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SPICe Briefing

Teacher training and employment

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This briefing gives an overview of developments relating to teacher education and career long learning stemming from the 2010 Donaldson review of teacher education. It also looks at the changes to terms and conditions originating in the 2010 spending review agreement between COSLA and the Scottish Government, the 2011 McCormac review of teachers' terms and conditions and public sector pension reform.



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EXECUTIVE SUMMARY

Teacher education and career long training is changing, as are significant elements of teachers' terms and conditions. This is happening at the same time as fundamental curricular reform and while public sector finances are very tight. A National Implementation Board will oversee changes to teacher education and professional development. These were recommended by the National Partnership Group in November 2012, following their consideration of Professor Donaldson's 2010 review of teacher education. Key changes include:

- local partnerships between universities and schools to integrate university based study with school placements and the probationary year
- new entry requirements and course requirements for initial teacher education, including assessments of literacy and numeracy
- phasing out the BEd from August 2013
- increased opportunity for teachers to study at Masters level (SCQF level 11)
- new head teachers to have a leadership qualification by 2017
- Scottish College of Educational Leadership to be established in August 2013.

The General Teaching Council for Scotland¹ (GTCS) is implementing the following:

- revised teacher standards from January 2013
- a 'professional update' from 2014 by which teachers will inform the GTCS of professional development they have undertaken

In addition, teachers' terms and conditions have been changing. Some changes were agreed in May 2011 including an end to the chartered teacher scheme and changes to supply teachers' salaries. In 2011 Professor McCormac reviewed the 2001 teachers' agreement on terms and conditions and his recommendations are currently being negotiated. These include removing the lists of duties that teachers' will and will not carry out and having a more flexible approach to class contact time. A new teachers' agreement is expected in April 2013. Professor McCormac also suggested increased use of external experts in the classroom. Education Scotland² issued a report in November 2012 recommending that no further national guidance on this is required (Education Scotland, 2012a).

Finally, teachers' pensions are changing. Increased employee contributions are being phased in and a new scheme must be developed by 2015. Although this will be implemented through devolved regulations, the consent of HM Treasury is required. A pensions bill, currently before the UK parliament, will set a new framework for public sector pensions and any Scottish scheme must be developed within this framework.

In general, changes to training have been welcomed (with some caveats) by teacher unions, but the May 2011 agreement and McCormac's recommendations on terms and conditions received a less positive response. Scottish teaching unions continue to campaign against pension changes. The Scottish Government is exploring the scope for a different approach to pensions in Scotland, and a Teacher Pension Negotiating Group meets monthly.

¹ independent regulatory body with which all teachers in Scottish publicly funded schools must be registered.

² Education Scotland inspect schools and provide guidance on the curriculum

INTRODUCTION

In school education, major curricular reform is happening at the same time as a fundamental review of career long teacher education, a redefinition of teacher standards and changes to employment terms and conditions. All this is in the context of very tight public finances.

Professor Graham Donaldson, recently retired head of the schools inspectorate, published his review of teacher education in December 2010. In March 2011, the Scottish Government established the National Partnership Group (NPG) to consider implementation. In November 2012, the NPG published its report on implementing the Donaldson review and a National Implementation Board is being established to oversee future developments. This board is an interim measure, "whose priority would be to hold work streams to account and ensure that change is implemented."

In November 2010, the Convention of Scottish Local Authorities (COSLA) and the Scottish Government had come to an agreement about local government finance in relation to education. This included an agreement that certain changes to terms and conditions for teachers would be pursued through the Scottish Negotiating Committee for Teachers (SNCT) and that there would be a review of the 2001 teachers' agreement (commonly known as the McCrone agreement). The SNCT reached agreement on terms and condition in May 2011 and Professor Gerry McCormac published his review in September that year. Further changes flowing from the McCormac report are expected to be reflected in a new Teachers' Agreement in April 2013, coming into effect in August 2013.

Other changes are being taken forward by the General Teaching Council of Scotland (GTCS). In March 2011, the [Public Services Reform \(General Teaching Council Scotland\) Order 2011](#) required the GTCS to develop a 'reaccreditation' scheme - i.e a review every few years of a teacher's development needs. This is now known as 'professional update'. The GTCS is also taking forward some of the Donaldson recommendations.

There are also changes to teachers' pay and pensions which reflect similar changes across the public sector. These include increased contributions, changing retirement age and little or no annual pay increases.

APPROACH TO REVIEWS

For Donaldson, improving teacher education would improve teacher quality which would, in turn, improve children's education. It was not simply a case of providing an initial qualification - teacher education had to be seen as a career-long enterprise. This is a substantial change in approach from one which sees separate stages of initial teacher education led by the university, a probationary year led by the school, and a generally fragmented approach to continuing professional development beyond that. Instead, Donaldson wanted a partnership between schools, universities and other agencies. He wanted a far more coherent idea of continuing professional development and of professional review and development. This was intended to enable teachers and student teachers to make better links between theory and practice - to encourage reflective practice. It was about fostering leadership amongst all teachers so that they could be the "key actors in shaping and leading educational change."

Similarly, McCormac was "firmly of the belief that developing the profession and continuing to improve the performance of teachers through career long Professional Review and Personal Development and appropriate recognition and reward is the surest way to improve educational

outcomes” (para 3.8). As such, there is an overlap between the two reviews - in particular in their focus on teacher quality as a driver for improving children's educational outcomes.

