

Adolygiad o Drefniadau Staff Cyflenwi yn Sir Gaerfyrddin **Review of Supply Staff Arrangements in Carmarthenshire**



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Introduction

Supply staff play an important role in ensuring that schools can continue their daily routine with minimum disruption to pupils and their learning.

The purpose of this report is to provide the Committee with information in relation to current Supply Staff arrangements in Carmarthenshire, to include a review of whether current external provision is cost effective and whether there is scope for an in-house service provision.

The report will explore:

- 1] Why and how schools engage supply staff.
- 2] The context in terms of the NPS Supply Teacher Framework and the Agency Workers Regs, and the impact on supply staff remuneration.
- 3] The impact on pay progression for Supply Teachers paid via payroll.
- 4] The daily cost variation between agency and direct employment.
- 5] Welsh Government's commitment to establishing a National Supply Pool for Wales.
- 6] Agency spend since 2019.
- 7] Options for reducing supply costs.

Why?

Schools use supply staff for various reasons, such as:

- To cover short-term, unplanned absences due to sickness, training or other reasons.
- To cover longer-term absences due to maternity leave, long-term sickness, or permanent vacancies.
- To respond to additional pressures where the likely duration of the need for additional staff is unclear i.e. to work with ALN pupils awaiting assessment.
- To save time and resources on pre-employment screening.
- Flexibility around terminating supply arrangements.
- To avoid accruing a redundancy liability.

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How?

Supply staff are engaged in one of two ways i.e. via agency or employed directly via the Local Authority.

Where the chosen route is via agency, it is the agency's responsibility to undertake background checks, including Right to Work, DBS, references and EWC Registration. The agency is also responsible for paying the supply staff and will charge the employer a fee for this service.

Where employed directly, it is the employer's responsibility to undertake background checks and to process payment via payroll. Payment via payroll will entitle the supply staff to membership of the appropriate pension scheme, TPS or LGPS depending on the role.

National Procurement Service – Supply Teachers Framework (NPS)

The Supply Agency Framework of the National Procurement Service, which operates on a geographical lot basis, was established in 2019.

The current framework came into effect from September 2023. As with previous arrangements, the aim of the Welsh Government Corporate Procurement (WGCP) Supply Agency Framework Agreement is to help schools recruit temporary staff through a national framework for Wales, which provides fairer pay and conditions for agency Supply Teachers, professional development opportunities and assurances to schools that agencies have met the minimum agreed requirements.

The revised framework continues to operate on a geographical lot basis, managed by the Welsh Government's Corporate Procurement (WGCP) Service. There are 23 approved agencies on the framework for the Carmarthenshire area currently, covering English and Welsh-medium schools.

The framework introduced a minimum daily pay rate for qualified Teachers - those who hold Qualified Teacher Status (QTS) working as Supply Teachers; this is in line with the current published School Teacher's Pay and Conditions (Wales) Document (STPCD). This minimum pay rate is to protect qualified Teachers. However, there is nothing to prevent

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schools / agencies paying higher daily rates if appropriate. The rate is based on the current published Teachers Main Pay Range ($M2 \div 195 \text{ days} = \text{daily rate}$).

Of course, schools are free to engage qualified Supply Teachers from wherever they feel appropriate to meet the needs of their school (under Local Management of Schools Framework as outlined in the Staffing of Maintained Schools (Wales) Regulations 2006). However, using a commercial Supply agency from the NPS Framework provides schools with assurances that minimum quality standards and statutory safeguarding obligations are met.

Whilst not legally enforceable, it is recommended that if a Carmarthenshire school is using an agency, they enter into a voluntary supply agency pledge whereby they only procure from agencies identified on the NPS Framework Approved Supply Agencies and commit to a minimum daily rate of $M2 \div 195 \text{ days}$. The only exception will be that when agencies on the NPS framework are unable to supply a suitably skilled Teacher, the school will be able to approach alternative agencies but with a commitment to pay as a minimum, the M2 pay rate.

