

SCHOOL SUPPORT STAFF - THE WAY FORWARD

GUIDANCE NOTES

1. *Introduction*

- 1.1 An NJC working group was set up in 2001 to consider issues related to support staff working in schools. Extensive consultations have taken place on training and development, the use of fixed-term contracts and the development of local career structures that allow the changing roles of support staff to be recognised. The National Agreement – *Raising Standards-Tackling Workloads* – presents new challenges to the way that many support staff are deployed, supervised and managed. This guidance seeks to encourage LEAs to continue to support the development of support staff in schools.
- 1.2 LEAs have a key role to play in developing local frameworks to assist schools to recruit, retain and develop a skilled and committed workforce. This guidance has been developed to help employers work with schools locally to develop local strategies. LEAs will be at different stages in addressing the national agenda. Authorities that have undertaken grading reviews are likely to have already addressed most of the issues covered by this guidance. Advice on fixed term contracts may need to be revised to take account of this guidance.
- 1.3 An important starting point will be local discussions with recognised unions on guidance for schools. Early involvement of schools in those local discussions will ensure that their views are taken into account. Maintained schools where the LEA is not the employer should be invited to join the local discussions together with the trade unions.

2. *Employment and working time*

- 2.1 As has been demonstrated by recent developments, support staff are willing to play their part in meeting new demands in schools. Implementation of the workload agreement will lead to changes in many support staff roles and responsibilities but any changes to contracts should be negotiated. For example, extra hours of work will need to be agreed; any additional responsibilities will need to be assessed against the grading system.
- 2.2 Under the terms of the Education Act 2002, staff in community schools are employees of the LEA, although head teachers and school governors have delegated management responsibility. Unlike teachers, working time for support staff is based on an individual contract within the national framework, which needs to cover all expectations for managed time. This means that staff should be paid for all hours worked whether in or outside the pupils' day.

3. *Guidance on fixed-term employment and training and development*

- 3.1 New Regulations on fixed-term employment came into force on 1 October 2002. The attached guidance reflects the application of this legislation to school support staff.
- 3.2 Guidance on training and development is also attached. The NJC is keen to promote inclusiveness and equality of access for school-based staff to support appropriate career development opportunities.
- 3.3 Many schools are relatively small units and this may restrict the development of careers. Career development will need to be matched by opportunities for training that may be difficult for individual schools to meet by themselves. Authorities will be well placed to support schools in developing opportunities that cannot initially be met because of comparatively limited resources in many schools.

4. *Grading structures and Job Profiles*

- 4.1 The NJC for Local Government Services national agreement is known as the "Green Book". It contains the national framework of key terms and conditions of employment for the overwhelming majority of school support staff. The NJC's framework on pay and grading provides a national pay spine as the basis for locally determined grading structures. The Pay Commission, established by the NJC, is currently assessing that framework.
- 4.2 An important part of the 1997' Single Status' Agreement requires authorities to undertake local pay reviews. These will often be based on job evaluation.
- 4.3 The LGA's HR executive has reinforced that local reviews should include support staff in schools, as required by the NJC's agreement. The distinctive responsibilities of schools in HR decision making will continue to be an important factor in devising and implementing those local pay reviews.
- 4.4 Distinctive features of schools can only be effectively dealt with by local decisions. It is impossible for a national review to cover all the types of schools ranging from nursery schools through primary, secondary and special schools as well as PRUs and other dedicated units.
- 4.5 The job profiles that are part of this guidance are not designed to cover the level of detail that would be expected in a job description. LEAs will want to reflect local priorities and ways of working by using the profiles to develop detailed job descriptions that can be evaluated in accordance with local grading schemes.

5. *Job Profiles*

5.1 The job profiles take account of a number of factors, including existing practice in schools and the National Workload Agreement. The signatories to the Workload Agreement suggest ¹ that:

“schools should deploy more support staff in extended roles, including personal administrative assistants for teachers, additional technical support, new managers from outside education, cover supervisors and higher-level teaching assistants”.