In general, the NPG recommendations have been welcomed, but with some caveats. For example the EIS stated: “Whilst consensus exists around some elements of the forthcoming agenda, there are tensions also, not least in the area of resourcing” (EIS 2012a). However, Professor Lindsay Paterson has queried the process, saying: “There has been a failure right across the board to challenge the vested interests of Scotland [the Government has] asked the establishment to implement ideas which unsettle them” (Sunday Times 2012).

TEACHER EDUCATION AND PROFESSIONAL DEVELOPMENT

Teacher education currently happens in three stages - a university based qualification followed by the guaranteed induction (probationary) year. This enables teachers to reach the GTCS defined standard for full registration which enables them to teach in Scottish schools. Throughout their careers teachers must also undertake 35 hours a year continuing professional development (CPD). Donaldson recommended that all aspects of teaching training and professional development should be better integrated. He also considered that there is too much variability within each of these stages:

“who you are, which school and which local authority you are in, and the quality of leadership and management in both can greatly affect the extent to which you develop and improve” (Donaldson, 2010 p.67)

From August 2013, initial teacher education and the induction year will be a single process based on a formal partnership between local authorities and universities. By creating stronger links between schools and universities, these partnerships will also be expected to improve teachers' continuing professional development (CPD) (NPG, 2012 annex A p.1).

THE EARLY PHASE

Workforce planning

From around 2008, probationer teachers found it difficult to find permanent contracts following the completion of their induction year and this has placed the process of workforce planning under scrutiny. Student teacher numbers were greatly reduced in 2010 and 2011 and the employment situation improved between 2009/10 and 2010/11³ Donaldson recommended greater flexibility in teaching degrees in order that teaching graduates would be able to apply for a wider range of careers. He also recommended improvements to the workforce planning process itself.

The NPG report stated that “The Scottish Government will liaise with local authorities during the autumn on workforce planning matters more formally than in previous years” (NPG 2012, annex A p.4). University Careers Services will be asked to provide information to student on transferable skills from teaching degrees.

³ [GTCS employment survey](#) % of the previous year's probationers in full time permanent contracts by the following May was: 48% in 2006/07, 35.7% in 2007/08, 25.5% in 2008/09, 20.5% in 2009/10 and 24.9% in 2010/11. Figures for 2011/12 are not yet available (GTCS, 2012a).

Selection

Donaldson recommended more rigorous selection to initial teacher training - both in academic terms and in "being clear about the qualities and capacities which are associated with high quality teachers" (Donaldson, 2010 p.27). He suggested developing a national assessment centre, and that candidates undertake literacy and numeracy tests. This would enable weaknesses to be addressed during the teaching course, rather than acting as a barrier to enrolment. He also wanted online resources to allow students to reach a defined baseline in advance of enrolling on a course (Donaldson 2010, recommendation 13).

The GTCS will publish revised entry requirements in Spring 2013. After this, the National Implementation Board will consider the merit of a national assessment centre (NPG, 2012). Examples of current entry requirements are provided at Annex 2.

Following pilots, from September 2013, all prospective student teachers will be able to take a 'diagnostic assessment' of literacy and numeracy. This will be at SCQF level 5 (equivalent to standard grade credit). This is not a new entry requirement, but will identify where students need extra support during their course. Professor Lindsay Paterson has criticised the proposals for literacy and numeracy tests, saying "it is completely pointless – not least because if you fail the tests you are not going to be rejected – you are going to get remedial help." In terms of entry requirements he thought that "we should be looking for students in the upper half of the distribution of attainment and we're not getting them" (Sunday Times, 2012).

Content and structure of the teaching degree

Teacher education is provided by the Universities of Aberdeen, Dundee, Edinburgh, Glasgow, Stirling, Strathclyde, UHI and West of Scotland with some provision by the Open University. All teacher education courses must meet the requirements of the GTCS. Despite this, Donaldson noted that there is "unacceptably wide variation in the overall quality of students' university experience." Following Donaldson's recommendation for, "a radical reappraisal of present courses and of the guidelines provided by the GTCS" (recommendation 14) new guidelines are expected in Spring 2013. He also recommended that university based teacher educators should have an agreed CPD programme (recommendation 23). As a result, 'Professional Update' will extend to university teacher educators.

The BEd is being phased out and replaced with, "degrees combining professional studies with in depth academic study beyond the field of education. The last entry to BEd courses will be Autumn 2013 "(NPG 2012, para 12).

PGDE⁴ students spend about half their time on placement and BEd students spend 30 weeks over four years (Donaldson, 2010 p.41). Donaldson noted that a sizeable minority (23%) of students had a poor experience on placement. He therefore suggested stronger quality assurance (recommendations 17, 19) and greater partnership working (recommendation 15). He considered that "a school which is recognised as offering a model of good practice in promoting professional learning could become a hub teaching school, working collaboratively with a university or other agency and with neighbouring schools" (Donaldson, 2010 p.45).

The NPG considered that, while the 'hub teaching model' might work in some areas, it would not be suitable for others (annex A, p.11). Instead, the NPG recommended that formal partnerships between local authorities and universities should oversee the early phase of a teacher's career – initial teacher education and the induction (probationary) year. School based staff will

⁴ Post graduate diploma of education, a one year course of initial teacher education.

undertake assessments for students on placement, but it will be up to local areas to decide whether this is carried out by teachers or university staff based in schools. The NPG reported that partnerships developed by the Universities of Glasgow, Strathclyde and Aberdeen with various local authorities had “generated enhanced professional dialogue” (NPG 2012 p.22).