Agency Workers Regulations 2010

The Agency Workers Regulations 2010 gives agency workers the entitlement to the same basic employment and working conditions as if they had been recruited directly, if and when they complete a qualifying period of 12 weeks in the same job.

Whilst this technically allows the employer to pay a lower salary during the first 12 weeks of the placement, it is Carmarthenshire County Council's established position to pay the job evaluated rate for of pay from Day one.

Direct Employment of Supply Teachers

Teachers paid via payroll, who have completed periods of employment amounting to at least twenty-six weeks in aggregate within the previous school year as specified in the School Teachers Pay & Conditions (Wales) Document will also be eligible for pay progression. Whilst it is unlikely that Supply Teachers will be able meet the requirements to progress to the Upper Pay Range, it is entirely possible that, in time, they will reach the top of the Main Pay Range (M6).

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Cost

Given the minimum daily pay rate for qualified Teachers, as noted above, and the commitment to paying the Job Evaluated grade for support staff engaged via agency from Day one, even when the agency fee is included, the cost to the school is likely to be no greater than the cost of direct employment when access to TPS / LGPS, and the potential for pay progression is factored in.

For comparison purposes, this is an estimate of the daily cost of both options:

Teachers	Minimum Daily Rate	Maximum Daily Rate
Direct LA Employment*	£213.52 (M2)	£294.95 (M6)
Agency#	£199.99	£314.87

* Paid via payroll, including on-costs (assuming a TPS part-time election has been made)

Including Agency Fee

In-House Agency

An in-house agency will be piloted from April 2024, to cater for the needs of Social Care, which will involve a mixture of annualised hours contracts and casual staff. This system will require investment both in terms of staffing and IT solutions. I am led to believe that the Communities Department have allocated two full-time members of staff to work on the pilot.

Depending on the success of the pilot, there may be scope to extend their remit to include Teachers and school support staff. It is likely, however, that schools or the Education Department will need to allocate a resource to help manage the function.

The salary costs associated with this model will be on a par with the direct employment as detailed above.

National Supply Pool for Wales

The Welsh Government committed to 'develop options for a sustainable model of supply teaching with fair work at its heart'. On the 6th December 2022, the Minister for Education and Welsh Language, Jeremy Miles, made an oral statement in the Senedd whereby he

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agreed to procure and implement an online booking platform for all maintained schools and Local Authorities in Wales wishing to employ supply staff directly.

The Welsh Government has partnered with Teacher Booker, an online platform, to create the National Supply Pool for Wales, providing Teachers with direct supply work opportunities from schools and potential eligibility for the Teachers' Pension Scheme.

Welsh Government has already paid the software license fee which gives LAs, school users, Supply Teachers, and support staff free access.

Implementation of the National Supply Pool for Wales will be a staggered across all LAs in Wales. It started with one LA (Anglesey) on 1st September 2023, and will eventually be rolled out across every LA in Wales. In the meantime, supply staff are being invited to register on the platform to ensure that they have created their profile ready for when this platform is rolled out in their Local Authority area over the coming months.

The National Supply Pool for Wales:

- Supplies schools throughout Wales with the ability to book Supply Teachers and temporary workers directly through the platform.
- Enables Supply Teachers to become part of a comprehensive network of supply staff accessible to schools across the country. Showcasing their skills, experience, and availability, increasing their chances of securing rewarding placements.
- Provides access to the Teachers' Pension Scheme (TPS) when working on supply via the platform.

Teacher Booker, which is already established in England, operates on two levels currently, one being an all-inclusive Manage Recruitment Service from candidate attraction and vetting right through to payroll management. The other option allows LAs / Schools to book a Supply Teacher via the Teacher Booker site, but payment is made by directly via the LA's Payroll system. It is assumed that Teacher Booker will be responsible for undertaking the background checks in both cases but how exactly this will work and what information will be shared with the School / LA remains unclear.

