

BY E-MAIL

27 July 2020

Mr Alan Law
(Acting) Lead Trade Union Side Secretary
NIPSA
54 Wellington Park
BELFAST BT9 6DP

SUMMER PROVISION (Special Schools)

Dear Alan

Management Side correspondence to Trade Union Side on 09 July 2020 in relation to summer provision at a number of special schools, included the following confirmation:

- This is summer provision in ‘exceptional circumstances’ and not summer schemes, therefore, these arrangements, are not akin to normal arrangements in other years and are specific to this year (2020) in the context of the COVID-19 pandemic. On that basis staff volunteering to support summer provision will be paid summer scheme rates (in addition to normal pay) for hours worked, including preparation time. Where staff do not volunteer there is no expectation for staff to take annual/unpaid leave unless this has already been scheduled.*

Management Side has further considered this and has been reminded of EA’s accountability requirements under the EA Financial Memorandum and Managing Public Money NI with regard to its proposal to pay staff a separate payment in addition to normal pay, for working to support special schools summer provision. For clarity this is not an existing payment arrangement that has applied to summer schemes in previous years.

Paying a 52 week employee for working to support summer provision at the same time as paying that employee normal pay in line with their existing contract of employment, which makes provision for other duties to be undertaken during extended periods of school closure including summer schemes, would constitute a potential duplicate payment ie staff being effectively paid twice for work carried out and could not be considered a regular payment within EA’s delegated powers. This is not a course of action open to the Authority.

Management Side has advised that EA will not routinely seek redeployments as an ‘exception’ this year knowing it is unlikely there will be sufficient work to accommodate requests. Employees will not be financially disadvantaged and will continue to be paid on the understanding they can be called upon at any time to provide work at an agreed school/service. The term-time agreement specifies examples of other duties that staff may be required to undertake during extended periods of school closure and this includes summer schemes.

“To inspire, support and challenge all our Children and Young People to be the best that they can be.”

Education Authority

Grahamsbridge Road, Dundonald, BT16 2HS

T: +44 (0)28 9041 3150 W: www.eani.org.uk

In these unprecedented and unique circumstances presented this year by the COVID-19 pandemic, the Authority is committed to working with staff and TUS to ensure services are delivered to vulnerable children and young people this summer with no detriment to staff.

In recognition that the requirement to provide special schools summer provision to vulnerable children is deemed critical and provided a very limited lead in time for Principals to put arrangements in place, staff have been requested to support this provision on a voluntary basis. For the reasons outlined above, management is proposing that all staff volunteering to support provision, with the exception of those undertaking a Leader in Charge role, will be designated as summer scheme Group Leaders (for this year only given the current unique and exceptional circumstances) recognising that through no fault of their own, staff have been asked to support provision at short notice and that provision is operating in a significantly different way than normal years, with staff being required to support children and their families in the context of COVID-19 related guidance and social distancing requirements which understandably for many is a very anxious time. The Group Leader rate is £14.92 per hour.

Where staff volunteer to support special schools summer provision, payment arrangements will be as follows:

- Staff contracted to work during the summer period (eg 52 week Classroom Assistants) will receive the Group Leader summer scheme rate of pay, in place of their normal pay, for all summer provision hours worked including preparation time, unless they are Leader in Charge.
- Staff who work in excess of their contracted hours will be paid for all additional hours worked including preparation time at the Group Leader summer scheme rate of pay, unless they are Leader in Charge.
- Staff not contracted to work during the summer period (eg term time staff) will be paid for all hours worked including preparation time at the Group Leader summer scheme rate of pay, unless they are Leader in Charge.
- Classroom Assistants employed on a salaried contract and not required to be available to work beyond 195 days in any year, will be paid for all additional hours worked at the Group Leader summer scheme rate of pay, unless they are Leader in Charge.

Following the Minister's announcement on 18 June of plans to provide special schools summer provision, Principals sought staff availability to support summer provision. By the end of June, 17 of 21 schools had sufficient staff volunteering and confirmed dates for making provision. The remaining 4 schools have an online offer only.

Current information provided by 11 of the 17 participating special schools indicates the following staff volunteered to support provision:

29 teaching staff
204 52 week classroom assistants and
119 term-time classroom assistants.

“To inspire, support and challenge all our Children and Young People to be the best that they can be.”

Education Authority

Grahamsbridge Road, Dundonald, BT16 2HS

T: +44 (0)28 9041 3150 W: www.eani.org.uk

In relation to support staff, term-time Classroom Assistants do not receive normal pay during this period and will receive payment for all additional hours worked which is in line with normal arrangements in previous years. This year they will benefit from the higher Group Leader rate of pay. Fifty-two week Classroom Asssitants who are in receipt of normal pay during this period will equally benefit this year from the higher Group Leader rate of pay.

The proposed arrangements ensure a consistent and equitable approach, without detriment, to all staff who have volunteered to support our most vulnerable children and their families at this exceptional time.

I trust Trade Union Side will understand the position as outlined.

On behalf of Management Side I would like to apologise for any confusion this may have caused.

Your sincerely

A handwritten signature in black ink that reads "Jill Aicken". The signature is written in a cursive style with a large initial 'J'.

Jill Aicken
HR Manager: HR Business Partnering