Donaldson noted that there are always demands for particular topics to be covered in initial teacher education but considered that “any expectation that initial teacher education will cover all that a new teacher needs to know and do is clearly unrealistic” (Donaldson 2010, p.34). However, he suggested the following core elements:

- how to address underachievement
- teaching literacy and numeracy
- addressing additional support needs (particularly dyslexia and autistic spectrum disorder)
- effective assessment
- managing challenging behaviour

Induction

The probationary year has been widely praised as a successful innovation from the McCrone Agreement. However, Donaldson found that only just over half of probationers thought the CPD undertaken during the induction year was effective or very effective. He therefore recommended stronger quality assurance and greater integration with the university phase of training (recommendation 26). He recommended better support for those mentoring probationers and that mentoring should continue beyond the induction year (recommendation 31). In response, guidance on mentoring has been issued by Education Scotland and mentoring and coaching are to be part of the revised annual review system for all teachers.

In order to allow for study time, probationers were initially expected to do 70% of the class contact time required of a fully qualified teacher. Just prior to the Donaldson report's publication the Scottish Government and COSLA had agreed, in the November 2010 Local Government settlement, to increase the class contact time of probationer teachers from 70% to 90% of a fully registered teacher. SNCT terms and conditions changed in August 2011, and agreed that the increase should be to 82% (SNCT, 2011a). Donaldson recommended that class contact time could be increased in a managed way as the teacher gained experience (recommendation 30). Accordingly, the GTCS recommended that the amount of class contact time should start at 80% and could increase over the probationary year, “for teachers whose progress is deemed satisfactory” (NPG, 2012 annex A, p.16).

CAREER LONG PROFESSIONAL LEARNING

Once teachers have finished their probationary year and met the standard for full registration, the current system for improving their skills comprises annual reviews (professional review and development) and 35 hours contractual continuing professional development (CPD). Until 2010, teachers could gain the status of Chartered Teacher. This could be attained by study at Masters level or accreditation of prior learning and attracted increased salary.

The NPG report places great emphasis on using a revitalised system of professional review and development to progress teachers' career long learning. There will be better access to information about CPD and both the annual review and CPD records will contribute to the system of 'professional update' which the GTCS is developing. All of this will be underpinned by revised teaching standards.

Teaching Standards

In order to maintain their registration with the GTCS (and therefore in order to work in Scottish local authority schools), teachers must meet the standard for full registration. There are currently four standards covering initial teacher education (for probationer teachers), full registration (for all practising teachers), chartered teachers and headship. A prospective head teacher has to meet the standard for headship before being appointed.

In order to develop, “a culture where priority is given to attaining, maintaining and exceeding professional standards,” Donaldson recommended revising the existing standards and creating a new Standard for Active Registration, which would be “challenging and aspirational, fully embracing enhanced professionalism for teachers in Scotland” (recommendations 35, 36).

The GTCS has since [drafted and consulted](#) on revised standards which will apply from early 2013 (GTCS 2012b). This includes a new Standard for Career Long Professional Learning which aims to, “support teachers to develop and advance their thinking, learning, practice and expertise throughout their careers. ... Teachers who work with this standard will evolve and develop their practice and expertise beyond the registered level.” School Leaders’ Scotland has welcomed the proposed new standards, but the EIS has been critical of the consultation process, saying, “a more open process would have facilitated the expression of dissent.” They objected to phrases such as, “transformative change in practice” as implying that teachers are not doing a good job (TES 2012a).

The new standard of career long professional learning reflects the increased emphasis on this issue which stems from the Donaldson report and the GTCS development of a ‘professional update.’

Career Long Professional Learning

There is a wide range and availability of CPD across Scotland with an increasing emphasis on local, school based activity. Donaldson approved of this tendency and wanted greater emphasis on professional networks, that is, “professional learning communities which support and challenge one another around agreed areas for improvement.”

Donaldson recommended that CPD should be monitored for its effect on pupil outcomes (recommendation 34). In response, the NPG recommended that a teacher’s annual review would include discussion of how a teacher’s professional learning has impacted on pupils (NPG 2012, annex A, p.18).

Donaldson suggested that there were certain core elements that continuously need to be refreshed throughout a teacher’s career. These were: child protection, literacy, numeracy, health and wellbeing, child development, government policies, mentoring, reflective practice, subject knowledge, pedagogy and assessment. He also considered that all teachers should be trained in mentoring (recommendation 39) and that national strategies should be developed to address subject specific areas where research shows there is a need for improvement. He referred to modern languages in primary schools, science, aspects of mathematics and Gaelic (recommendation 42). He also recommended that, in order to address the ‘policy/practice’ gap, “new national initiatives should include a teacher education strategy” (recommendation 38).

In response, the NPG recommended that the National Implementation Board publish an annual paper setting out priorities for professional learning, and suggested that these might include: Gaelic medium education, additional support needs, modern languages and teaching in certain contexts – such as rural or deprived areas (NPG 2012, para 48-9). A replacement for CPD Find

(an online database of CPD opportunities) is intended to improve information about CPD opportunities and encourage more online 'communities of practice.' An 'e-portfolio' will enable teachers to keep track of their development with a view to completing PRD and the professional update. The National Implementation Board will also look into how teachers can access university education research.

