therefore, be more complex than the first remit and it will be particularly important to have a realistic timetable for evidence submissions.
- 1.4 Many of the initial submissions from consultees focus on school funding issues which are not within the Review Body's remit. The Union asks the Review Body not to be diverted from its remit in this regard.
- 1.5 It was important that affordability was removed from the remit following consultation by the Welsh Government, enabling the Review Body to focus on the matter for recommendation without being unnecessarily constrained. The matter for recommendation in the remit is: *'what adjustments should be made to the salary and allowance scales for classroom teachers, unqualified teachers and school leaders, to ensure the teaching profession in Wales is promoted and rewarded to encourage recruitment and retention.'*
- 1.6 One of the considerations to which the Review Body is to have particular regard is: *'wider economic and public sector financial context and labour market conditions.'* However, this is not affordability. This is to enable consideration of issues relating to teachers' pay, teacher supply and the graduate labour market, which are key elements of the NASUWT's submission.
- 1.7 At the heart of the Review Body is that recommendations are based on the evidence presented on the issues within its remit. The implementation of these then becomes a matter for the Welsh Government.

2. The Welsh Government's Evidence

- 2.1 The NASUWT has already commented on the agreement between the unions, the Welsh Local Government Association (WLGA), the Welsh Government and the Minister for Education that affordability would not be specifically referenced in the remit.

- 2.2 It is, therefore, of concern to the NASUWT that the Welsh Government has included in its own evidence Chapters 2 and 3, which focus on affordability and support the Welsh Government's contention that local authorities will not be able to afford an increase in teachers' pay in 2019/20 which is higher than 2%.
- 2.3 The extent to which local authorities would need to increase council tax under the current school funding methodology to fund a pay increase for teachers is not a matter for the Review Body, but for the Welsh Government and local government.
- 2.4 The NASUWT makes the following observations on the Welsh Government's submission on funding:
- (i) The school funding system in Wales does not include a hypothecated schools budget which local authorities have to use for school funding. Without a hypothecated schools budget, there is always a risk that funding intended by the Welsh Government for schools will be spent elsewhere by local authorities. However, local authorities are required to pay a statutory pay award for teachers and therefore the implementation of an above-inflation award would be funded for.
 - (ii) The inability of the Welsh Government, as it states that to 'identify the schools element' of local authority budgets calls into question the claim that only 2% is affordable.
 - (iii) The overall level of reserves in Welsh schools increased from 2017 to 2018 by 10% and now stands at £111 per pupil (Paragraph 3.3, page 20). Reserves have now reached £50.4 million across Wales.¹ There are 23,871 teachers in Wales² and the overall level of reserves in schools equates to £2,111 per teacher, just over 5% of the salary of a teacher on the maximum of the main pay range.
 - (iv) The Welsh Government has indicated that it believes that the funding gap between English and Welsh schools has been 'virtually eliminated'. Indeed, gross schools expenditure per pupil is budgeted by the Welsh Government to be £5,675 in 2018/19. In 2017/18, the year for which the Department for Education (DfE) has published the most recent data, per pupil funding in the schools budget was £5,138. The NASUWT would not wish to draw an exact comparison without factoring in the impact of special educational needs and disabilities (SEND) funding and, therefore, reserves judgement on the wider issues at this stage, but nevertheless notes the Welsh Government's claim.
- 2.5 These factors do not remove the need for the Welsh Government to invest in the schools sector and in education generally. Neither do they support the Welsh Government's request that the Review Body implements, in effect, a 2% pay cap.

¹ <https://statswales.gov.wales/Catalogue/Local-Government/Finance/Revenue/Delegated-School-Outturn/levelofreservescarriedforward-by-sector>

² *Welsh Government's Evidence to the Independent Welsh Pay Review Body, The 2019 teachers' pay award*, March 2019. Table 2, page 23.

- 2.6 The Welsh Government's own evidence supports the view that a 2% pay increase for teachers would be inadequate and would lead to teachers' pay in Wales becoming even more uncompetitive. The Welsh Government's submission states:

*'Regular pay (i.e. average earnings excluding bonuses, which are volatile) in the three months to December increased by 3.4% compared with the same three months a year earlier. After inflation, regular pay increased by 1.2%.'*³

- 2.7 The NASUWT asks the Review Body definitively to reject the Minister's proposal that the recommendations made should not in total exceed 2% of the salary bill.

- 2.8 The Minister also asks the Review Body to agree to renege on one of its matters for consideration, that teachers in Wales should not suffer any detriment in comparison with teachers elsewhere in the UK. The Minister has interpreted this as simply repeating the claim made by the Westminster Government to the School Teachers' Review Body (STRB), that 2% should be given to teachers in England, but that it should also be applied to teachers in Wales. The STRB has not yet made any recommendation on the level of the 2019/20 pay award. In effect, the Minister is asking the Review Body in Wales to adopt the position which the Westminster Government has taken for teachers in England. The NASUWT believes this to amount to a failure on the part of the Minister to acknowledge the position of teachers in Wales and the independence of the Review Body in Wales.

