



SOULBURY OFFICERS' SIDE PAY AND CONDITIONS OF SERVICE CLAIM 2018

This pay and conditions of service claim is submitted by the Officers' Side of the Soulbury Committee national negotiating body, comprising Prospect, the Association of Educational Psychologists and the NUT Section of the National Education Union.

The professional workforce covered by the terms of the Soulbury national agreement continues to support local authorities in discharging their statutory responsibilities in respect of schools, children and young people. Despite the many ongoing changes in local government and local authority functions, these remain key responsibilities in ensuring the highest standards of education and achievement for our young people.

The Soulbury Officers' Side represents educational improvement professionals, educational psychologists and managers of young people's & community services employed by local authorities. The key points of the submission are as follows:

- We remain committed to the national negotiating arrangements and the national pay and conditions agreement for the Soulbury workforce. We believe that it helps employers accommodate these professional groups within a pay and conditions structure tailored to their specific needs and interests.
- Our members continue to be concerned at the continuing threat to their employment and at the worryingly high workloads caused by the continuing loss of posts, failure to recruit and retain to vacancies, and reorganisation of services. An effective national agreement can support local authority employers in recruiting and retaining staff and managing their workloads in such circumstances, while providing a foundation for the restoration of these services when the twin problems of funding constraints and ideological opposition to local authorities' role in supporting schools and young people begin to change. Maintaining a properly rewarded and motivated cadre of Soulbury employees will enable local authorities to respond quickly and professionally to additional responsibilities when these arise (eg if an introduction of a home education register became mandatory or a non-maintained school requires immediate and urgent professional support).
- The first of our priorities is a significant increase in pay, beginning with an increase of 5% on all pay points, which will begin to address the substantial real terms cuts which Soulbury employees have, like other public sector workers, suffered through a combination of public sector pay restrictions and increases in pay deductions from 2010 onwards.

- The second priority is a review of the current Soulbury pay structure in order to ensure that the various scales and ranges and provisions governing their use reflect the current situation within LAs and other related organisations using the Soulbury agreement.
- The third priority is a serious discussion on the impact of the erosion in conditions of service entitlements in many authorities and services, which have hit Soulbury employees harder than many other local government workers.

THE FUTURE OF LOCAL AUTHORITY SOULBURY SERVICES

The Officers' Side reaffirms its belief in the central role of local authorities and their Soulbury-paid professional officers in delivering State-funded education provision and services to schools and to young people.

There is now a growing debate on whether the cuts to local government support services to their communities, including to schools and to children and young people, have gone too far. Authorities are increasingly vocal that cuts to their funding must begin to be reversed and services begin to be restored. Political parties are increasingly debating the nature of a stronger and reinvigorated middle tier, operating within a successful national education service, which provides as well as commissions education support services for schools. Any decision to move in this direction would benefit from the continuing support of a strong national pay and employment structure for the workforces involved.

In the meantime, however, the number of Soulbury-paid officers employed directly by local authorities has continued to fall, due to reduction, removal and outsourcing of services, while the remaining officers find their workload increased significantly by loss of colleagues or difficulties in recruiting or retaining colleagues in post. Other issues hampering morale include ever-decreasing administrative support, loss of car allowances and parking, and an increased pressure on more and more officers to work from home, reducing access to regular professional support.

The responsibilities placed on local authorities by Government, however, continue to grow. The availability of specialist advice, guidance and professional support becomes ever more important as the range of issues on which these are needed by schools becomes increasingly diverse. Local authorities now have extra responsibilities, such as providing key leadership and strategic support on the Prevent duty and those for young people with Special Educational Needs (SEND) up to the age of 25. Schools and local authorities have also had to deal with an increasing focus on issues such as home schooling, safeguarding and mental health, while continuing to cope with a demanding agenda in respect of school improvement. All of these have contributed towards challenges for Soulbury professionals.