Professional review and development

Donaldson found that a quarter of teachers thought that professional review and development (annual review) was "ineffective" or "very ineffective" at identifying priorities for CPD. He recommended that the annual review process should be used to record the effectiveness of CPD and it should be linked to the proposed Standard for Career Long Professional Learning.

Similarly, McCormac found that annual review, "often lacks credibility and is subject to wide variation," recommending that "all teachers should be engaged in a revitalised process of Professional Review and Personal Development (PRPD) which should be implemented consistently and on a national basis" (McCormac, 2011 recommendation 2). Other staff who contribute to educating pupils should also be entitled to PRPD and staff acting as reviewers should be properly trained (recommendations 4 and 5). Following these reviews, the GTCS issued [an advice note](#) to local authorities emphasising that annual review is part of a continuous process of support for teachers rather than just an annual interview (GTCS 2012c).

The annual review involves managers in a mentoring and coaching role and guidance on this has recently been published by Education Scotland. The NPG recommended that, "enhanced practice should then be rolled out to all local authorities as soon as possible." On-line resources will be available by April 2013.

The NPG noted that, "effective operation of PRD across Scotland is also crucial to the successful implementation of the system of Professional Update".

Professional update

By 2014, all teachers should be involved in a process of 'professional update.' Legislation⁵ requires the GTCS to develop 'reaccreditation' schemes that, "set out measures to be undertaken for the purposes of allowing it to keep itself [the GTCS] informed about the standard of education and training of registered teachers". From the outset, the GTCS has sought to involve stakeholders in the development of what it has termed "professional update". A consultation (GTCS, 2012d), which closed in March 2012, found general support for the proposals but raised the following issues:

- how the scheme and associated CPD will be funded
- how to avoid bureaucracy
- how to ensure it will not disadvantage teachers
- how teachers will find the time for it

It will be for individual local authorities to run professional update schemes, but these will be validated by GTCS. Schemes are being piloted from August 2012 in East Renfrewshire, North Lanarkshire and Perth and Kinross. The scheme involves annual review, supported by relevant continuing professional development opportunities. Every five years a Professional Update will involve, "sharing of evidence to confirm that a teacher has maintained professional skills and

⁵ Public Services Reform (General Teaching Council) (Scotland) Order 2011

understanding" (GTCS 2012e). This will be compiled by the individual teacher and signed off by their line manager (GTCS 2012f).

To support the professional update process an on-line CPD portfolio is being piloted by teachers in Perth and Kinross during session 2012/2013. The GTCS note (2012g) that,

"Further consideration will be required of potential costs associated with the further development and implementation of Professional Update as the pilot programmes are underway. This will include potential costs for the proposed development of a GTC Scotland on-line portfolio."

There will be a single e-portfolio for the recording of professional learning and the professional update. The GTCS and Education Scotland are working on this together.

Masters level profession

The Cabinet Secretary has said, "we should aspire to a vision of teaching as a masters level profession" (Scottish Parliament 2012a). While Donaldson considered that there is not enough evidence to, "suggest an immediate policy of requiring all teachers to be educated to Masters level," he recommended that that a greater range of CPD should be available at this level and greater encouragement to pursue study as this level. "I am not advocating a Masters profession as a key policy driver, I do believe that advanced study is part of the enhanced professionalism." (Donaldson, 2010 ch. 1). The McCormac report endorsed this approach recommending, "A rigorous and relevant programme of CPD should be made available to all teachers; spanning initial teacher education to masters level" (recommendation 10). Education Scotland has recommended that, "the depth, rigour and relevance of professional learning for all teachers in Scotland should be raised significantly, taking account of the successful features of the Chartered Teachers programme" and using SCQF level 11 and the new GTCS standard for career long professional learning as a reference" (Education Scotland 2012b).

The NPG, "considers that there would be clear benefits in making a strategic commitment to move towards making teaching in Scotland a masters level profession" (NPG 2012, para 32) and recommended increasing the number of teachers undertaking study at this level. In pursuit of this, the Scottish Teacher Education Committee will report by June 2013 on how to develop a framework to accredit prior and current learning. In addition to 'Masters level credits', the committee will develop a Scottish Masters of Education. Local authorities should set targets to increase the number of teachers with Masters level qualifications (para 38).

The Scottish Government has announced £3m over the next three years to support Masters level study. The first priority will be those teachers who are part way through their Chartered Teacher qualification and teachers who are already undertaking Masters qualifications (Scottish Government 2012a).

Although Masters level study is advocated strongly, neither the Scottish Government nor the NPG recommended that it should attract increased salary. This has been criticised by the EIS (EIS 2012a). In addition, the outgoing president of School Leaders Scotland has expressed 'a personal concern' about whether the move to a Masters level profession is backed by evidence. He said, "We all know, albeit perhaps anecdotally, that not all of our best teachers have the best academic qualifications" (TES, 2012b).

Chartered Teachers

Prior to 2010, one route to a Masters level qualification was through the Chartered Teacher Scheme created following the McCrone agreement in 2001. By May 2011, 1,216 teachers had attained Chartered Teacher status and a further 2,800 were working towards it (McCormac 2011 para 5.17). Chartered Teachers could earn up to £42,000 in comparison to a classroom teacher on the main grade scale who could earn up to £34,000 (2011- 2013 pay scale). However, around two thirds (65%) of Chartered Teachers gained that status through the accreditation of prior learning rather than through obtaining a Masters level qualification (Scottish Government, personal communication).

