

# Employment Matters Committee – Supplementary agenda No.1

**A meeting of the Employment Matters Committee will be held on:**

**Date:** 19 February 2013

**Time:** 7.00pm

**Venue:** Meeting Room 2 - Level 3, Gun Wharf, Dock Road, Chatham ME4 4TR

## Items

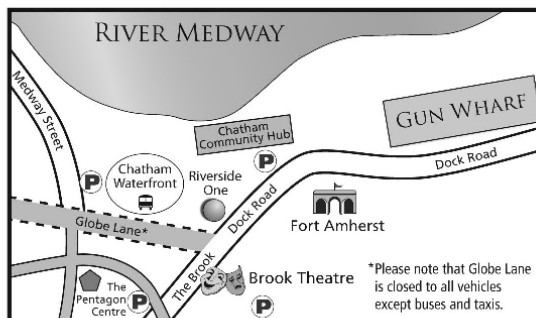
**5 Pay Review - National Agreement**

**(Pages  
1 - 22)**

Addendum Report

**For further information please contact Wayne Hemingway, Democratic Services Officer on Telephone: 01634 332509 or Email: [democratic.services@medway.gov.uk](mailto:democratic.services@medway.gov.uk)**

**Date: 19 February 2013**



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A summary of this information can be made available in other formats from **01634 333333**

If you have any questions about this meeting and you want to speak to someone in your own language please ring **01634 335577**

বাংলা	331780	ગુજરાતી	331782	ਪੰਜਾਬੀ	331784	کوردی	331841	ارو	331785	Русский	332374
中文	331781	हिंदी	331783	Polski	332373	এহ্‌ব্‌শফ	331786	فارسی	331840	Lietuviškai	332372





## **EMPLOYMENT MATTERS COMMITTEE**

**19 FEBRUARY 2013**

### **PAY REVIEW – NATIONAL AGREEMENT – ADDENDUM REPORT**

Report from/Author: Tricia Palmer, Assistant Director, Organisational Services

#### **Summary**

This Addendum Report sets out the following:

1. Minutes of Joint Consultative Committee – 11 February 2013
2. Final consultation responses received post Committee agenda despatch
3. The outcome of the Trade Unions' ballots in respect of the proposals.

#### **1. Joint Consultative Committee**

- 1.1 The Joint Consultative Committee met on Monday 11 February 2013 and discussed the proposals to come out of the national agreement on pay, terms and conditions. The minutes of this meeting are attached at Appendix 1 to the report.

#### **2. Consultation responses**

- 2.1 Following the despatch of the Committee agenda on 11 February 2013, some further consultation responses have been received from schools/governing bodies and are set out in Appendix 2 for Members' consideration.

#### **3. Trade Unions**

- 3.1 GMB, UNISON and UNITE unions have all undertaken ballots of their members in respect of the proposal to come out of the national agreement on pay, terms and conditions.
- 3.2 We understand that all the ballots have come out in favour (approximately 2:1) of signing a collective agreement on this proposal. It is intended that this agreement be signed prior to the meeting this evening and a verbal update will be given at the meeting.
- 3.4 A revised Appendix 8 has been attached to this report. This takes account of schools based (non teaching) staff and Soulbury employees no longer being included in the proposals as discussed at the JCC meeting on 11 February 2013 and subject to the decision by this Committee. It also includes a one off

payment of £50 (pro rata for part-time staff) will be paid in April 2013 to permanent staff on salary point 25 or equivalent and below.

#### **4. Revised recommendations**

##### **4.1 Members are asked:**

- (i) To note the discussions so far and the consultations responses.
- (ii) To recommend to Full Council to agree to the collective agreement attached at revised Appendix 8, on the basis that agreement has been reached with the majority trade unions to come out of the national agreement for all staff outside of schools.
- (iii) To note that variations to employment contracts will now be issued to those staff affected setting out the new terms, with the new terms taking effect from 31 March 2013, subject to Full Council agreeing the collective agreement.
- (iv) To note the proposals on local pay bargaining and agree to delegate authority to the Assistant Director, Organisational Services to continue discussions and agree this, in consultation with the trade unions.

