

...nursery nurses, classroom assistants, secretaries, bursars, school meals staff, TAs, learning support practitioners, sitekeepers, learning mentors, cover supervisors, administrators, cleaners, librarians, midday supervisors, personal care assistants, technicians, HLTAs, School Business Managers.....**GMB, your union in schools**

LOCAL GOVERNMENT PAY TALKS - EMPLOYERS PUT OPTIONS ON THE TABLE

At a meeting of the Executive of the NJC for Local Government, the national employer representatives put forward two options to increase pay. If accepted this offer would apply to all schools covered by the NJC (Green Book). Check your contract of employment if you are not sure.

Against a difficult background and after a 3-year pay freeze the employers offered:-

Option 1

- 1.0% on all pay points from 1 April 2013
- NJC mileage rates replaced by HMRC Approved Mileage Rates (<http://www.hmrc.gov.uk/rates/travel.htm>) for those councils currently applying NJC rates, from a date to be agreed (*Green Book Part 2 Para 12 and Part 3 Para 6 refers*). If your employer does not use NJC mileage rates then you are not affected. For those that do, NJC mileage rates can be found at <http://www.gmb.org.uk/pdf/Car%20Allowances%202010.pdf>. They are more generous than the proposed HMRC rates so this aspect is a detriment for people currently on NJC rates.
- Unilateral arbitration clause replaced by bilateral reference, from date to be agreed (*Green Book Constitution Para 17 refers*). At the moment, the national agreement says that any dispute can be referred to independent arbitration at the request of either side. In practise, whenever we try to do this the employers refuse and they are proposing that in future any referral to arbitration should be by agreement.
- An increase in the minimum paid annual leave entitlement from 21 days to 22 days, from a date to be agreed (*Green Book Part 2 Para 7.2 refers*). This is an improvement

for anyone on the minimum 21 days annual leave entitlement.

- Increase in continuous service entitlement for the purposes of calculation of entitlements to annual leave, occupational maternity leave / pay and occupational sick pay from return to service within five years to within ten years of the original transfer, from a date to be agreed (*Green Book Part 2 Para 14.2 and 14.3 refers*). This means that people leaving local government service and coming back later have a longer period over which they can protect their service benefits than before so this is an improvement in those situations where it might arise.
- Joint statement providing a list of the issues on which both Sides agree to commence immediate serious discussions.

(NB: all dates for implementation of changes to be agreed as part of final deal)

Option 2

- 1.0% on pay points 4 to 10 from 1 April 2013
- 0.6% on pay points 11 and above from 1 April 2013

The two options set out above are both of disappointingly low value but would end the pay freeze if accepted. The next stage is therefore that GMB and the other TUs will discuss these options and we intend to make them subject to member consultation. Of course, there will be an 'option 3' to reject both the employer's options.

If you have any work colleagues who are not GMB members and want to be consulted on this please invite them to join GMB using the attached form.

CHILDREN AND FAMILIES BILL

SIGNIFICANT reforms to services for vulnerable children and radical proposals to allow parents to choose how they share up to a year's leave to look after their new-born children have been announced.

The Children and Families Bill, published 5 Feb, includes reforms to adoption, family justice, an overhaul of Special Educational Needs, reinforcing the role of the Children's Commissioner and plans to introduce childminders agencies. It also includes the extension of the right to request flexible working to all employees.

The Bill will include provisions on the following reforms:

- **Adoption Reform:** the Government wants to reform the system so that more children can benefit more quickly from being adopted.
- **Children in care:** The Bill will require every Council to have a 'virtual school head' to champion the education of children in the authority's care, as if they all attended the same school.
- **Shared parental leave:** the Government will create a new system which allows both parents to keep a strong link to their workplace.
- **Flexible working:** the Government wants to allow individuals to manage their work alongside other commitments.
- **Family Justice:** the Government wants to remove delays and ensure that the children's best interests are at the heart of decision making.
- **Special Educational Needs:** the Government is radically reforming the system so that it extends from birth to 25.
- **Childcare reform:** The Bill introduces childminder agencies which will enable more flexible childminding.
- **Children's Commissioner:** the Bill makes the Children's Commissioner more independent

from Government with a remit to 'protect and promote children's rights'.

