

## Appendix 1

Stewart Paterson  
David Clarke, LNCT Joint Secretaries, West Dunbartonshire

12 February 2009

Dear Colleague

### **Our Lady and St Patrick's High School, West Dunbartonshire**

The Joint Secretaries, Employers' Side and Teachers' Side, thank you for arranging the meeting on Monday 9 February 2009. We are grateful for the opportunity to hear the supporting statements from Charlie Rooney, HT, and from Jimmy Moore, EIS Representative.

We regret the delay in dealing with this matter. The Joint Secretaries waited to receive paperwork from the Council. In retrospect we should have pushed for an earlier meeting. We note the views from the EIS Representative that the delay has caused frustration and some anger within the branch. We apologise if we have contributed to this failure.

We note that both parties were aware that some degree of compromise was desirable and we welcomed the Head Teacher's clear commitment to have three "end on" parents' meetings.

The crux of the matter relates to DAWS sessions. We note that this type of cross curricular work appears to be unique to OLSP High School and that other secondary schools in the Council area operate different models. The SNCT Joint Secretaries have no authority on cross curricular work or how such working is best organised. We are aware that A Curriculum for Excellence will demand awareness of, and potentially delivery of, cross curricular working.

The SNCT is clear that Working Time Agreements are not intended to require a uniformity of practice. While SNCTs will issue prescriptive guidance on the operation of Working Time, there must be scope for schools to adapt such guidance to their own requirements and to be innovative in managing change and workload.

It may be that, at LNCT level, some consideration is given to how cross curricular themes are addressed across schools. Unless there are examples of alternative ways of delivering cross curricular work effectively, it is our view that the Headteacher is entitled to see the DAWS model as a reasonable approach.

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There seemed to be some frustration at the process of trying to reach in-house agreement on Working Time. The Headteacher was keen to understand the parameters under which the union negotiators were working. From their perspective the union members felt that the Headteacher was circumventing the process, by, for example, going to PT meetings or questioning whether the union representatives were accurately reflecting the position of members.

The Joint Secretaries acknowledge these frustrations, but also acknowledge that both the Headteacher and the EIS representative were keen to work together and to move forward.

The Headteacher has a right to raise his position with PTs between negotiating meetings. In this regard, he has been more open than may have been the case had he only spoken to the SMT in the school. It may have been politic for him to advise the branch representative that he was going to raise the matter at the PT meeting before doing so, but it will be open to both sides in any negotiation to refine positions between meetings.

There is no definitive position on the role of negotiators. There is no doubt that negotiators will wish to bring proposals to a branch meeting before sign off. There is no power to “settle”. During the process of negotiation on Working Time certain items will be accepted subject to a general “nothing is agreed until everything is agreed” approach. However, it is not unreasonable that the Headteacher will seek assurances that the negotiators are sufficiently content with progress that they are prepared to take the matter back.

The Teachers’ Side Joint Secretary advises that, while there is no definitive guidance on how negotiators operate, it can be helpful for the negotiation process and indeed for the conduct of branch meetings if negotiators indicate that they are able to support a particular set of recommendations and will be prepared to advise acceptance at a branch meeting. Similarly, negotiators are entitled to take a matter back, but advise management that any recommendation does not enjoy their support. There is a leadership role for any negotiator.

However, the operation of the EIS as a branch is a matter for the EIS members in the branch to pursue internally or through the structures of the local association.

Despite frustrations on both sides it did not appear to the Joint Secretaries that there was a fundamental breakdown in working relationships. On the contrary, both parties accepted that the breakdown was over the issue of Parents’ Meetings and DAWS. Nevertheless, the Joint Secretaries would suggest to the parties the possibility of the LNCT supporting this year’s negotiations.

In relation to DAWS it appears that there are two positions on the table. The joint union position is for a maximum of DAWS meetings to be set at 3, each lasting 1.5 hours. The Headteacher is seeking 5 meetings of one 1 hour, but accuracy for 7.5 hours for planning purposes.

It is always pragmatic to see if common ground can be found. One possibility would be for 4 meetings to be set, each lasting about 1 hour, but set at 6 hours for planning purposes.

We agree that this, by itself, would be insufficient to resolve the issue. Therefore, we offer the following points for consideration. The relationship of DAWS to Council, school or departmental priorities is not clear. Therefore, it may be helpful for the union negotiators to have the opportunity to comment on the School Improvement Plan before it is issued for consultation. The issues to be considered for discussion on DAWS could also be discussed and the role of the unions in evaluating DAWS sessions can be clarified, both in relation to the questionnaire and monitoring returns.

It was clear that the LNCT Joint Secretaries had not had sight of more recent evaluations. Regardless of what is agreed for the future we would recommend that these evaluations are provided to the LNCT Joint Secretaries. If work is undertaken on approaches to cross curricular working in secondary schools, it is relevant to that work. As stated above, cross curricular mechanisms are not a matter for the SNCT. However, it is our view that the use of anonymous evaluation sheets is critical and an agreed format for future working will be a basis for moving forward.

We trust this advice is helpful.

Yours sincerely

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