#### **Lead officer contact**

Tricia Palmer, Assistant Director, Organisational Services  
01634 332343  
[tricia.palmer@medway.gov.uk](mailto:tricia.palmer@medway.gov.uk)

Joint Consultative Committee – 11 February 2013 – Appendix 1  
**Medway Council**

**Meeting of Joint Consultative Committee**

**Monday 11 February 2013**

**6.00pm to 6.50pm**

**Record of the meeting**

**Present:**

**Employer's Representatives**

Councillor Carr (Chairman)  
Councillor Christine Godwin  
Councillor Iles  
Councillor Irvine  
Councillor Shaw (Substitute for Councillor Paul Godwin)  
Councillor Tolhurst (Substitute for Councillor Avey)

**Employees' Representatives**

Michael Barton – Voice the Union  
Sue Calder – NUT  
Ian Methven – UNITE  
Mike Ongley – GMB (Vice-Chairman)  
Joe Parsons – UNISON  
John Somers – NAHT

Margaret Gallagher – AEP (in attendance)

**In attendance:**

Paula Charker, Employee Relations Manager  
Ralph Edwards, Head of HR  
Wayne Hemingway, Democratic Services Officer  
Tricia Palmer, Assistant Director, Organisational Services

**1. Apologies for Absence**

Apologies for absence were received from Councillors Avey, Mackinlay Paul Godwin and Nicola Brocklesby (ATL).

**2. Record of Meeting**

The record of the meeting held on 30 October 2012 was agreed as a correct record.

**3. Declarations of interest**

There were none.

#### **4. Pay Negotiations**

##### **Discussion:**

The Assistant Director, Organisational Services, gave a presentation on the steps taken so far in terms of the Council's proposal to come out of the national agreement for pay and terms and conditions. This included the financial impact on the Council in terms of any potential pay award and the previous decision to freeze increments. She explained that all staff (excluding teachers) were covered by the national pay and terms and conditions including Soulbury staff, youth staff and Adult Education tutors. Non-teaching schools staff had been included in the proposals, however, officers had recommended to Employment Matters Committee (19 February 2013) that these staff be no longer included in the proposals.

The Assistant Director, Organisational Services, stated that the following were included in the national agreement for pay and terms and conditions:

- Pay
- Working time
- Public holidays and annual leave
- Sick/Maternity leave and pay
- Overtime payments
- Allowances - weekend working, night work, split shifts, standby, lettings
- Car Allowances.

The proposal to come out of the national agreement for pay and terms and conditions from 31 March 2013 included an agreement not to change (reduce) pay or any term or condition for three years from 1 April 2013 and the implementation of local pay bargaining. The trade unions had balloted their members on this, however, no collective agreement had been reached. Subsequently, the Council had continued to hold discussions with the trade unions including a further offer of a one-off payment of £50 (pro-rata for part time staff) to staff earning £21,519 or below. Trade unions were holding a further ballot of their members and the outcome would be reported to the Employment Matters Committee on 19 February 2013. If a Collective Agreement was not reached and subject to Council agreement on 21 February 2013, contracts would be terminated and re-engagement offered on the revised terms.

The Assistant Director, Organisational Services, provided a summary of consultation responses from staff which included poor morale, the impact on pensions and continuous service, poor communication, Soulbury staff should not be included in the proposals, Governing Bodies are against the proposals for schools based staff, and that the proposals may put pressure on more schools to become Academies.

## **Joint Consultative Committee – 11 February 2013 – Appendix 1**

Committee Members discussed a number of issues including the following:

- Low morale in schools
- The use of language within the formal letters to staff (dismiss and re-engage)
- Some letters sent out direct to schools and not passed on to staff by Headteachers.

The Assistant Director, Organisational Services, confirmed that all formal letters to staff had been sent to their home addresses., An additional letter had been sent to Headteachers and Governing Bodies.