The Children and Families Act 2014 whilst welcome, has contributed to a 'perfect storm' for local authorities delivering services to children and young people with additional needs. This has substantially increased the work needing to be carried out by educational psychologists which has had, in turn, a damaging impact on their retention and recruitment. The increase in demand for Education and Health Care Plans, extension of the Act to include children from birth to the age 25 years and the additional duties embedded in the Act have not been supported by the additional funding necessary to support its implementation. This problem is added to by the greater number of children reported missing from education or permanently excluded from school and demands created by young people in school with mental well-being concerns. The Government's wish to focus on young people's mental health issues is also leading to an increased demand for support from educational psychologists, as is the development of critical and major incident strategies for schools and LAs where EPs provide an immediate response in the event of such incidents. The DfE has recognised the national shortage of EPs by increasing the number being trained by over 30% in the past 5 years and has commissioned research on the future workforce needs, due to report by Autumn 2018.

Meanwhile, in the area of school improvement services, the LGA/ISOS report '*Enabling School Improvement*' demonstrates that the LGA and its constituent members recognise the necessity of local authorities continuing to play an effective strategic role in supporting

educational achievement for young people. We believe that local authorities are crucial for promoting and facilitating school improvement and in supporting schools to secure positive educational outcomes for all their children and young people. We would, however, take issue with the position adopted in that report which appears to envisage the role of local authorities as being focused on convening and supporting local partnerships and acting as “independent and impartial brokers” of services. We think that authorities should aspire to play a greater role. A partnership-based system for school improvement can be based on local authorities playing a part as both an essential strategic adviser and a provider of independent and impartial services to schools. The alternatives being advanced - which would force schools into ever-increasing reliance on unstable arms-length or private sector providers for support services - are both less effective and more costly than fully integrated services provided by a professional employed workforce.

While the trend continues towards provision of Soulbury services (in particular school improvement services and some EP services) by third party providers, we believe that the Soulbury Report should be amended to make clear that its provisions are jointly recommended as terms and conditions of employment not only to local authorities but also to others engaged in the provision of such services. Therefore, we propose that a new paragraph 2.2 should be added to the Soulbury Report as follows:

- 2.2 The Soulbury Committee recommends that this should apply not only to officers employed in such functions by local authorities but also to officers employed in such functions by organisations paid to provide such services by local or central government or the Welsh Assembly Government.

Soulbury officers, however they are employed, will continue to work as part of a national education service delivered locally. The Soulbury agreement must provide a competitive and credible employment proposition within a national framework of pay and conditions in order to help recruit and retain staff with the skills and experience required by that service. Beginning the process of redressing the uncompetitive position of Soulbury staff relative to other comparable groups of professionals in terms of pay and career prospects and progression is therefore essential.

SOULBURY PAY

The Officers' Side believes that its pay claim is supported by the available evidence on recruitment and retention, trends in pay comparability for Soulbury staff and, in particular, the key comparator group of school leaders, and the impact of pay freezes and below inflation pay increases.

Pay for Soulbury staff – the Officers' Side claim

The Officers' Side believes that the pay scales for Soulbury officers should be increased significantly to begin to address the considerations set out in this submission. In common with other public sector unions, the Officers Side unions are seeking an increase of 5% in the value of all Soulbury pay scale points and all pay-related and London allowances from 1 September 2018.

The Officers' Side notes the NJC for Local Government Services agreement that employees covered by that separate negotiating body should receive a pay increase of at least 2% from April 2018 and April 2019. This agreement should form a minimum baseline for consideration of the pay increase for Soulbury employees, following the below-inflation pay increases and pay freezes of recent years, but it should not be assumed that this level of increase will suffice to address the circumstances of the Soulbury workforce and Soulbury services.

Recruitment and retention issues

The most recent Soulbury workforce survey, carried out as at September 2013, showed that despite the substantial reduction in the number of officers working in local authority Soulbury services, authorities were still reporting problems in recruiting to posts which they did seek to fill. One in four authorities had, in the previous 12 months, experienced recruitment difficulties in appointing EIPs while two thirds had experienced difficulties in recruiting main scale EPs. Vacancy rates for both groups were higher than for school teachers. Half of authorities had cited issues with the quality of applicants attracted to advertisements, while one third had specifically cited problems with inadequate pay. There is little to suggest, given the absence of a further workforce survey and the further pay restrictions of the past three years that these problems will have lifted when the results of the 2018 survey are published in June.

