

COMPLIANCE WITH TEACHER NUMBERS COMMITMENT

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to advise Policy and Resources Committee of the findings of the Community Services Committee on the compliance with teacher numbers commitment report. The purpose of the report is to provide an update of the Council's position in relation to the teacher numbers commitment made as part of the financial settlement for 2015/16 with the Scottish Government.
- 1.2 It was recommended that the report should be referred to the Policy and Resources Committee for further consideration by the Community Services Committee. The report also highlights the position outlined in the letter from Angela Constance, Cabinet Secretary for Education and Lifelong Learning in relation to the financial consequences arising from the 2015-16 teacher numbers census.
- 1.3 It is recommended that the Policy and Resources Committee:
- a) Note the report referred to the Policy and Resources Committee by the Community Services Committee.
 - b) Note the position outlined in the letter from Angela Constance, Cabinet Secretary for Education and Lifelong Learning in relation to the financial consequences arising from the 2015-16 teacher numbers census.

COMPLIANCE WITH TEACHER NUMBERS COMMITMENT

2.0 INTRODUCTION

- 2.1 At its meeting of 10 December 2015, the Community Services Committee considered a report updating members on the Council's position in respect of meeting the teacher numbers commitment in relation to the financial settlement for 2015-16. As part of its decision the Committee agreed to refer the report to the Policy and Resources Committee to give consideration to the financial implications arising from the position represented in the report.

3.0 RECOMMENDATIONS

- 3.1 It is recommended that the Policy and Resources Committee:
- a) Note the report referred to the Policy and Resources Committee by the Community Services Committee.
 - b) Note the position outlined in the letter from Angela Constance, Cabinet Secretary for Education and Lifelong Learning in relation to the financial consequences arising from the 2015-16 teacher numbers census.

4.0 DETAIL

- 4.1 A report providing an update of the Council's position in relation to the teacher numbers commitment made as part of the financial settlement for 2015/16 with the Scottish Government was considered at the Community Services Committee meeting of 10 December 2016. The report outlined the exceptional efforts made by the Council to try to meet the commitment, a range of other issues which have impacted on the ability of the council to recruit and retain teaching staff and the extraordinary measures used to improve teacher recruitment.
- 4.2 The full decision of the Committee:
- a) noted the commitment to maintain overall teacher numbers and pupil : teacher ratio at 2014/15 levels as part of the 2015/16 budget settlement;
 - b) noted the level of supernumerary teaching posts above the staffing entitlement model that the Council require to retain to meet this commitment;

- c) noted the efforts made by the Council to recruit sufficient teachers to meet the commitment on the date of the census in September 2015 whilst addressing additional national policy ambitions (eg Raising attainment for all);
- d) noted the other factors which impacted on the Council's ability to meet the teacher number commitment;
- e) noted that the Council was unable to recruit sufficient teaching staff despite considerable efforts to meet the commitment which potentially will result in the loss of some or all of the share of the Scottish Government's additional £51m resources to maintain teacher numbers;
- f) noted that this potential loss of additional grant may be mitigated by deleting supplementary teacher posts with a resultant full year saving of c. £1.57m;
- g) noted that no class in any Argyll and Bute school could not be staffed despite the national shortage of teachers due to the application of an efficient and equal staffing model at the commencement of session 2015/2016; and
- h) agreed that the issue of teacher numbers commitment be referred to the Policy and Resources Committee for consideration of the financial implications arising from the position represented in this report.

4.3 Subsequent to the Community Services Committee meeting and following representations to the Scottish Government from the Convention of Scottish Local Authorities (COSLA), the Society of Local Authority Chief Executives (SOLACE) and the Association of Directors of Education in Scotland (ADES), a letter was received by the Council from Angela Constance, Cabinet Secretary for Education and Lifelong Learning (see appendix 2 attached). In the letter, The cabinet Secretary advised that both the number of teachers in Scotland's schools and the overall pupil teacher ratio (PTR) were maintained at a national level since last year. As such the Scottish Government confirmed that it therefore will maintain the existing distribution of the original £41 million allocation of funding across all 32 local authorities to help meet the costs of maintaining teacher numbers. It would therefore not seek to claw back funding from individual local authorities that did not manage to meet the commitment in full.