DISABLED CHILDREN BEING ILLEGALLY EXCLUDED FROM SCHOOLS

Disabled children are routinely illegally excluded from school with a devastating impact on their education and mental health, according to new research from Contact a Family.

Over 400 affected families of children in England and Wales with disabilities or additional needs responded to a survey to show that:

- more than half (53 per cent) of families have been asked to collect their child during the school day because there are not enough staff available to support them
- more than half (56 per cent) of families have been told by the school that their child can't take part in a class activity or trip because it is unsuitable for them;
- almost a quarter (22 per cent) are illegally excluded every week and 15 per cent every day.

Schools using illegal exclusions bypass official procedures laid out by the Department for Education. Unlike formal exclusions, schools do not have to report this type of exclusion to the local authority. It is not subject to review or external monitoring and can drag on indefinitely.

Families with disabled children are often under enormous practical, physical and emotional pressure. If schools use illegal exclusions, families are placed under additional stress. It is easy for pupils to slip through the net and to languish at home with very limited education or none at all.

For disabled children who already need more support than their peers, this withdrawal of education can have a devastating impact on their progress and attainment, as well as their confidence, relationships and mental health.

Contact a Family is concerned that local authority cuts could lead to increased numbers

of disabled children being illegally excluded from school. As school budgets are stretched further, there could be less support for children with additional needs.

Maggie Atkinson, Children's Commissioner for England responded to the report saying: "The findings of Contact a Family's Falling Through The Net reflect those of my office's School Exclusions Inquiry which discovered disabled children are disproportionately more likely to be excluded than children without disabilities. It is vital that disabled children are not discriminated against in the education system."

ALLEGATIONS OF ABUSE – NEW STATUTORY GUIDANCE

This is statutory guidance from the Department for Education and is on the DfE website "Dealing with Allegations of Abuse". This means schools must have regard to it when carrying out duties relating to handling allegations of abuse against teachers and other staff.

What legislation does this guidance relate to?

- the Children Act 1989;
- section 175 of the Education Act 2002 (local authorities, governing bodies of maintained schools and institutions in the further education sector);
- section 157 of the Education Act 2002 and the Education (Independent School Standards) (England) Regulations 2010
- the Children Act 2004;
- section 11 of the Children Act 2004 (other agencies); and
- sections 141F, 141G and 141H3 of the Education Act 2002

Who is the guidance for?

This guidance is aimed at all schools (including academies), local authorities, governing bodies and the FE sector. This guidance relates to all adults working with children and young people, whether in a paid or voluntary position, including those who work with children on a temporary, supply or locum basis.

Key points

- If an allegation is made against a teacher or other member of staff the quick resolution of that allegation should be a clear priority to the benefit of all concerned. At any stage of consideration or investigation, all unnecessary delays should be eradicated.
- In response to an allegation staff suspension should not be the default option. An individual should only be suspended if there is no reasonable alternative. If suspension is deemed appropriate, the reasons and justification should be recorded by the school and the individual notified of the reasons.
- Allegations that are found to have been malicious should be removed from personnel records and any that are not substantiated, are unfounded or malicious should not be referred to in employer references.
- Pupils that are found to have made malicious allegations are likely to have breached school behaviour policies. The school should therefore consider whether to apply an appropriate sanction, which could include temporary or permanent exclusion (as well as referral to the police if there are grounds for believing a criminal offence may have been committed).
- All schools and FE colleges should have procedures for dealing with allegations. The procedures should make it clear that all allegations should be reported straight away, normally to the headteacher, principal or proprietor if it is an independent school. The procedures should also identify the person, often the chair of governors, to whom reports should be made in the absence of the headteacher or principal, or in cases where the headteacher or principal themselves are the subject of the allegation or concern. Procedures should also include contact details for the local authority designated officer (LADO) responsible for providing advice and monitoring cases.

SAY YES TO SECURITY AT WORK

As a GMB member you are much more **secure** at work because you are part of an **effective** union of 700,000 members. Whether you work full-time or part-time — whatever job you do — GMB can **help** you.