- Schools against the proposals to include schools based (non-teaching) staff and if the proposal agreed, would increase pressure on schools to become academies
- GMB ballot provisional outcome – 75% in favour of agreeing the Council's proposal (final outcome to be reported to the Assistant Director, Organisational Services on 12 February 2013.
- Difficult process (via i-share) to book places for the consultation event at the Brook Theatre
- The consultation responses from schools and Governing Bodies confirmed their opposition to including schools based (non-teaching) staff in the proposals
- That the increments freeze had not been applied to schools based (non-teaching) staff
- That Soulbury staff should be treated as a special case and not be included in the proposals
- That if Soulbury Staff were taken out of the national agreement, the AEP would be in dispute with the Council.

The Assistant Director, Organisational Services, stated that the next pay award for Soulbury Staff was expected in September 2013.

- What were the reasons for recommending to the Employment Matters Committee on 19 February 2013 that schools based (non-teaching) staff be not included in the proposals and whether this had anything to do with the possibility that more schools may have decided to become academies.

The Assistant Director, Organisational Services confirmed that the strength of feeling from the Headteachers and Governing Bodies together with the budget implications for the Council meant that officers recommended that schools based (non-teaching) staff be no longer included in the proposals. A Diversity Impact Assessment was completed for schools staff which demonstrated a differential impact on women, in terms of gender (91.4%). She stated that it was not possible to confirm whether this particular issue would cause schools to become academies. The Chairman confirmed that, overall, the proposal to come out of the national agreement for pay and terms and conditions, was about the ability for Medway Council to control its own finances.

**Joint Consultative Committee – 11 February 2013 – Appendix 1**

- Whether the strength of feeling was different at Gun Wharf than at the schools.

The Head of HR stated the strength of feeling was greater in the schools than at Gun Wharf in terms of the proposals (with the exception of Soulbury staff).

- The communication with staff and whether anything had been missed
- How many staff would receive the £50 one-off payment and the cost of this to the Council.

The Assistant Director, Organisational Services, explained the process for communicating the proposals with staff noting that the content of the formal letters had to be worded in a formal, legal manner. There had been a number of consultation meetings held at the Brook Theatre and Gun Wharf, together with emails to staff explaining the proposals. She confirmed that HR would continue to look at ways to improve communications with staff. She stated that staff (approximately 1,200) would receive the £50 one-off payment at a cost of around £75,000 (including 27% on costs) to the Council.

- Clarification was sought on what would constitute a collective agreement.

The Assistant Director, Organisational Services, stated that this would depend on the outcome of the ballots from the trade unions and that she would seek formal advice if necessary.

- Whether there was any progress in terms of the Pay and Grade Review Working Group.

The Assistant Director, Organisational Services, stated that officers had undertaken some work on this issue and that the Member level Working Group would meet following the final decision on whether to come out of the national agreement.

The Chairman thanked everyone for their comments and closed the meeting.

.....  
**Chairman**

.....  
**Date**

Wayne Hemingway  
Telephone: 01634 332509  
Email: democratic.services@medway.gov.uk



hemingway, wayne

---

**From:** richards, paul  
**Sent:** 19 February 2013 09:43  
**To:** hemingway, wayne  
**Subject:** FW: NON TEACHING STAFF CONSULTATIONS

Hi Wayne,

Just spoken to Ralph and he's asked me to send a few more responses to you that he hadn't copied you into last week.

Thanks,

Paul

---

**From:** edwards, ralph  
**Sent:** 14 February 2013 10:42  
**To:** 'dgiles27@talktalk.net'  
**Cc:** palmer, tricia; richards, paul; charker, paula (HR)  
**Subject:** RE: NON TEACHING STAFF CONSULTATIONS

Thanks David,

The views of the Governors of Balfour Juniors and Deanwood will be made known to the Employment Matters Committee who will meet on 19 February. They will decide whether schools are included in the proposal or not.

Best Wishes,

Ralph Edwards  
Head of Human Resources  
Medway Council  
Gun Wharf  
Dock Road  
Chatham  
Kent ME4 4TR

Ext 1090

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**From:** dgiles27@talktalk.net [mailto:dgiles27@talktalk.net]  
**Sent:** 14 February 2013 09:37  
**To:** edwards, ralph  
**Subject:** NON TEACHING STAFF CONSULTATIONS

Dear Mr Edwards

I am not sure that this should come to you but I know you will pass on as appropriate.

