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Speaking out for pensions

The government wants to make changes to the Teachers' Pension Scheme (TPS) and the Local Government Pension Scheme (LGPS) – the pensions that the majority of ATL's members belong to – that would mean you have to pay more into, work longer for, and get less from your pensions.

After pressure from ATL, the TUC and other teaching unions, the government decided to delay announcing any changes to the contribution rates of the schemes until June, after Lord Hutton's final report on public sector pensions, which came out in March. The government also said it would meet with ATL and other unions in order to discuss the



issue. You can see more about Hutton's report and ATL's response to it at www.atl.org.uk/pensionscampaign.

Usman Gbajabiamila, policy advisor in ATL's pay, conditions and pensions department, said: "ATL is concerned the government is acting before any valuation of the TPS and LGPS. So, although there has been a change in gear, the government is still heading in the same direction." For the latest news on your pensions along with more details about the impact of the government's proposed changes, see www.atl.org.uk/pensionscampaign.

Academies programme expands

Education Secretary Michael Gove said all new schools in England should be academies or free schools, and this was included into the Education Bill, which was published in January.

There are currently more than 460 academies already open in England, of which more than 180 are 'new style' academies that have opened under the coalition government's academies policy. And, as of 1 February 2011, there were 527 applications to convert and 326 academy orders issued, with 129 new academy

applications in January alone. Some local authorities are encouraging all their schools to become academies.

Meanwhile, by February, nine proposals to set up a free school had progressed from 'business case and plan stage' to the 'pre-opening stage' – the final stage before opening. Free schools are a type of academy being set up by charities, educational groups, teachers and groups of parents.

In all academies, it is important to

establish that ATL is recognised for collective bargaining so we can negotiate for acceptable pay and conditions, and ensure our reps are entitled to facilities time to enable them to carry out their trade union duties – see 'Preserving your rights' on page 2 of this newsletter for more about this. To discuss recognition at your academy call ATL on 020 7930 6441.

The more membership grows in your school the more power you will have to influence decision-making through recognition. Colleagues can join online today at www.atl.org.uk/join.

Updated resources for reps

The section of ATL's website for reps working in academies has been updated to make it easier to access the information and documents they need.

Whether your school has been an academy for some time or recently converted, it is vital ATL reps continue to promote the rights and working conditions of members within their school. ATL reps in academies play an important role providing bespoke information and support to members in academies – and this section of the website should help reps do this. See www.atl.org.uk/reps-toolbox/academy-reps.asp, where you will also find links to ATL's existing recognition agreements and policies with academies.



Academy funding fears

ATL has expressed its concern about the lack of financial controls for academies, which was highlighted in a recent study.

A report published in January by the Public Accounts Committee, which is responsible for overseeing government expenditure, says academies “have performed impressively to date, achieving rapid academic improvements and raising aspirations in some of the most deprived areas in the country”, but raises concerns about the way they are monitored. It describes the mechanisms to check that academies’ finances are in order as “permissive” and “not fit for purpose”, saying: “We were concerned that there are already signs of potential financial and governance instability, even at this early

stage in the development of the programme.”

The report calls for a strong framework with which academies must comply to ensure effective governance, and says the government must make important elements of its guidance on internal controls and financial management mandatory.

It also found that some existing sponsors had “failed to fulfil the financial contributions they originally pledged to their academies”, and that there is a risk some debts will never be paid because sponsors of new academies are no longer required to make a financial contribution. The report was published soon after the announcement that oversight of academies’ funding arrangements is switching from arm’s-length quango the

Young People’s Learning Agency for England to an executive agency reporting directly to the Secretary of State for Education. ATL believes this could cause even more problems with how academy funding is monitored.

ATL general secretary Dr Mary Bousted said: “We are incredibly concerned about the lack of accountability of academies which will increase when control and oversight transfers from the Young People’s Learning Agency for England back to the Department for Education (DfE).