5.2 The attached draft job profiles cover three “families” of support staff roles, broadly grouped as Teaching Assistants, Curriculum/Resource Support and Administration and Organisation. The Teaching Assistant role is split into two further streams, one covering classroom-based activity (“supporting and delivering learning”) and the other behaviour guidance and support. The roles are set against a four-part structure based on increasing skills levels.

5.3 The profiles have been kept at a broad level for a number of reasons:

- The NJC’s agreement is based on local assessments of the relative value of duties, responsibilities and recruitment factors
- Jobs and roles are developing in schools to meet new demands and are best assessed in local frameworks.
- LEAs and schools are at different stages of development

5.4 Implementing changes will require a number of local decisions on training to support the development of skills and allow for equality of access, as well as to meet national standards, such as the Higher Level Teaching Assistant (HLTA) standards. These standards have been developed by the Teacher Training Agency and are based on the standards for qualified teachers.

5.5 The national approach of providing job profiles sets a starting point to encourage a structured approach to job and career development and to clarify the increasing levels of responsibility and autonomy that staff can expect to take on if they progress through the four levels of the model. In respect of levels of managerial supervision, it may be helpful to refer to the structure chart at the beginning. It is important to read the profiles in conjunction with the Section 133 regulations entitled *The Education (Specified Work and Registration) (England) Regulations 2003* and

¹Raising Standards and Tackling Workload - a national Agreement”
Joint Statement from the Signatories

guidance, agreed by the Workforce Agreement Monitoring Group (WAMG). This explores the system of supervision that is required for support staff undertaking specified work in schools.

- 5.6 There has been a wide-ranging national debate about the respective roles and responsibilities of teachers and teaching assistants. The national agreement "Raising Standards and Tackling Workload" makes it clear that teachers and HLTAs are not interchangeable and goes on to state:

"qualified teachers make the leading contribution to teaching and learning, reflecting their training and experience. Each class/group for timetabled core/foundation subjects must be assigned a qualified teacher to teach them (subject to the existing qualified teacher provisions). Accountability for the overall learning outcomes of particular pupils must rest with that pupil's qualified classroom/subject teacher."

- 5.7 There has been particular concern over supervision and levels of autonomy for teaching assistants and other classroom-based support staff. New standards have been developed for HLTAs and this guidance has taken account of these. In developing local job descriptions, employers will need to reflect the fact that the level of supervision required from the assigned qualified teacher will vary according to the skills, expertise and experience of the support worker.
- 5.8 At skill level 1, the profiles suggest that staff will be working "under direction/instruction". The national guidance says, "an inexperienced teaching assistant would require direct supervision and should not be left alone with a class".
- 5.9 At skill level 2, the profiles show that staff will be working "under instruction/guidance". The guidance says, "as the member of support staff gains experience, develops new skills or acquires additional qualifications, the role they undertake may need to be reviewed together with the system of supervision required".
- 5.10 At skill level 3, the profiles suggest that staff will work "under guidance". The national guidance points out "the nature of the supervision may vary according to the level of 'specified' work undertaken"
- 5.11 At skill level 4, the profile states that staff will work "under an agreed system of supervision/management". The WAMG guidance says, "experienced support staff with appropriate training and qualifications, may be given greater autonomy...within the framework set by the teacher."
- 5.12 Local discussions involving recognised unions, employers and schools to develop the NJC's guidance will help to ensure that the arrangements in

schools for supervision and guidance in classrooms fully reflect the guidance related to the new regulations.

- 5.13 The Welsh Assembly Government will consider the equivalent regulations for Wales in due course.

6. *Conclusions*

- 6.1 The commitment of support staff to the work of schools is a key factor in achieving success. That commitment needs to be matched by continued investment in developing structures at LEA and school level, which cover all aspects of career development. Local frameworks and grading structures need to allow for new demands and recognise that change is more effectively delivered in partnership with all parties.