4.4 The Scottish Government did however confirm that only those authorities who have maintained or increased their teacher numbers will receive a share of the additional £10 million referred to in the Scottish Government letter of 5 February 2015. This means that Argyll and Bute Council will retain its share of £41 million (£0.722 million) however will not receive a share of the additional £10 million (£0.173m). Please note the letter from the Cabinet Secretary refers to a sum of £0.692m however we understand this to refer to the share of the £41m for financial year 2016-17.

5.0 IMPLICATIONS

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| 5.1 | Policy | The outcome of the teacher number census has an impact on the ability of the Council to meet its commitments in relation to the financial settlement. |
| 5.2 | Financial | The position notes that the council will not have its share of the original £41m national funding allocation to help meet the cost of maintaining teacher numbers. However the Scottish Government has confirmed that the Council, as one of the authorities that was unable to fully meet the teacher numbers commitment, would not receive its share of the additional allocation of £10m to help meet the costs of maintaining teacher numbers (£0.173m). |
| 5.3 | Legal | The Council meets its duties in terms of the Education Standards in Scotland's Schools Act 2000. |
| 5.4 | HR | All permanently contracted staff have been allocated to schools. All supernumerary posts have been filled on temporary contracts with the exception of secondary subject supernumeraries. |
| 5.5 | Equalities | None |
| 5.6 | Risk | There are risks to the Council in terms of reputation, financial, operational and HR risks as a result of the national teacher shortages. |
| 5.7 | Customer Service | None |

Cleland Sneddon
Executive Director of Community Services

Policy Lead, Councillor R Colville
11 January 2016

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APPENDICES

Appendix 1 – Community Services Committee Report “Compliance with Teacher Numbers Commitment” dated 10 December 2015

Appendix 2 – Letter from the Cabinet Secretary for Education and Lifelong Learning dated 16 December 2015

COMPLIANCE WITH TEACHER NUMBERS COMMITMENT

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to provide an update of the Council's position in relation to the teacher numbers commitment made as part of the financial settlement for 2015/16 with the Scottish Government. It outlines the efforts made by the Council to meet the commitment, a range of other issues which have impacted on the ability of the council to recruit and retain teaching staff and the extra ordinary mechanisms used to deliver the required numbers.
- 1.2 It is recommended that the Community Services Committee:
- a Note the commitment to maintain overall teacher numbers and pupil: teacher ratio at 2014/15 levels as part of the 2015/16 budget settlement.
 - b Note the level of supernumerary teaching posts above the staffing entitlement model that the council require to retain to meet this commitment.
 - c Note the efforts made by the Council to recruit sufficient teachers to meet the commitment on the date of the census in September 2015 whilst addressing additional national policy ambitions (e.g. Raising attainment for all).
 - d Note the other factors which impacted on the Council's ability to meet the teacher number commitment.
 - e Note that the Council was unable to recruit sufficient teaching staff despite considerable efforts to meet the commitment which potentially will result in the loss of some or all of the share of the Scottish Government's additional £51m resources to maintain teacher numbers.
 - f Note that this potential loss of additional grant may be mitigated by deleting supernumerary teacher posts with a resultant full year saving of c. £1.57m.
 - g Note that no class in any Argyll and Bute school could not be staffed despite the national shortage of teachers due to the application of an efficient and equal staffing model at the commencement of session 2015/2016.
 - h Agree that the issue of the teacher numbers commitment is referred to the next meeting of the Policy and Resources Committee for consideration of the financial implications arising from the position represented in this report.

COMPLIANCE WITH TEACHER NUMBERS COMMITMENT

2.0 INTRODUCTION

- 2.1 The purpose of this report is to provide an update of the Council's position in relation to the teacher numbers commitment made as part of the financial settlement for 2015/16 with the Scottish Government. It outlines the efforts made by the Council to meet the commitment, a range of other issues which have impacted on the ability of the council to recruit and retain teaching staff and the extra ordinary mechanisms used to deliver the required numbers.