The Governors of Balfour Juniors and Deanwood Primary have asked me to write expressing their views deploring the move to take the non-teaching staff at the schools out of national negotiations. The governors believe this to be a backward step which is not in the interests (either short or long term) of the staff concerned.

Yours sincerely

DAVID GILES  
CHAIR OF GOVERNORS  
BALFOUR JUNIOR SCHOOL  
DEANWOOD PRIMARY SCHOOL & CHILDREN'S CENTRE

**hemingway, wayne**

---

**From:** richards, paul  
**Sent:** 19 February 2013 09:43  
**To:** hemingway, wayne  
**Subject:** FW: PLEASE SEE LETTER BELOW FROM OUR CHAIR OF GOVERNORS - ORIGINAL LETTER WILL BE IN COURIER TO YOU

This is the last one now

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**From:** edwards, ralph  
**Sent:** 13 February 2013 09:54  
**To:** 'Penny Harrison'  
**Cc:** charker, paula (HR); palmer, tricia; richards, paul  
**Subject:** RE: PLEASE SEE LETTER BELOW FROM OUR CHAIR OF GOVERNORS - ORIGINAL LETTER WILL BE IN COURIER TO YOU

Thanks Penny.

Please see my response to Mr Braggar below. I would be grateful if you would forward it to him.

Dear Mr Braggar,

Thank you for your letter which I received by e mail.

Chairs of Governors were advised of the proposal by e mail on 5 November, 22 November and 2 December 2012. I have also attended the Medway Governors Association and a Chair of Governors briefing to speak about the proposal. I have also attended Governing body meetings by invitation. I am sorry that you do not feel that you and your fellow governors have been consulted.

There is a difference of opinion regarding whether Medway Council as the employer can dismiss school based staff. Our legal advice is that it is possible for Medway to dismiss staff in these circumstances, but clearly that advice could be challenged at Employment Tribunal.

Medway Council does value the hard work of all staff, and does recognise the circumstances in schools where teachers are subject to statutory conditions of service and pay.

A final decision on whether schools based staff are included in the proposal will be made at full Council on 21 February.

Regards,

Ralph Edwards  
Head of Human Resources  
Medway Council  
Gun Wharf  
Dock Road  
Chatham  
Kent ME4 4TR

Ext 1090

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**From:** Penny Harrison [mailto:harrp004@medway.org.uk]  
**Sent:** 13 February 2013 08:37  
**To:** edwards, ralph  
**Subject:** PLEASE SEE LETTER BELOW FROM OUR CHAIR OF GOVERNORS - ORIGINAL LETTER WILL BE IN COURIER TO YOU

Mr DJ Bragger  
70 Mill Road  
Gillingham  
Kent  
ME7 1JB  
01634 572539 (Home)  
07759707015 (Mobile)  
E Mail via BWPS Main Office  
12th February 2013

#### Proposal to come out of the National Agreement

Dear Mr Edwards.

I write in my capacity as Chair of Governors at Brompton Westbrook Primary School regarding the above proposal for Medway to come out of National Agreement for pay and conditions for support staff (and others).

I have been tasked by my fellow governors at BWPS to contact you, and to express our very grave concerns regarding this matter, and also the fact that despite having seen several documents clearly stating that Governors had been made aware / consulted in the matter I have not been contacted by Medway in any form regarding this matter.

I do not find it acceptable to read that (Governors) implying all, have been consulted, when I have not, as that appears to imply that I had knowledge of events, and indeed had commented (or had the opportunity to) when in fact I did not.

A point that my colleagues at BWPS wish me to make and to seek clarification on is this; If support staff do not accept the Medway offer, who will dismiss them? It is the belief of the Governing body that dismissal should be done by the Governing Body.

I would like to make it clear that the Governing Body at BWPS value the contribution that the support staff makes to the school. We recognise that many are employed on low pay – compared to many other council employees, and indeed are paid pro rata, no holiday pay. These terms and conditions already place the support staff in dare I say the lower demographic. However the hard work, dedication and additional work that these people put in (often unpaid, and certainly un-recognised) is above and beyond what could be reasonably expected of them. They do this because they are dedicated to investing in the future of Medway, and indeed the country's most precious resource, the young people in our schools. In Summary we do not support any measure that will be to the disadvantage of our support staff, either now or as part of a future review.