Teachers' and School Leaders' Pay Scales

- 2.9 The NASUWT notes the widespread consensus across consultees that pay scales should be restored to the teachers' pay framework in Wales. The Welsh Government appears to recognise the advantages of this:

*'Ideally we would prefer the reintroduction of scale points to provide national rates for all teachers. Such clear points are far simpler to administer and provide greater consistency and transparency across the profession.'*⁴

- 2.10 However, the Welsh Government then stops short of arguing for a return to pay scales:

'Therefore, consideration could be given to the reintroduction of "indicative scale points", as since their removal by DfE in 2014, local authorities in Wales, as indicated above, have provided their own indicative scales to schools. This has helped schools to calculate/decide on individual progression points between the pay range minimum and maximum. Following changes to min and max rates over recent years, Welsh local authorities have also provided advice and potential annual amendments to these intermediate scale points.'

³ Ibid, paragraph 1.2, page 11.

⁴ Ibid, paragraph 5.5, page 55.

- 2.11 It is the case, of course, that Welsh local authorities have provided 'indicative scales' to schools since these were removed from the School Teachers' Pay and Conditions Document (STPCD). However, as outlined in the NASUWT's initial evidence, the WLGA has offered different models, thereby leading to administrative confusion and unnecessary expense, as identified by the Welsh Government.
- 2.12 More importantly, the different models on offer from the WLGA to schools and to Welsh teachers have denied teachers certainty over their pay and have exacerbated the recruitment and retention crisis.
- 2.13 The Welsh Government has demonstrated that it is, in fact, confused over the matter:
- 'Nationally recommended pay ranges could therefore help provide schools with a simplified pay system, with national standardised scales for pay to be applied for all teachers and school leaders in Wales.'*
- 2.14 The key issue is whether these are recommended to schools or whether they are statutory for all teachers in Wales. If they are only recommended, there is little reason to believe that they will have the beneficial impact the Welsh Government advocates of providing schools with a simplified system. The administrative confusion, unnecessary expense and uncertainty for teachers about their pay will continue.
- 2.15 The NASUWT reiterates its request for the national pay scales it has outlined in its evidence submission to be restored to the Welsh STPCD.

Teacher Supply and Recruitment and Retention

- 2.16 The NASUWT notes that the Welsh Government's submission asserts that *'recruitment and retention rates throughout Wales show little evidence of concern'*. The NASUWT's initial submission makes clear that this assertion cannot be substantiated on any sound basis. Instead, the recruitment and retention situation in Wales is deteriorating and is entering a period of crisis.
- 2.17 There is a specific matter raised in the Welsh Government's submission that merit further comment: the use of financial incentives to attract graduates into the profession.
- 2.18 In respect of financial incentives, the NASUWT notes the significant emphasis placed in the Welsh Government's evidence on the funding it makes available to trainees in a narrow range of subjects: those with particular first degree classifications and those with higher degrees.
- 2.19 Experience gained elsewhere on the effectiveness or otherwise of such programmes in securing effective and sustainable levels of teacher supply is instructive in this respect. For example, in England, a comparable range of incentives has been introduced since May 2010. However, in its most recent assessment of these programmes, the National Audit Office (NAO) was clear that there is no conclusive evidence that such incentives provide meaningful support to the maintenance of teacher supply. The NAO noted that it was not possible to identify the extent to which bursaries were paid to those who

would have applied to enter teacher training in any event. It also observed that there was little evidence of the relationship between the payment of incentives and the number of trainees who enter and remain in teaching for a significant period.⁵