3.0 RECOMMENDATIONS

It is recommended that the Community Services Committee:

- a Note the commitment to maintain overall teacher numbers and pupil: teacher ratio at 2014/15 levels as part of the 2015/16 budget settlement.
- b Note the level of supernumerary teaching posts above the staffing entitlement model that the council require to retain to meet this commitment.
- c Note the efforts made by the Council to recruit sufficient teachers to meet the commitment on the date of the census in September 2015 whilst addressing additional national policy ambitions (e.g. Raising attainment for all).
- d Note the other factors which impacted on the Council's ability to meet the teacher number commitment.
- e Note that the Council was unable to recruit sufficient teaching staff despite considerable efforts to meet the commitment which potentially will result in the loss of some or all of the share of the Scottish Government's additional £51m resources to maintain teacher numbers.
- f Note that this potential loss of additional grant may be mitigated by deleting supernumerary teacher posts with a resultant full year saving of c. £1.57m.
- g Note that no class in any Argyll and Bute school could not be staffed despite the national shortage of teachers due to the application of an efficient and equal staffing model at the commencement of session 2015/2016.
- h Agree that the issue of the teacher numbers commitment is referred to the next meeting of the Policy and Resources Committee for

consideration of the financial implications arising from the position represented in this report.

4.0 DETAIL

- 4.1 In January 2015, John Swinney, Cabinet Secretary for Finance, Constitution and Economy wrote to each Council Leader requiring them to meet a number of conditions as part of the financial settlement for local government for 2015/16. Two of the conditions related to Education Services – to offer places for all probationer teachers and to maintain teacher numbers and pupil: teacher ratios at 2014/15 levels. To assist with meeting this commitment, Mr Swinney advised he would add £10m to the previous grant level of £41m to be distributed to local authorities.
- 4.2 COSLA sought an opportunity to move the position away from this commitment noting it was for local authorities to determine the best use of resources to meet educational outcomes and that individual local authorities were at different levels. The Scottish Government advised these were non-negotiable commitments that the requirement was for absolute numbers regardless of roll changes (previous years' commitments were to maintain teacher numbers in line with roll changes) and for Councils to confirm acceptance by 20 February 2015.
- 4.3 At its meeting of 12 February 2015, the Council agreed to accept the commitment but highlighted to the Cabinet Secretary a number of key points. These included noting Argyll and Bute had a declining pupil roll which would lead to supernumerary posts; noting this was an input measure unrelated to educational outcomes; noting that Argyll and Bute had a very low pupil: teacher ratio and might be penalised if it increased marginally when authorities with much higher starting ratios would not if they maintained their ratio. A full copy of the letter sent to the Cabinet Secretary is attached at appendix one.
- 4.4 During 2015, a number of local authorities have reported a crisis in teacher recruitment with examples of schools, predominantly in rural areas, having to send pupils home as they could not staff all classes or having to deploy central team staff in classrooms to avoid doing so. In addition to an overall teacher shortage, recruitment difficulties are particularly acute in certain subject areas such as the sciences, mathematics, Gaelic, etc. There are also substantial recruitment difficulties for Councils in filling Head Teacher posts.
- 4.5 In recognising the emerging recruitment issues, the 2015/16 staffing exercise ensured class compositions in primary were as efficient as possible whilst meeting the national class size maximas for each age group and were equitable across all primary settings in their allocations. There were a few examples of disagreement from parent councils to this equity model where some schools had benefitted from an allocation above their entitlement over previous years. This approach has however ensured that every class in Argyll and Bute has been able to be staffed in session 2015/16.

Where appropriate, all permanent primary staff were able to be successfully redeployed into permanent posts with the exception of approximately 1.3 FTE

posts on Islay. The intention for the supernumerary posts were to focus on improvement activities in support of the Attainment Challenge (see Section 3.11) and local supply cover in clusters, where practicable.

4.6 Staffing Targets

The 2014/15 census figures are summarised in the table below and reflect all GTCS registered teachers in schools/early years establishments.