Yours

DJ Bragger

Original signed

CoG BWPS

*Penny Harrison*

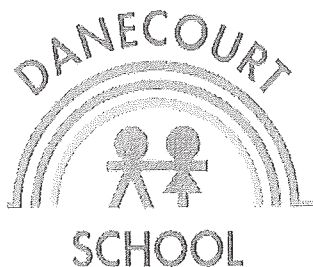
**Mrs Penny Harrison**

Brompton Westbrook Primary School  
King's Bastion  
Brompton, Gillingham  
Kent ME7 5DQ  
01634 844152  
[harrp004@medway.org.uk](mailto:harrp004@medway.org.uk)

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Hotel Road  
Watling Street  
Gillingham  
Kent ME8 6AA



Tel: (01634) 232589  
Fax: (01634) 263822  
Headteacher:  
John Somers

Website: [www.danecourtschool.com](http://www.danecourtschool.com)

e-mail: [roylk001@medway.org.uk](mailto:roylk001@medway.org.uk)

HR Advice  
Medway Council  
Gun Wharf  
Dock Road  
Chatham  
Kent  
ME4 4TR

Friday 15<sup>th</sup> February 2013

Dear Medway Council

With regards to the recent consultation document sent out to Governing Bodies by Tricia Palmer outlining Medway Councils proposal to opt out of national pay negotiations and conditions of service for non-teaching staff we would like to advise you that this was discussed at our full Governing Body meeting held on Monday 28<sup>th</sup> January 2013 and it was agreed by all members present that the Governing Body of Danecourt School do not support this proposal (please find extract from the minutes of the meeting below). As a Governing Body we are responsible for those employed at the school and feel that this proposal will have a detrimental effect on our staff and we would urge Medway Council to reconsider this proposal and negotiate further will all Governing Bodies in the Medway area.

Extract from Danecourt Full Governing Body meeting of Monday 28<sup>th</sup> January 2013 regarding Medway Councils proposal to Opt out from National Pay and Terms and Conditions for Non-Teaching Staff

'The Opt out from National Pay and Terms and Conditions for Non-Teaching Staff Consultation by Medway Council was discussed in great detail by the Governing Body including the effect this would have on the morale of staff, that it will mostly affect those staff who are part time and low paid, the differences that could arise in staff pay between academies who can set their own pay levels and schools who could not and how this could affect retention of staff and the rise in the membership of the unions since this was announced. The Governing Body all agreed that a letter/email be sent to Medway Council by 19<sup>th</sup> February 2013 in response to the consultation together with a copy of these minutes highlighting Danecourt Governing Body's strong disagreement with Medway Councils proposal to Opt out of National Pay and Terms and Conditions and stating that they would not support Medway Council on this'

Yours faithfully

Julie Anderson  
Chair of Danecourt School Governing Body



INVESTOR IN PEOPLE



**hemingway, wayne**

---

**From:** edwards, ralph  
**Sent:** 18 February 2013 09:42  
**To:** 'Nicola Archenoul'  
**Cc:** richards, paul; palmer, tricia; charker, paula (HR); hemingway, wayne  
**Subject:** RE: Consultation Document to Governing Bodies

Thank you for your comments Nicola which will be forwarded to Employment Matters Committee for their consideration on 19 February.

Just a comment on the figures---a 1% pay award will cost £350,000 for non teaching staff in schools where Medway is the employer of staff.