“The Public Accounts Committee report reveals a failure to give proper oversight to 200 academies, so it stretches credibility to think the DfE will be able to cope when they have to oversee over 400.”

Recognition update

ATL’s recognition agreements with academies help ensure members have fair terms and conditions. ATL has five national recognition agreements with the academy sponsors ARK, E-ACT, OASIS Community Learning, Harris Federation and ULT.

Most recently, ATL has agreed that sponsor OASIS will give all staff the relevant entitlements in terms of continuous and aggregated service for purposes of sick pay, maternity pay, and holiday pay, as set out in the Burgundy Book (for teachers) and the Green Book (for support staff).

Preserving your rights

The importance of ensuring trade union recognition rights are preserved within each new academy cannot be overstated.

To help you in the potentially tough negotiating minefield that you may encounter, ATL has issued new guidance for reps and branches. *Academies and facilities time guidance* contains tips on maintaining the current rights of ATL school reps to represent ATL members in a new academy. It also addresses the potentially thorny issues of a continuing local authority commitment to cross-authority union representation, and academy funding of such representation.

ATL national official Peter Morris explains: “If new academy managers are not pinned down at the time of transfer to accept the principle of collective bargaining on pay and terms and conditions for all new and existing staff, then it will prove increasingly difficult as the years roll on to make them do so.”

Where academies refuse to negotiate the implementation of the TUC model recognition agreement and/or union facilities arrangements, you should contact your branch secretary.

The guidance and the TUC model recognition agreement can be found in the newly revamped ‘reps and academies’ section of the ATL website, see www.atl.org.uk/reps-toolbox/academy-reps.asp.

If you have any queries in relation to academies and TUPE, recognition and facilities time, contact ATL national official Peter Morris at pmorris@atl.org.uk.



Get involved with your branch

As an ATL member you are part of a branch that represents all members across the geographical area where you work. It is important your branch reflects the growing diversity of the workplaces represented, so we encourage all members working in academies to make contact and attend future meetings. This way you can ensure your workplace is represented and, if there are issues you feel strongly about, you have an opportunity to let ATL know.

To find out more about your local branch use the ‘find my branch’ feature on the front page of www.atl.org.uk or email organise@atl.org.uk.

Providing for pupils with SEN in academies

ATL's education policy advisor Daniela Wachsening explores the issues around SEN in academies

According to statistics published in June 2010, over one and a half million pupils - nearly 21 per cent of the school population in England - have special educational needs (SEN). Of those pupils, about a third have statements of SEN. The proportion of pupils with SEN statements placed in state-maintained schools is nearly 10 times higher than those who go on to attend independent schools.

It is no surprise, therefore, that parents and campaigners are concerned about the government's acceleration of the academies programme that they fear will seriously disadvantage children with SEN. With exclusion rates of SEN pupils currently being around eight times higher than for other pupil groups, an increased likelihood of being bullied, and in view of findings that pupils with SEN are disproportionately represented among those without any GCSE passes, the educational outcomes of children with SEN are often further put at risk by a complex and drawn-out SEN assessment process. Difficulties around the transferability of SEN statements are also a particular issue for meeting the needs of transient pupil groups, such as Gypsy, Roma and Travellers, and asylum-seeking or refugee pupils.

All of this is now expected to be compounded with more schools becoming academies or state-funded independent schools. Although the government argues that academies would be under the same statutory obligations as maintained schools in regards to children with SEN, in reality this is only the case if their 'SEN obligations' are included in the academy's funding agreement with the Secretary of State. The Academies Act

2010 imposes the SEN obligations on all future funding agreements for academies but does not apply retrospectively to existing academies unless their funding agreement is under review or amended by consent.

In practice, this means that SEN provision can vary widely between academies, and between academies and maintained schools. For example, while new academy schools will need to make sure that they employ a qualified teacher who holds the National Award for SEN Coordination (SENCO), there has been no such requirement for academies established prior to the 2010 Act. Similarly, existing academies do not have to admit a SEN pupil, under the terms of their funding agreements, where they have been named in a statement of SEN.