In November 2010, the Scottish Government and COSLA agreed to freeze entry to the Chartered Teacher scheme while the McCormac review took place. Reporting the following month, Donaldson found that,

“the programme does not always attract and reward our highest performing class teachers and the nature of the programme does not ensure that participants are better teachers as a result of gaining the award.”

He recommended that it should be more clearly linked to improved teaching skills and that local authorities should have greater control over who applies for it (recommendation 45). McCormac recommended that the scheme be discontinued and replaced by, “a system of professional recognition of teachers that demonstrates long term innovative classroom practice.”

In June 2012, the SNCT agreed that Chartered Teachers would keep their existing salary, but would not receive any further increments. In return, they would be required to, “make an enhanced contribution to the school or wider educational community.” The detail is set out in new guidance on the role of the chartered teacher. They “remain primarily classroom teachers and should not be regarded as part of the school’s management structure” (SNCT 2012a).

Reporting in November 2012, Education Scotland found that, at their best, Chartered Teachers, “gained a deeper understanding of pedagogy through direct links between theory and practice and this could contributing to a stronger focus on identifying and addressing the learning and pastoral needs of children and young people”. Whether this was the case depended on the teacher themselves, the culture of the school and the presence of other chartered teachers in the school (Education Scotland, 2012b).

DEVELOPING LEADERSHIP

Underpinning the Donaldson report is the idea of ‘extended professionalism’ – an idea which fosters leadership attributes of reflective practice and taking responsibility for one’s own work. Donaldson recommended that a clear, progressive educational leadership pathway should be developed, that the routes to achieving the Standard for Headship be evaluated and that CPD opportunities for experienced head teachers should be improved. He also considered that high performing head teachers should contribute more to national policy development and a virtual college of school leadership be developed.

The National Implementation Board will develop proposals for a Scottish College of Educational Leadership, with the aim of establishing such a college by August 2013. This should be open to all those working in education – not just teachers, and will have oversight of the new Framework for Educational Leadership and for the development of any new qualifications related to leadership.

As noted above, the GTCS have already consulted on a new Standard for Leadership and Management – which takes a wider view of leadership than just the role of head teacher. The NPG recommended that by, 2017, all aspiring head teachers should be required to have a leadership qualification as evidence of meeting the Standard for Headship, before being appointed. School Leaders Scotland have cautioned that, "if you make achieving the qualification too rigid then it risks putting people off and we are struggling as it is to get good people in post" (Herald, 2012b).

WORKING TERMS AND CONDITIONS

While professional training and development can, in some respects, form part of terms and conditions of employment, the following looks at those aspects which are more clearly for negotiation by the SNCT and also summarises changes to pensions.

The SNCT (comprising Scottish Government, teacher unions and teacher employers) sets national terms and conditions covering issues such as pay, hours of work, duties, class contact time and holidays for teachers and some other education staff. Terms and conditions were settled for around 10 years following the McCrone agreement (McCrone Implementation Group 2001). In November 2010 however, the Scottish Government and COSLA agreed to pursue certain changes through the next round of SNCT negotiations and initiated the McCormac review discussed above. Although some changes have happened, further changes are currently being negotiated and a new teachers' agreement is expected in April 2013. The following section therefore starts with the 2011 SNCT changes and changes recommended by McCormac, before setting out very briefly changes to pensions which are part of wider public sector reforms.

SNCT AGREEMENT 2011

In November 2010, the Scottish Government and COSLA agreed to pursue certain changes through the SNCT. In May 2011, the SNCT agreed the following changes to terms and conditions (SNCT 2011b):

- A pay freeze in 2011/12 and 2012/13;
- An increase in contact time for probationers to 0.82 FTE;
- All short term supply teachers to be paid on Point 1 of the Main Grade Scale and only for hours worked;
- Amendment of salary conservation arrangements to remove entitlement to lifetime salary conservation;
- Amendment of the annual leave entitlement for all teachers to 40 days per annum; and
- Freeze entry into the Chartered Teacher Scheme

The end of the Chartered Teacher Scheme has been discussed above. The pay freeze applied across the public sector, and when it ends in April 2013, the Scottish Public Sector Pay Policy intends to restrict pay increases to 1% (Scottish Parliament 2012b) and this will be the background to the SNCT negotiations on teachers' pay which will shortly commence.

Probationer contact time has been discussed above at p.7. The following therefore considers salary conservation, annual leave entitlements and supply teachers. It also looks at changes to pensions and recommendations from McCormac on teachers' duties, class contact time and the involvement of 'external experts' in the classroom.

SALARY CONSERVATION AND JOB SIZING

Some staff had their posts regraded following changes to the career structure introduced by the McCrone agreement. Those who were in post prior to 1 April 2001 and whose salary was reduced as a result, had their salaries conserved until retirement (lifetime conservation). However those who were posted after that date and whose salaries were reduced following regrading were entitled to cash conservation for 3 years. The SNCT agreed in May 2011 to end lifetime conservation arrangements, and those teachers affected have been placed on cash conservation until 31 March 2016. They have issued advice to employers to help them manage this change for those affected.

McCormac recommended (recommendation 30) that the 'job-sizing toolkit' that was used to re-grade teachers to the new career structure should be reviewed again, "to address anomalies and ensure consistent application." These perceived anomalies included that deputy heads in large schools in disadvantaged areas earned more than head teachers in more affluent areas in smaller schools (McCormac 2011 p.41). The SNCT had already reviewed the toolkit and the agreed revisions which took effect in January 2011 (Scottish Government, personal communication).