-----Original Message-----

**From:** Nicola Archenoul [mailto:archn018@medway.org.uk]  
**Sent:** 17 February 2013 22:42  
**To:** employee consultation  
**Cc:** Donna Atkinson  
**Subject:** Consultation Document to Governing Bodies

To whom it concerns

Please find below comments on the consultation document from the Governing Body of Delce Infant School:

- this goes against the ethos of our school because it would result in our non-teaching staff being treated very differently to our teaching staff. We believe in rewarding the hard work and success of all our staff and such action would not allow us to do that and would have a serious affect on morale;
- non-teaching staff salary comes out of the school budget, so we do not see how it would benefit Medway finances to impose these changes on non-teaching staff in schools and the LA cannot dictate how we spend out budget;
- we feel there would be a serious impact on recruitment and retention. We may lose very good non-teaching staff who, understandably, will look for better paid positions elsewhere, particularly in academies and we could face problems recruiting staff if our salaries are not seen to be competitive;
- we do not feel that the proposed plans are clear enough and there are inconsistencies with the figures. The document states the figures do not include school staff but if you're consulting GBs then your figures should clearly state figures that include school staff.

Kind Regards

Nicola Archenoul  
Chair of Governors  
Delce Infant School, Nursery & Children's Centre

Please contact: Ralph Edwards

Our ref: RE/AMD

Date: 14 February 2013

Mr J Cave  
Chair of Governors  
Hempstead Junior School  
Birch Grove  
Hempstead, Gillingham  
Kent  
ME7 3HJ

**HR Services**  
Gun Wharf  
Dock Road  
Chatham  
Kent ME4 4TR  
Telephone: 01634 306000  
Direct line: 01634 331090  
Facsimile: 01634 331260  
e-mail: [ralph.edwards@medway.gov.uk](mailto:ralph.edwards@medway.gov.uk)

Dear Mr Cave

### **Changes to the contracts of non-teaching staff**

Thank you for your letter dated 28 January 2013 which was received and date stamped in my office on 12 February 2013.

The first thing I would like to point out is that the proposal to withdraw from the national pay award and terms and conditions of service is a Member proposal, and not a personal proposal of mine.

I personally visited your school on 15 January and spoke to all non-teaching staff about the proposal, answering a number of questions. One point I made absolutely clear was that this proposal is not about cutting school budgets because as you know it is not possible for Medway Council to take money from school budgets.

Chairs of Governors have received e-mail correspondence relating to this proposal on 5 November, 22 November and 2 December 2012. In addition I attended a meeting of the Medway Governors Association and a Chair of Governors briefing to speak about the proposal. I have also attended Governing Body meetings by invitation. Governing Bodies should be aware of the proposals.

Medway Council is the employer of staff in community and voluntary controlled schools. There is a difference of legal opinion regarding the power of the local authority to dismiss and re-engage staff employed in schools should that be necessary. Clearly the only way to determine the true legal position would be through an Employment Tribunal.

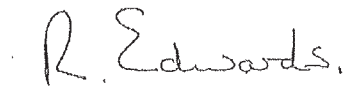
As you would expect a large number of comments regarding goodwill and morale, and the potential impact on standards in schools should this proposal go ahead, have been put forward during the consultation period. All comments are being reported to Employment Matters who will make a recommendation to full Council who meet on 21 February. The option remains for schools to be removed from the proposal.

I trust this response clarifies some issues for you.



I would be grateful if you could advise your non-teaching staff who signed the attachment to your letter that their comments will be passed on to Employment Matters who meet on 19 February for their consideration.

Yours sincerely

A handwritten signature in black ink that reads "R. Edwards." The signature is written in a cursive style with a large, looped initial "R" and a period at the end.

Ralph Edwards  
Head of Human Resources

# HEMPSTEAD JUNIOR SCHOOL

M. Golding - BEd Hons  
Acting Headteacher

Telephone 01634 371823

12 FEB 2013  
Birch Grove  
Hempstead  
Gillingham  
Kent  
ME7 3HJ

28<sup>th</sup> January 2013

## Changes to the Contracts of Non Teaching Staff

Dear Ralph Edwards, Head of Human Resources

I recently, at their request, met two representatives of our school staff who will be directly affected by your above proposals. They are, as you would expect, completely bewildered and against what the Council intends to implement as a cost saving exercise with no apparent regard for the workforce.

At my request, they have drawn up their objections and questions on the proposals for your answers and if possible a meeting between us and an Authority Representative as I am given to understand that not everyone was able to attend your seminars due to over subscription.