However, despite the legislative improvements with regard to academies' SEN provision, the Academies Act still fails to establish how an academy can be made to comply with the provisions required for a child in Part 3 of a SEN statement. These can range from appropriate facilities, equipment and staffing arrangements to modifications to the curriculum. Under current

arrangements, the local authority remains under a duty to ensure that pupils with SEN receive their entitlement as specified in Part 3 of their statements but has no control over the actual provision at the academy school.

At the same time as academies receive their SEN funding directly under existing funding agreements, local authority budgets and the centrally funded SEN support services offered to schools are facing severe reductions. This means that the majority of SEN pupils who continue to be educated in the state-maintained sector are effectively paying the price for the academies' greater freedom. It seems that parents of children with SEN and campaigners have every reason to be worried.

Do you work with SEN pupils in an academy? Are you a SENCO in an academy or a parent of a child with SEN? Tell us about your experiences - ATL is interested in hearing your views on SEN provision in academies, the impact of local authority funding cuts on SEN provision, and the compliance of academies with their SEN obligations. Send comments to dwachsening@atl.org.uk.



The importance of reps

As the number of academies across England grows, it is important there is someone in every workplace to represent ATL members and to pass on useful information on issues at the early stages of their development.

As the school is no longer affected by decisions at local authority level, having a say at the workplace level has become even more important, which is why we want an ATL rep in every academy.

The role is about helping colleagues and having a positive impact in the workplace. It includes providing information to other

members, ensuring ATL members continue to have a say about potential changes at work, recruiting new members into ATL and acting as a link on key education issues between ATL and members in the workplace.

Training and support is available to help reps build their confidence, for which there should be an entitlement for paid time off to attend.

If your school does not have an ATL rep, if you wish to support your rep or if you have any questions about the role, email organise@atl.org.uk.

Professional development in your workplace: are you getting what you need?

Each year, a growing network of active ATL reps called union learning reps (ULRs) work with ATL members and employers to find out what ATL members need to enhance their professional and personal learning experience.

Workplace ULRs work with members and with their school's CPD coordinator to assess the learning needs of members and encourage and support staff to overcome barriers to accessing development opportunities. They help provide good quality, relevant, impact-focused learning and development that can help members maintain and develop their professional skills, de-stress and work together.

So far, with support from ATL's learning organisers, ULRs have held events on voice care, well-being, raising boys' achievement and much more. They can also help employers develop learning policies and ensure schools tap into external sources of funding and training in the areas that you, as members, want to be trained.

ATL runs a one-day course on becoming a ULR that provides members with all the relevant knowledge, resources and skills to place union-led learning at the heart of the workplace. To find out more email training@atl.org.uk.

Training for reps in academies

This year ATL is making a few changes to the training it offers reps in academies. Until recently the training was delivered over two days, but it is now being delivered as a one-day course.

ATL wants to make sure it gives you what you need for your role and we'll soon be surveying reps on what they'd like to be covered and when training should be held.

Training will offer a mix of sessions on what reps need to know for their role, along with professional development. We want reps to help develop the course, so a number of options will be suggested in the survey, including:

- dealing with members' problems
- working with management
- employment rights as an academy employee
- CPD – behaviour management
- CPD – voice care
- CPD – preventing stress
- CPD – assertiveness.

We hope to trial the first day of this new reps training in London during the summer term. Follow-on courses will then be offered in locations that survey responses help determine.

Reps, and members who are not currently an ATL rep but would be interested in becoming one and attending this training, should contact training@atl.org.uk.

Update your details

Make sure ATL has your correct contact details. You can check and update your membership details by logging on to 'My ATL' at www.atl.org.uk/update or email ATL's membership team at membership@atl.org.uk.

Pass it on

Feel free to share this newsletter with your colleagues. You can see this and all ATL's publications at www.atl.org.uk/publications.



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