ANNUAL LEAVE ENTITLEMENT

An employee is entitled to accrue annual leave while they are on family leave or sick leave – the logic being that annual leave and family leave/sick leave are separate employment rights. A teacher's working year is 195 days so, not counting weekends, this leaves 66 days when they are not required to work. These 66 days were deemed to be their annual leave entitlement. The SNCT agreed to redefine the annual leave entitlement for teachers as 40 days, terming the other 26 days as 'school closure days'. Teachers are still entitled not to come to work for 66 days a year, but, if they are on family leave or sick leave, can only accrue up to 40 days annual leave. For example, a teacher on maternity leave for a year would return having accrued 40, not 66 days annual leave.

SUPPLY TEACHERS

From August 2011, all supply teaching contracts of five days or less have been paid at Point 1 of the main grade scale (£25,716 pro rata, which is £15.63 per hour) regardless of the teacher's experience. Such contracts comprise 22.5 hours class contact time and 2.5 hours non class contact time per week i.e. a working week of 25 hours compared to a normal working week for teachers of 35 hours. Each separate agreement of five days or less is treated as a separate contract (SNCT online).

Following the pay deal in May 2011, there were press reports of difficulties in recruiting short term supply cover as teachers reacted to the paycut. (eg Herald 2011). As yet there are no official statistics on this. A [Scottish Supply Teachers Network](#) (SSTN) has been formed to highlight the issue and they are considering whether they can bring legal action.

The Cabinet Secretary has described the pay deal as "regrettable but there was little alternative" (Scottish Parliament 2011a)) He "accept(s) it was a difficult agreement" and will keep the situation under review (Scottish Parliament 2012c).

The SNCT issued questionnaires on experiences regarding supply teaching following the 2011 changes. However, responses to these questionnaires did not provide definitive answers and it

was agreed to seek further evidence. The SNCT monitored supply over a 4 week reference period, 29 October to 23 November. Returns are due by 7th December 2012 (SNCT 2012b).

The Teacher Workforce Planning Group assesses the need for student teacher places each year. In the guidance for 2012/13 they noted that there were reports of supply teacher shortages in some areas and subjects but considered that, "It was not clear the extent to which this [shortage] was a result of the SNCT agreement which reduced the remuneration of teachers on short term supply and/or a diminishing number of unemployed teachers to fill vacant posts." The guidance concluded that, "it was not considered necessary to make any further increase [in student teacher numbers] specifically in relation to this issue" (Scottish Funding Council 2012).

TEACHER DUTIES

The McCrone agreement included a list of duties that teachers would carry out (known as Annex B) and a list of duties that teachers should not carry out (Annex E). The latter are mainly administrative duties such as documentation relating to out-of-school visits/work experience/visiting groups, supervising play grounds and administrative elements of pupil welfare requirements.

The McCormac review recommended the abolition of both these lists. McCormac recommended that Annex B should be replaced by a set of standards taken forward in conjunction with GTCS work. In relation to removing Annex E he stated,

"sensible flexibility within a school - that does not detract from the core educational role of the teacher - should be the norm" (McCormac 2011 para 3.6)

The SNCT Teachers' Panel oppose the removal of the lists of teachers' duties and reliance instead on GTCS standards as this would bring GTCS into matters that should be considered by the SNCT. This issue is currently being considered by the SNCT (Scottish Government, personal communication, EIS 2011).

CLASS CONTACT TIME

Teachers currently have class contact time of 22.5 hours per week which is short of the normal pupil week of 25 hours in primary and 27.5 in secondary schools. This has created a requirement to fill in the difference of 2.5 hours a week in primary and 5 hours in secondary, often referred to as 'McCrone hours'. McCormac noted that,

"in some cases, in some primary schools, this has led to ad hoc arrangements during the pupil week to release the teacher from the class" (McCormac 2011, para 6.5).

He noted that class contact time in Scotland is high compared to other OECD nations and so did not recommend that it be increased. He did however recommend that it could be apportioned more flexibly - say over a month or a term, in order to allow for greater continuity and for teachers and pupils to engage in more substantive pieces of work. Related to this, he recommended that teachers should remain within the school during the pupil day. (The McCrone agreement had allowed them to work at home outwith class contact hours, often referred to by teachers as 'time and place arrangements'.)

All of the teacher unions are opposed to any increased flexibility in hours, being of the view that it could have a negative impact on teacher workload. This issue is still being considered by the SNCT (Scottish Government, personal communication and EIS 2011).

EXTERNAL EXPERTS

McCormac recommended that, “the involvement of external experts in the delivery of teacher led school education should be facilitated. Schools should be encouraged to draw on appropriately skilled individuals to enhance the learning of pupils. Head teachers would determine whether these individuals may work directly with a class on their own” and, “the GTCS should develop a validation process to assist local authority schemes for the involvement of specialists” (recommendations 31, 32).

The issue came to prominence following a draft proposal by Renfrewshire Council in January 2011 that non-teachers cover 2.5 hours of the pupil week in primary schools. This was withdrawn but it highlighted that there is no explicit statutory provision for the number of hours children are required to be taught each week.