Our non-teaching staff are very concerned that their contracts will change as Medway seek to withdraw from National agreements. What you should already know is that Hempstead Junior School is a highly effective and successful learning establishment lead by dedicated staff at ALL levels and why the non-teaching staff have been singled out by you for such draconian measures is beyond my board.

Of particular concern to me is that posts such as School Bursar and ICT Technician are caught up in this. In a modern school I would suggest that it is impossible to run a successful operation without such personnel.

Can you also clarify who employs 'non teaching' staff? Is it the LA or the school? If it is the latter where is, or was, proper consultation with Governing Bodies who will inevitably bear any backlash from your suggestions? Should the Governing bodies not have been informed about these proposed changes in the first instance?

As a Governing Body we must do all we can to retain and maintain the dedicated staff we are lucky at the moment to have. We ourselves managed to find some salary increases last year but with the already announced cuts in our upcoming budget such action will in all probability not be possible going forward.

What avenues, if any, are available for us to reward some key staff or must we front equal increments to all 'non teaching' employees?

I feel sure that savings could be sought elsewhere to ensure that morale is not destabilised overall and Hempstead Junior School can continue to offer excellent staff, facilities and academic success. I gather there is some uncertainty about whether school non-teaching staff are included and I would like clarification about this as soon as it is decided. It would be good from our point of view if no school staff were included in these changes.

I look forward to your reply and hopefully some meaningful dialogue in our school at an early opportunity.

Yours faithfully

  
Mr. J. Caye  
Chair of Governors, Hempstead Junior School

## Non-Teaching Staff's questions and objections to proposals to amend our contracts

We have always believed that we are employed by the governors of our school to whom we are directly accountable to on a daily basis. Surely it is they who should decide on our pay structure and terms of contract as they understand fully the special and individual needs of each child they support and specialties required of our role. Our pay comes out of the school's budget NOT the council's.

We support all Teachers, some very challenging children, and the school in general for what is already little monetary reward. In reality we work many hours more than our contracts and do not claim for overtime, thereby enabling our school to deliver the educational standards as required by the National Targets. We are happy to do this as our roles must be flexible to cope with the ever increasing demands of school life and children's needs. If our current position is eroded we may feel disinclined to continue this generosity of giving for no reward. As such our excellent relationship with the school governors and management will almost certainly be undermined. Do not forget 'goodwill' in certain types of employment is unquantifiable!

In your financial implication summary you do not appear to have included school staff in the calculations. Is this because in real terms it is of no significant financial benefit to change our terms? We all know school support staff are low wage earners and it follows that a 1% of a low wage is minimal. Have you considered that the fact you are targeting staff who are not on a high pay scale and due to the 'term time' nature of our contracts and that support staff only work between 17.5 and 27.5 hours per week, our wages equate to an average of £5K -£9k per annum which is classed as low paid!

We would like to point out that despite contrary belief we are qualified professionals either within the current education system and/or prior to joining. We bring many skills and experiences to the table and have undergone hours of specialised training, at considerable cost. It is therefore, extremely upsetting to read your comments in the minutes of 13<sup>th</sup> September 2012, under Risk Assessment, that you feel employees will not be able to leave in significant numbers as the job market is slow. This, we feel, is very short sighted and naïve. To upset and anger such specialised staff in this way is incomprehensible.

We would welcome full details of our 'Rights to appeal process' as at present this appears to have become a closely guarded secret.

We feel your proposals are rushed and it clear from the comments in your meeting on 13<sup>th</sup> September 2012 that you need to expedite the process in order to receive as little resistance as possible. At present your advantages and disadvantages analysis swings clearly in favour of the council and if support staff were to work to rule there would be absolute chaos and havoc on a daily basis! The wages bill would be inflated by the payment of once unclaimed overtime.

We strongly feel school support staff due to the diverse needs and requirements of all children within our education system need also to be viewed as a separate case scenario. Therefore, we would ask to you to seriously consider removing schools from the proposed amendments and allow our governors to continue to operate their school as they see appropriate at 'ground level'.

Education like health relies on a collection of caring professionals who are willing to work beyond the terms of their contract, without question...dilute the terms of what is already a poorly paid contract and any Goodwill will quickly disappear to the detriment of our schools.