Another insight into recruitment and retention is provided by an analysis of advertisements for EP vacancies placed by LAs in the Association of Educational Psychologists' member bulletin. While the number of vacancies advertised has fallen slightly (around 350-400 in 2017 and 2018 compared to almost 500 in 2015), most main grade vacancies are advertised at the maximum range available and many more senior vacancies are advertised on EIP scale points in order to offer more money than permitted by the EP B scale. Many authorities say that the fall in adverts is due to an expected inability to recruit, not to a fall in vacant posts, and many are therefore being obliged to use agency staff (where they are available) in order to try to meet statutory deadlines, incurring higher costs than employing on Soulbury pay rates.

Pay in real terms

With a combination of pay freezes and below inflation increases from 2010 onwards, the real value of Soulbury officers' pay has been cut significantly, even before the impact of other matters such as increased pension costs on their take home pay. This trend has been

intensified by higher rates of inflation since 2016. The Retail Prices Index was 2% in September 2016 and the latest rate was 3.3% in March 2018. The Consumer Prices Index also increased from 1% to 2.5% in the same period.

Cumulatively, between September 2009 and September 2017, inflation rose by 27.5% when measured by the Retail Prices Index or 19.6% when measured by the Consumer Prices Index. Soulbury pay increases over this period, on the other hand, have an aggregate value of only 5.29%. If Soulbury officers' pay had risen between September 2009 and September 2017 in line with the increase in the Retail Prices Index, their pay rates would be very much higher as set out below:

Soulbury pay shortfall

Education Improvement Professionals

EIP point 8 £51,243 compared to actual £42,321

EIP point 20 £68,278 compared to actual £56,391

Educational Psychologists

Scale A point 8 £58,375 compared to actual £48,221

Scale B point 8 £66,185 compared to actual £54,661

As noted above, Soulbury officers have also faced significant increases in pension contributions, greater than those for most other local government employees, under the LGPS's tiered contribution arrangements. Most Soulbury officers are now paying 8.5% or even 9.9% of their pay in pension contributions compared to 7.2% or 7.5% in 2009, cutting the value of their take home pay further.

Pay comparability with employees generally

While the pay increases of Soulbury officers have been suppressed, average earnings elsewhere in the economy have continued to grow.

Between 2009 and 2017, average earnings across the whole economy showed an increase of 15.4% compared to the Soulbury pay increase of 5.29% referred to above. Earnings across the economy rose by 2.3% between September 2016 and September 2017 alone, while the Soulbury two year agreement for September 2016 to September 2018 provided only an increase of 1% in each year. The upward trend in earnings continues, with forecast annual rates of increase of 2.7% for 2018 (whole year forecasts). Pay increases for Soulbury officers which are below increases in earnings in the economy generally must not continue indefinitely.

Pay comparability with appropriate professional comparators

For education improvement professionals, the Officers' Side continues to believe that the importance of being able to recruit from senior levels of the teaching profession for many Soulbury roles means that pay comparisons with that group continue to be hugely relevant.

The three examples below - which relate to the current equivalents of what were, for many years, the agreed pay comparators for Soulbury roles - suffice to demonstrate the pay gap which has developed between Soulbury pay and the pay of school leaders and education professionals. It is still the case that in the case of such roles, dealing as they often do directly with school leaders, authorities will seek to recruit from senior levels of the teaching profession. The pay levels available are neither appropriate nor sufficient to allow this.