Sep-14		
	No. of Teachers	FTE
Primary	613	419.36
Secondary	492	433.69
Special	16	12.5
Total	1,121	865.55

The target for the census date in September 2015 was therefore 866 FTE teaching staff.

- 4.7 The Council coordinates teacher recruitment centrally for all posts with an FTE above (0.5) FTE with local recruitment undertaken by Head Teachers for posts under (0.5) FTE. Generally this is from the approved supply teacher register. These latter appointments are thereafter reported to HR Services by the respective Head Teachers for contract and payroll purposes. The preparation for the annual census is a resource intensive and highly complex exercise however, due to the recruitment shortages in 2015, this exercise accounted for well over 40 full days of work for the team. This included the repeated review and update of individual staff and school data as well as cross checking revisions of contracts and appointments.
- 4.8 The Executive Director of Community Services, Head of Education and School Support Manager held a video conference prior to the census with Scottish Government officials. In that meeting the exceptional efforts undertaken were highlighted along with the continuing difficulties in recruitment. In addition, proposals for the use of quality improvement staff and temporary staff in support of school improvement work and the Scottish Government Raising Attainment for all initiatives were discussed and noted by Scottish Government representatives as consistent with the approach of a number of other authorities.
- 4.9 The Council has made considerable efforts to try to meet the teacher number commitment. These include:
- Repeated national advertisements running continuously pre summer through to the census date
 - Exhausting all available teaching staff on the supply register
 - Offering placements to all probationary teachers. Despite this offer, 5 probationer teachers were withdrawn at very short notice resulting in a reconfiguration of staffing for these schools who were due to have a probationer placed within their staffing entitlement.
 - Designing a new post graduate diploma in education (PGDE) course in

conjunction with Argyll College UHI to “grow our own” teachers. First intake was in 2015/16. Two places were specifically ringfenced for Gaelic

- Implementation of the shared headship policy where appropriate to assist in minimizing recruitment difficulties
- Reviewing our advertising strategy in collaboration with HR colleagues
- Supporting the local advertisement of hard to appoint posts at considerable cost
- Offering opportunities for extended contracts to teachers on part time or job share contracts
- Appointment of retired teaching practitioners to temporary posts
- Identification of additional staff within Argyll and Bute with active GTCS registration not currently employed and working in teaching posts
- Providing support to individual teachers wishing to secure registration in an alternative sector e.g. Secondary qualified teacher wishing to teach in primary
- Working with appropriate teacher recruitment agencies to identify potential appointees
- Liaison with other local authorities to discuss and identify further options/approaches which might be beneficial. This included Head of Service attendance at the North East Local Authority teacher recruitment summit
- Highlighting social rented housing opportunities where available stock exists via our RSL colleagues and offering relocation packages.

4.10 Other Impacts

In addition to the failures in national workforce planning that has created a shortage of available teaching staff and direct competition between authorities to recruit those that are available; there have been other impacts that have exacerbated the situation for Argyll and Bute.

4.11 Scottish Attainment Challenge/Raising Attainment for All

The First Minister announced the launch of the Scottish Attainment Challenge during the summer which focuses on two key priorities: to raise attainment in Scotland’s schools and to address educational inequalities. Both priorities feature as new statutory duties in the draft Education (Scotland) Bill and are reflected in the draft National Improvement Framework.

4.12 In conjunction with the announcement, the Scottish Government also announced the creation of an Attainment Fund of £100m. The first tranche of funding has been targeted to seven urban authorities on the basis of deprivation indicators and the second tranche to 57 schools across Scotland in authorities outwith the first seven and using the same urban deprivation indicators. Argyll and Bute has only one school (Rosneath Primary School) in the programme.

4.13 The vast majority of the £100m has now been allocated with an expected but yet to be confirmed allocation of only around £20,000 for Rosneath Primary School. There would appear to have been no resources as yet identified to address educational inequalities in a rural context despite repeated communications/requests from specifically affected local authorities.