Signed by:-



Wendy Harris (TA)



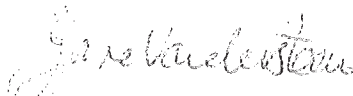
Gillian Tatnall(TA)



Coral Corthorn(TA)



Kerry Briffitt(TA)



Jane Vandersteen(TA)



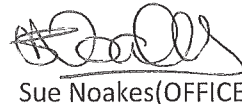
John Carr(Caretaker)



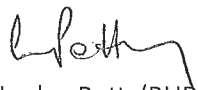
Leonie Sams(TA)



Lesley Bell(FLTA)



Sue Noakes(OFFICE)



Lesley Petty(BURSAR)



Diane Sargeant(TA)



Ermanna Collinson(TA)



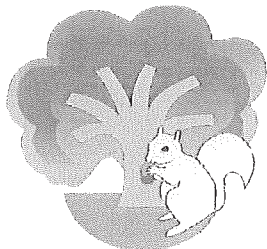
Maria Alam(TA)



Lisa Fox(TA)



Michelle Hearn(TA)



## Park Wood Junior School

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Kent ME8 9LP

15 FEB 2013

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office@parkwood-jun.medway.sch.uk  
*Mr A Moir - Head Teacher*

Tricia Palmer  
Assistant Director  
Organisational Services  
Medway Council  
Gun Wharf  
Dock Road  
Chatham  
Kent ME4 4TR

15/02/2013

Dear Ms Palmer,

At the Full Governing Body meeting on Monday 4<sup>th</sup> March, Governors considered the proposal for our support staff to be taken out of the National Agreement for pay. It was agreed that our support staff should maintain their current status quo.

Should you require further consultation please do not hesitate to contact me.

Yours sincerely,

Bernard Hargan  
Chair of Governors

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**COLLECTIVE AGREEMENT between MEDWAY COUNCIL (the employer) and  
RECOGNISED TRADE UNIONS – UNISON, UNITE, GMB (the unions)**

**Withdrawal from National Agreements**

**1. Introduction**

- 1.1 The collective agreement covers the withdrawal from the national agreements set out in the Green Book, and Pink Book for all staff. Pay awards for staff covered by the LNFA are linked to the Pink Book. The agreement excludes school based staff and Soulbury staff covered by the Blue Book.
- 1.2 The provisions of this agreement will be incorporated into individual contracts of employment by a letter of variation.

**2. Agreement**

- 2.1 It is agreed that individual contracts of employment will be varied from 31 March 2013 to state that:

“The amount of annual pay award will be determined by local collective bargaining and payable from 1 April each year if applicable.”

All other references to the national agreement will also be removed from the contract.

Medway Council agrees not to cut pay or terms and conditions for a period of 3 years from 1 April 2013. Terms and conditions include:

Pay  
Working time  
Annual leave  
Maternity leave and maternity pay  
Sick pay  
Notice periods  
Overtime payments  
Weekend working  
Night work  
Split shifts  
Lettings  
Standby duty  
Public and extra statutory holidays  
Car allowances

- 2.3 Local pay arrangements will be introduced from 1 April 2013.
- 2.4 Changes in pay as a result of the implementation of the pay and grade review will be protected from 1 April 2014 at 100% in year 1, 100% in year 2 and 25% in year 3 after which time the normal pay protection arrangements will apply unless negotiated otherwise. Any changes in pay resulting from redeployment or change of post will be subject to the normal pay protection arrangements of 100% in year 1, 75% in year 2 and 25% in year 3.
- 2.5 A one off payment of £50 (pro rata for part-time staff) will be paid in April 2013 to permanent staff earning £21,519 and below (pro rata for part-time staff).
- 2.6 Nothing in this agreement will preclude the Council from undertaking further reorganisations in accordance with the Council's normal procedures.

**3. Variations**

Variations to this collective agreement can only be made through joint agreement with the employer and the unions.

Signed on behalf of

..... Employer	..... Dated
..... UNISON	..... Dated
..... GMB	..... Dated
..... UNITE	..... Dated