In 2012, Education Scotland looked at the [involvement of external experts in schools](#), recommending that,

“external experts represent a valuable resource which teachers can use to support the learning for children and young people. They are not a substitute for the professionalism of the teachers” and “there remains significant potential to increase and improve these contributions further” (Education Scotland 2012a).

The report mentions a wide range of types of experts who can be involved in delivering the curriculum including: community sports coaches, college lecturers, community learning staff, police officers, a theatre company, credit union staff, health professionals, fire and rescue staff, accountants and building companies. Education Scotland stated, “Their role is to work alongside the teacher using their expert knowledge and skills to enhance the curriculum.” The report considered that: “no further national guidance is required with regard to the involvement of external experts.”

PENSIONS

In common with the rest of the public sector, there are significant changes to teachers' pensions underway. Occupational pensions policy is reserved to Westminster and primary legislation dealing with pensions is also reserved. However, the teachers' pension scheme is one of a number administered by the Scottish Public Pensions Agency. The scheme is regulated by devolved legislation, but any changes to the scheme are subject to HM Treasury approval. Over the years normal practice has been to have consistent pensions policy across the UK public sector. The issue has now arisen of exactly how much scope there is to make alterations for a Scottish scheme. Pensions are complex and the issues raised are part of a much wider consideration of all public sector pensions. Therefore, the following only gives an outline of the main changes.

Some changes have already been agreed. Since April 2012, the rate at which pensions increase has been linked to the CPI measure of inflation rather than RPI. CPI is normally lower than RPI. April 2012 also saw the first of three tranches of employee contributions increases.

In addition, the [Pension Act 2011](#) provided that by 2020 the state retirement age would increase to 66. This is the age at which people will be able to claim their state pension.

Increasing employee contributions

In 2011/12, teachers' employee contributions were 6.4%. HM Treasury requires that contributions increase by an average of 3.2 percentage points over the three years from April 2012. The first tranche of increases was put in place in April 2012. Increases are tiered according to salary but, for example, the contribution for a teacher at the top of the main grade scale, earning £34,200, increased from 6.4% to 7.6% in 2012/13 (SPPA, 2012). In November 2012, John Swinney confirmed that further increases would be applied in April 2013 (Scottish Parliament 2012d). HM Treasury would also like to see a third tranche of increases in April 2014 having stated that, "in the event that the Scottish Executive chooses not to implement the further increases in contributions, the Treasury would make an according adjustment to the Scottish Executive budget" (Scottish Parliament 2012d). The 2013 and 2014 increases will be subject to regulations to be considered by the Scottish Parliament.

New schemes from 2015

The Public Service Pensions Bill was introduced in the UK Parliament in September 2012 and requires new pensions schemes to be developed for the public sector by 2015. This sets out a new framework within which the Scottish teachers' scheme will have to work.

The Pensions Bill extends to Scotland and is expected to be passed by May 2013. The detail of teachers' pensions will continue to be specified in devolved regulations and remain subject to HM Treasury consent. Some aspects are set out on the face of the bill and therefore must be included in the new schemes. These include linking normal pension age to the state retirement age and a shift from final salary to career average schemes⁶. The issue of equating normal pension age with the state retirement age has, to date, proven the most controversial issue.

Normal pension age

The normal pension age is the age at which a person can draw their full occupational pension. Currently, this is 60 for teachers joining the Scottish pension scheme before 2007, and 65 for those who have joined since. Clause 9 of the Bill sets the normal pension age at the equivalent of the state retirement age or 65, whichever is greater. The explanatory notes state that,

"Its purpose is to manage the increasing costs of longevity improvements by providing for scheme members to work for longer in order to draw a full scheme pension."

The state retirement age (at which an individual is entitled to receive their state pension) is currently 60 for women and 65 for men but will increase to 66 by 2020 and 67 between 2034 and 2036 (although it has been proposed that this is brought forward to between 2026 and 2028). This means that by linking the normal pension age to the state retirement age, the age at which a teacher, whose career started before 2007, will be able to claim their full occupational pension will increase from 60 to 67⁷. This is set out on the face of the Bill and so cannot be varied by Scottish regulations. The EIS has said (2012b),

⁶ Protection is provided to those individuals who on 1 April 2012 were within 10 years of their scheme's current normal pension age

⁷ transitional arrangements mean that they may have access to some of their pension if they retire prior to this

“While there is a general level of acceptance that some level of pension reform is inevitable, the issue of automatically linking retirement age to the state pension age is one change that teachers cannot accept.”

Prior to the Bill's publication, John Swinney expressed concern that the Scottish Government's ability to negotiate with stakeholders would be constrained by the inclusion of details such as the normal pension age on the face of the Bill:

"I fear that such a link will be established, which will reduce flexibility in negotiating pension scheme arrangements in Scotland" (Scottish Parliament, 2012e).

Role of Scottish Government and Parliament

Regulations will come to the Scottish Parliament to legislate for increased contribution rates in 2013 and 2014 and for a new teachers' pension scheme to be in place by April 2015.

The UK Government published Proposed Final Agreements for the teachers, NHS and civil service schemes in March 2012. These do not apply in Scotland, but have been taken as a benchmark for the design and costs for the Scottish scheme. HM Treasury has indicated that there is 'some flexibility' if the shortfall in funding is met from Scottish Government funds (August meeting of Scottish Government pensions group). However, the new scheme has to be within the framework set by the UK Pensions Bill.