Soulbury pay and professional comparisons

Soulbury Senior EIPs

Minimum point £48,597 point 13

Head teachers Group 5¹

Median salary point £80,310 point L30
Typical range £71,053 to £81,478 points L25-L31

Soulbury Lead EIPs

Minimum point £56,391 point 20

Head teachers Group 7

Median salary point £93,020 point L36
Typical range¹ £84,339 to £97,692 points L32-L38

Senior professionals in education²

Median salary £68,852
Interquartile range £63,253 to £81,165

¹ "Typical pay range" points taken from most recent STRB Pay Survey (September 2008 table 3 p34-35)

Values of pay points taken from joint teacher union advice on reference pay points (September 2017)

² "Senior professionals in education" taken from Incomes Data Research pay levels database

For educational psychologists, the most appropriate professional comparators are clinical psychologists employed and paid under the NHS Agenda for Change (AfC) pay scales. Most psychology graduates will look carefully at the training routes and pay structures of both careers before committing themselves to the 3 years' doctoral training necessary in order to become an EP. (They will, however, also be working with and seeking to influence school leaders from the beginning of their careers, so comparisons and parity with school leaders are certainly not irrelevant to them.) The greater number of clinical psychologist pay points and salary ranges are not reflected in the Soulbury Salary Scale. This restricts progression and opportunities for educational psychologist to take on additional professional and managerial duties.

Soulbury EP pay and professional comparisons

Soulbury EPs

Typical scale £39,359 to £48,211 Scale A points 3-8

Clinical Psychologist (NHS)¹

Typical pay bands for experienced CPs £40,428 to £48,514 band 8a

£47,092 to £58,217 band 8b

Soulbury Senior EPs

Typical scale £48,211 to £52,903 Scale B points 3-6

SIMPLIFYING & STRENGTHENING THE SOULBURY PAY SPINES

The Officers' Side proposes that the Soulbury Committee should consider the case for reviewing and amending the Soulbury pay structure in order to make improvements which would allow authorities to offer additional pay opportunities of benefit to employers and employees alike.

Various other public sector pay negotiations have paid attention this year to the case for changes which would modernise pay structures and improve their attractiveness and understandability. The NJC for Local Government Services agreement referred to earlier provides for a new pay spine from 2019, while the NHS pay agreement proposes simplifying pay bands in order to ensure higher starting salaries and help staff more quickly reach the full rate for their job.

Firstly, the Officers Side proposes that, in order to help authorities recruit and retain staff and in order to respond to existing practice among authorities, the starting point of most spines or scales should be increased with, where appropriate, a commensurate addition of points at the top of those scales.

Scales A and B for EPs should have points 1 and 2 removed and two points added at the top. In the case of Scale A, the three six point scales permitted to local authorities would then become 3-8, 4-9 and 5-10, with authorities retaining the right to choose which of those scales they use.

It is also time to consider the reduction of the length of the spine for Education Improvement Professionals. We suggest that SP1-4 should be eliminated, making SP5 the first point on the scale. This would provide a significant boost to the lowest paid professionals and improve the attractiveness of roles. The length of this spine would still be longer than the other Soulbury pay spines. We also propose that the minimum points for the specific categories of EIP should be increased by at least two points and that advice is issued confirming that no EIP should be paid below the minimum starting point for their category of post. In order to help give effect to the immediate pay increase proposed earlier in this submission, the Officers Side proposes that for EIPs this could be achieved by immediate pay progression by one point on the pay spine. Finally, mindful of the wholesale removal of posts (particularly at Principal level) and the associated increases in workloads and flexibility, we propose that the minimum points for the specific categories of YP/CSMs should also be increased by at least two points and that advice is issued confirming that no YP/CSM should be paid below the minimum starting point for their category of post.

The Officers Side has previously also proposed changes to the Structured Professional Assessments ('SPA') system, established in 2001 in order to help maintain a competitive pay structure and provide additional recognition and reward for Soulbury-paid officers. We hope that the recent joint guidance on the application of the SPA criteria and processes has led to a fuller understanding of the current system on the part of local authority HR officers, in particular ensuring that more Soulbury officers have access to the third SPA point. Although the Soulbury agreement makes it clear that the third SPA point is not subject to any quota, far too few Soulbury officers are in practice in receipt of that point. The criteria for the third SPA point should be reviewed to ensure that officers are not unreasonably being denied progression.