4.14 As a result of the allocation of resources to urban areas, those recipient authorities have created additional posts which has resulted in a further loss of teaching staff in areas such as Argyll and Bute. This has had a further impact on the Council's ability to meet the teacher numbers commitment.

4.15 Probationer Teachers

Each year the Scottish Government indicates to each authority the potential number of probationer teacher places it requires them to accommodate. This is a positive request and, given the high quality of probationers coming through our universities, gives us an opportunity to encourage suitable probationers to stay with the authority at the end of their probationary period. For 2015/16 however, Argyll and Bute received 5 FTE fewer than expected at relatively late stage which added to the recruitment target.

4.16 Quality Improvement Staff

Following the census date, in November 2015, the Council was requested by Scottish Government officials to recode the quality improvement team so as to exclude them from the census calculation. The Council has complied with this request but have written to the Scottish Government officials to note this is a change in position from the pre-census video conference.

Cover for a range of short and long term absences from existing staffing and the teacher supply register have been implemented, as appropriate – for example there are currently 11 acting Primary Head Teachers and a range of maternity leave covers. In addition consideration has also been given to the cessation of secondments out with the Authority.

4.17 2015/16 Census Figures

The 2015/16 census figures confirmed by the Scottish Government are therefore as follows:

	FTE published in 2014 Census	FTE reported in September 2015 Census return
Primary School Teachers	419	408
Secondary Schools Teachers	434	425
Special Teachers	13	11
Centrally Employed Staff	-	13*
	866	857

* The deployment of GTCS registered staff from the central team was included following discussion with Scottish Government officials pre census.

	All pupils Primary, Secondary, Special in 2014- 15	All pupils Primary, Secondary, Special in 2015-16
Total number of pupils	10,565	10,445
	Figure Agreed with Scottish Government	Actual Figure reported in September 2015 Census return
Total number of teachers (FTE all sectors)	866	857
Pupil/ Teacher Ratio (all sectors excluding ELC)	12.2	12.4

- 4.18 Both COSLA and ADES have written to the Scottish Government highlighting the exceptional efforts made by local authorities to comply with the teacher number commitment and the impact of the other Government policies and making a case that no penalties be applied. A full sanction removing the Council's share of the £51m would be approximately £0.895m. This compares with the full year costs of 36 FTE supernumerary posts (20 FTE primary and 16 FTE secondary which is broken down as follows: additional 12 FTE within Oban High and Hermitage Academy and 4 FTE within other secondary establishments across the Authority) of c.£1.5m.
- 4.19 Should the sanction be applied it would be open to the Council to remove the supernumerary posts. All appointments to such posts have been made on a temporary basis to ensure no ongoing liability is incurred.

5.0 CONCLUSION

- 5.1 The Council entered into agreement with the Scottish Government to maintain teacher number at the 2014/15 levels as part of the 2015/16 financial settlement. Despite all efforts, the national teacher shortages exacerbated by the number of additional posts in urban authorities has meant that insufficient teachers could be recruited to meet that commitment. Efficient application of an equitable staffing model ensured that all classes in Argyll and Bute schools could be staffed. However, it was not possible to maintain the level of supernumerary posts required.

The annual staffing exercise ensured the delivery of the relevant teaching posts in all Argyll and Bute primary schools.

6.0 IMPLICATIONS

- 6.1 Policy The outcome of the teacher number census has an impact on the ability of the Council to meet its commitments in relation to the financial settlement.
- 6.2 Financial There is a risk of financial sanctions being applied to

		the Council for all or part of the £0.895m additional grant. The full year cost of the supernumerary posts is however c. £1.57m.
6.3	Legal	The Council meets its duties in terms of the Education Standards in Scotland's Schools Act 2000.
6.4	HR	All permanently contracted staff have been the allocated to schools. All supernumerary posts have been filled are on temporary contracts with the exception of secondary subject supernumeraries.
6.5	Equalities	None
6.6	Risk	There are risks to the Council in terms of reputation, financial, operational and HR risks as a result of the national teacher shortages.
6.7	Customer Service	None

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12 November 2015

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