The Scottish Government is exploring what scope there is to have a different scheme and has established the 'Teacher Pension Negotiating Group' which has met roughly monthly since its establishment in April 2012. Papers are available at:
<http://www.scotland.gov.uk/topics/education/schools/teaching/PAC/pensionsgroup>

Scottish teacher unions such as the EIS and SSTA oppose the changes. The SSTA had a 'work to contract' but suspended it on 8th October, "because of the ongoing negotiation with Scottish Government aiming to effect a Scottish Solution to the pension dispute" (SSTA 2012) Both have since decided to reconsider strike action due to what they consider to be lack of progress (Herald 2012c). In a statement to Parliament on 28th November 2012, John Swinney reflected on the constraints placed on him by the UK Government's Pensions' bill stating,

“Notwithstanding these constraints, I re-affirm this government's commitment to engage in meaningful negotiations with our negotiating partners to utilise all remaining flexibility to deliver schemes that are appropriate to the interests of people in Scotland. Such flexibility must be affordable and sustainable within the context of the limitations of existing public finances.”

He noted the very tight timetable for getting the new schemes in place by April 2015 and hoped for swift progress on negotiations,

“We have barely 28 months to conclude negotiations; prepare the necessary legislation; and ensure that employers and scheme administrators can prepare they systems and processes before the April 2015 deadline set by the UK government for implementation of new schemes.

So today I am setting out the Scottish Government's expectation that negotiating partners should use the clarify I have provided today to reach conclusions on the terms of new pension schemes as swiftly as possible” (Scottish Parliament 2012d).

ANNEX 1 TIMELINE

Date	Theme	Change
2001- 2006	Terms and conditions CPD	2001 Agreement following McCrone review, phased implementation up to 2006.
2006		Audit Scotland question the impact of McCrone
Nov 2010	Terms and conditions	COSLA and Scottish Government spending review agreement
Dec 2010	ITE, induction, CPD, PRD, leadership	Donaldson Review published
March 2011	ITE, induction, CPD, PRD, leadership	National Partnership Group established
March 2011	Professional Update	GTCS required to develop 're-accreditation scheme'
April 2011	pensions	Uprating changed from RPI to CPI
May 2011	Pay, Terms and conditions	SNCT agreement re: pay freeze, supply teachers, chartered teachers, probationer hours, family leave entitlement, removal of salary conservation.
Sept 2011	Terms and conditions, ITE, induction, CPD, PRD, leadership	McCormac review of McCrone agreement published
April 2012	pensions	1 st of a series of increases in contributions SG negotiating group established
Autumn 2012	leadership	Education Scotland publish Framework for Educational Leadership
Sept 2012	pensions	UK pensions bill introduced
Sept 2012	pay	1% cap on all public sector pay rises for 2013/14.
Nov 2012	ITE, induction, CPD, PRD, leadership	National Partnership Group publish report and disband. National Implementation Board established
Jan 2013	PRD	'Professional learning' pilots in 3 local authorities with evaluation concluded by September 2013
Jan 2013	Professional Standards	New professional standards published by GTCS
April 2013	Pay, terms and conditions	SNCT agreement on teacher pay, terms and conditions.
April 2013	PRD	National Working Group to publish online resources for PRD
Spring 2013	ITE	new ITE entry requirements and new guidelines for courses
June 2013	CPD	STEC proposals for masters level profession
Aug 2013	leadership	establish college of educational leadership
Aug 2013	ITE	Last BEd entry 2013, last graduation 2017.
Aug 2013	Pay, terms and conditions	New teachers' agreement in place
Aug 2013	ITE, CPD	formal partnership arrangements between local authorities and universities
Aug 2013	CPD, PRD, professional update	e-portfolio in place, linked to interactive Framework for Educational Leadership
Aug 2013	CPD, PRD	Scottish Government to publish research on current routes to headship
Sept 2013	ITE	Diagnostic assessments available for literacy and numeracy for ITE
2014	Professional Update	Full implementation of GTCS scheme
2015	Pensions	New teachers pension scheme introduced
2016	Pay	End of salary conservation
Aug 2017	leadership	All new head teachers to have a qualification in leadership

ANNEX 2: ENTRY REQUIREMENTS

PDGE Primary

- A degree plus three Highers, one of which is in English at grade C. Must also have Maths standard grade at credit level.

PGDE Secondary

- A degree including 80 credit points relevant to the teaching qualification you are studying for (40 credit points must be at second year undergraduate level or above).
- Higher English or an equivalent qualification.

source: Teach in Scotland <http://www.teachinginScotland.com/709.455.520.html>

Examples of entry requirements for Primary BEd

Strathclyde: Highers 1st sitting: AAAB, 2nd sitting: AAABB, including English Higher (B). Also Maths Standard Grade (credit).

Glasgow: Highers: AAB/ABBB including English (B). Also Maths Standard Grade (credit).

Edinburgh: Highers: BBBB including English (if English at Grade C, then Mathematics at Grade B expected). Also Maths Standard Grade (credit). 'Typical offer' of SQA Highers: BBBB

Example of entry requirements for other degrees.

- **History (Edinburgh)** Highers: minimum of BBBB or more if two sittings, but 'typical offer' of AAAA in one sitting
- **Law (Strathclyde)** minimum of 1st sitting: AAAAB, 2nd sitting: AAA BBBB
- **Accounting (Glasgow)** AAABB/AAAA (from fifth year) including Mathematics at B and a humanities subject, preferably English, at B

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