- 2.20 The Review Body should treat cautiously any suggestion that the payment of incentives of the type offered currently by the Welsh Government is proven to incentive teacher recruitment and retention.
- 2.21 The NASUWT believes that the statement from the Welsh Government in its evidence that '*recruitment and retention rates throughout Wales show little evidence of concern*' is also undermined by the Welsh Government's own evidence.
- 2.22 There are inaccuracies in the facts and figures presented by the Welsh Government. For instance, the Welsh Government maintains that Table 4 reflects the fact that teachers leaving the profession have stayed relatively consistent since 2010. However, Table 4 excludes teachers leaving at normal retirement age and fails to recognise the numbers of teachers retiring early, which have been at the highest levels in the last three years.
- 2.23 Furthermore, Chart 14 shows, in general, an increasing number of teachers leaving the profession, except those with more than 26 years of experience. However, the number of teachers in this age group has reduced significantly in recent years, from 9,029 in 2013 to 6,804 in 2017.⁶
- 2.24 Chart 13 shows that the group with 0-5 years of experience has the highest number of teachers leaving the profession. This is recognised by the Welsh Government in the paragraph immediately following the table: '*The largest group of teachers leaving the profession is seen in those with 0-5 years' experience, making up 19.3% of leavers*'. However, in a subsequent paragraph, the Welsh Government inexplicably states: '*The number of teachers with 0-5 years' experience leaving the profession is relatively low.*'
- 2.25 The information provided by the Welsh Government indicates that there is a serious retention problem of teachers in Wales.
- 2.26 The Welsh Government's evidence in Tables 5 and 6 and Charts 16 and 17 replicates the NASUWT evidence and indicates that there are issues with recruitment as well. The Welsh Government's assertion, without any evidence to support it, that teacher number levels will be maintained by re-entrants to the profession demonstrates a failure to understand the issues.
- 2.27 The Welsh Government provides no evidence that the incentives to recruit students to train in priority subjects have a positive effect. Indeed, it can be concluded from the figures in section 4.11 of the Welsh Government's

⁵ National Audit Office (2016). *Training new teachers*. HC 798 Session 2015-16. Available at: (<https://www.nao.org.uk/wp-content/uploads/2016/02/Training-new-teachers.pdf>), accessed on 09.04.19.

⁶ Education Workforce Council, *Annual Statistic Digest 2017*, <http://www.ewc.wales/site/index.php/en/policy-hub/statistics-archive.html>

evidence that there remains a clear recruitment problem concerning not only the priority subjects, but also across the board. This is summed up by the statement on page 44 of the Welsh Government's evidence:

'Initial unverified data from individual providers for the academic year 2017/18 and 2018/19 shows a continuing decline in recruitment to target across most subject areas.'

2.28 The remit to the Review Body includes as a matter for consideration:

'The need to ensure consistent and reasonable pay arrangements which encourage teacher professionalism and supporting [sic] recruitment and retention of sufficient quantity and quality of teachers and leaders.'

2.29 The NASUWT draws to the attention of the Review Body that the Welsh Government's own evidence indicates the failure of the current pay arrangements to do this.

Equalities and the Public Sector Equality Duty (PSED)

2.30 The Welsh Government states in its submission that:

'Equality should be the central feature of pay systems and regular equal pay reporting undertaken. Annual gender pay gap reports should also be undertaken in line with Welsh public sector equality duties.'

2.31 The NASUWT agrees with this aim but is aware that pay and pay progression equalities monitoring is rare in schools despite it being subject to the Public Sector Equality Duty (PSED). The NASUWT has campaigned on this matter for several years and has made many requests to local authorities and regional consortia to include this as a requirement in model pay policies.

2.32 The Union would therefore welcome the Review Body recommending that equalities monitoring should be undertaken and that the reporting of its outcomes be made a requirement in the new Welsh STPCD.

3. The WLGA's Evidence

3.1 The WLGA does not agree with the Minister for Education that *'there is little evidence to suggest that [recruitment and retention] is a significant concern across Wales.'* The WLGA has stated: *'Local authorities continue to report some difficulties in recruitment. These can vary from authority to authority and can be influenced by a range of local market conditions.'*

3.2 The WLGA asks the Review Body to reject targeting of the award, stating: *'The WLGA would wish to see a consistent approach in 2019 to the application of any pay award to all ranges and all parts of the teaching profession and not have any targeted pay with different percentage uplifts within the same pay ranges, or between the ranges.'*

3.3 There is a clear consensus across all consultees that the 2019/20 pay award should not be targeted at specific groups of teachers.

3.4 The NASUWT reminds the Review Body that a consistent approach to the application of any pay award to all ranges and all teachers can only be achieved by ensuring that all teachers and school leaders in Wales are paid on pay points which are statutory and included in the Welsh STPCD.

4. Conclusion

4.1 The NASUWT has set out its initial evidence, its issues for recommendation. Nothing in the submissions from the Welsh Government, WLGA or any other consultee in anyway changes the NASUWT's rationale for and evidence in support of its recommendations.

4.2 The Review Body must not allow itself to take into consideration issues which are not specific to its remit

4.3 It is unacceptable for the Welsh Government to have agreed to remove this from the remit and then to seek to reinstate it by way of its submission.

4.4 This is the first remit for the Review Body. Teachers will be relying on the Review Body to follow the evidence and demonstrate its independence. They will also be looking for the Review Body to address the deficiencies and inequalities in the pay system by abandoning the Westminster Government's concept of pay ranges, which have been decisive and contributed to the serious decline in teachers' pay and restoring clear statutory pay awards to ensure all teachers and head teachers benefit from the recommendations.