WHERE DO I SEND MY COMPLETED FORM?
 Just fill in parts 1, 2 and 3 or 4 below and post it to:

Freepost RSTL-ULCH-JBET
 GMB
 22 Stephenson Way
 LONDON
 NW1 2HD
 Or hand the form below to your local GMB representative

FOR UNION USE ONLY	Section <input style="width: 20px;" type="text"/>	Branch No <input style="width: 20px;" type="text"/>	Membership No <input style="width: 20px;" type="text"/>	Date of joining <input style="width: 20px;" type="text"/>
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PLEASE USE BLOCK CAPITALS WHEN COMPLETING FORM

1	TELL US ABOUT YOU													
Surname <input style="width: 100%;" type="text"/>			First Name <input style="width: 100%;" type="text"/>			Title Mrs/Miss/Ms/Mr <input style="width: 100%;" type="text"/>		Date of Birth <input style="width: 20px;" type="text"/>						
Home Address <input style="width: 100%;" type="text"/> Postcode <input style="width: 100%;" type="text"/>			Home Tel <input style="width: 100%;" type="text"/>		I agree to abide by GMB Rules Signature <input style="width: 100%;" type="text"/>									
			Mobile <input style="width: 100%;" type="text"/>											
			Date <input style="width: 100%;" type="text"/>											
We ask for your ethnic origins as part of our equal opportunities policy of improving services to all members						Email <input style="width: 100%;" type="text"/>								
Bangladeshi <input style="width: 100%;" type="text"/>		Black African <input style="width: 100%;" type="text"/>		Black Caribbean <input style="width: 100%;" type="text"/>		Black British <input style="width: 100%;" type="text"/>		Chinese <input style="width: 100%;" type="text"/>						
Indian <input style="width: 100%;" type="text"/>		Irish <input style="width: 100%;" type="text"/>		Pakistani <input style="width: 100%;" type="text"/>		White <input style="width: 100%;" type="text"/>		Other <input style="width: 100%;" type="text"/>						
2	TELL US ABOUT YOUR JOB													
Employer <input style="width: 100%;" type="text"/>					Your job <input style="width: 100%;" type="text"/>									
School where you work <input style="width: 100%;" type="text"/> Postcode <input style="width: 100%;" type="text"/>					How many hours a week do you work? <input style="width: 100%;" type="text"/>									
					Pay No <input style="width: 100%;" type="text"/>									
					Work Tel <input style="width: 100%;" type="text"/>									
					Pay Date <input style="width: 100%;" type="text"/>									
3	CHOOSE EITHER AUTHORISATION OF DEDUCTION OF YOUR TRADE UNION CONTRIBUTIONS FROM YOUR PAY													
Section 68, Trade Union and Labour Relations (Consolidated) Act 1992 as amended I authorise my employer to deduct from my pay each week/month the sum of <input style="width: 100%;" type="text"/> £ <i>or other amounts as may be fixed by the GMB from time to time</i>					<ul style="list-style-type: none"> • Please start the deductions immediately and pay the amounts to the GMB • I note that this agreement may be cancelled by one month's notice in writing • I give permission to my employer to notify the GMB of any future change of address Signed: <input style="width: 100%;" type="text"/> Date: <input style="width: 100%;" type="text"/>					Cash				
										<input style="width: 100%;" type="text"/>				
4	OR INSTRUCTION TO YOUR BANK OR BUILDING SOCIETY TO PAY BY DIRECT DEBIT													
Please fill in the form and send to: Freepost RSTL-ULCH-JBET, GMB, 22 Stephenson Way, LONDON NW1 2HD							Originator's Identification Number							
Name and full postal address of your Bank or Building Society branch							9 7 4 3 3 0							
To the Manager of <input style="width: 100%;" type="text"/>				Bank/Building Society			For GMB official use only. This is not part of the instruction to your Bank/Building Society. If your A/C number is not available fill in your address below							
Address <input style="width: 100%;" type="text"/>				Postcode <input style="width: 100%;" type="text"/>										
Name(s) of account holder(s) <input style="width: 100%;" type="text"/>					Instructions to your Bank or Building Society Please pay GMB Direct Debits from the account detailed in this Instruction subject to the safeguards assured by the Direct Debit Guarantee. I understand that this Instruction may remain with GMB and, if so, details will be passed electronically to my Bank/Building Society									
Bank/Building Society Account Number <input style="width: 100%;" type="text"/>					Signature(s) <input style="width: 100%;" type="text"/>									
					Date <input style="width: 100%;" type="text"/>									
Bank/Building Society Sort Code <input style="width: 100%;" type="text"/>					Reference number (office use only) <input style="width: 100%;" type="text"/>									