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Whilst there is likely to be a cost for the all-inclusive option, which includes the payroll element, it is unclear what this cost will be and it also remains unclear whether Teacher Booker will be granted admitted Body Status to the Teachers Pensions and Local Government Pension Schemes, which will undoubtedly impact the price payable by the school / LA. It is also unknown at this stage whether Teachers engaged via this route will be paid in accordance with the STPCD which could lead to pay progression for those who meet the criteria, thus increasing the cost year on year.

However, given that Welsh Government has already paid the software license fee on behalf of schools and LAs in Wales, we anticipate that the second option where the LA administers the payroll is unlikely to attract a fee equivalent to the agency fee currently payable to the Supply Agencies on the NPS Framework. The cost of employing via Teacher Booker in this way is therefore likely to be on a par with the direct employment as detailed above.

Agency Spend

	2019/20	2020/21	2021/22	2022/23	Total
Primary Schools	£3,798,554	£2,870,818	£6,688,326	£7,705,429	£20,866,128
Secondary Schools	£1,191,937	£559,015	£1,729,288	£2,141,159	£5,621,400
Total Agency Spend	£4,990,491	£3,429,833	£8,417,614	£9,649,588	£26,487,528

These figures do not include the cost of supply staff employed directly and paid via payroll, which equates to a further £404,368 in 2022/23.

It should be noted that schools benefited from a significant amount of grant funding following the pandemic to aid the recovery of schools and to support their return to normal business. Given that the funding was primarily awarded for the purpose of recruiting additional Teaching and support staff, when considered alongside the uncertainty around the duration of the funding, it is likely that a large proportion of the additional staff engaged during this period were agency staff paid for by the various grants.

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Further analysis is necessary, but it is possible that the increase in agency spend during the period reviewed could be linked to the grant funding received, and therefore, with the reduction or withdrawal of these grants, we may see a reduction in the overall agency spend.

Possible Options for Reducing Supply Costs

Schools generally engage Teachers, Cover Supervisor and Teaching Assistants on a supply / casual basis, though other staff may occasionally be engaged.

Teaching Assistants are straightforward in that they are usually engaged to cover absent Teaching Assistants or vacant Teaching Assistant posts. The situation in relation to Teachers, however, is less clear as the decision to engage a Teacher or a Cover Supervisor depends on the nature of the work to be undertaken, and the duration of the engagement, which varies from case to case.

Cover Supervisors and Supply Teachers with Qualified Teacher Status (QTS) are different roles.

A qualified School Teacher is a person who holds Qualified Teacher Status (QTS) and registration in the category of 'School Teacher' with the Education Workforce Council (EWC), whereas a Cover Supervisor is required to register in the category of 'school learning support worker'.

Cover supervision occurs when there is no active teaching taking place and should only be used for short-term absences. Cover supervision can be delivered by an appropriately graded and skilled individual; they do not have to hold QTS. The role is to supervise the classroom setting, ensuring learners complete the pre-prepared work they have been assigned. Cover supervisors should not be expected to undertake any form of specified work i.e. planning, preparation and assessment; the Education Workforce Council (Main Functions) (Wales) Regulations 2015, as amended, sets out who can undertake 'specified work'.

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The cost of a Cover Supervisor via agency ranges between £126 and £155 per day including fee, which represents saving of between £74 and £160 per day when compared with a Teacher.

There is evidence to suggest that some schools may be engaging Teachers to undertake work which they could be reasonably undertaken by a Cover Supervisor at a fraction of the cost.

However, where the likely duration of a Teacher's absence is unknown, the school may find that their need changes from a Cover Supervision for the first day or two to needing to engage a Teacher if / when the absence continues, which potentially creates more work for the school and impacts continuity for pupils. Therefore, it may be that Cover Supervisors are recommended for planned short-term absences where the duration of the need is known.

Recognising that Cover Supervisors can be a cost-effective means of covering short-term Teacher absences, 75% of our Secondary Schools have employed up to four permanent Cover Supervisors (22 in total) on contract, working an average of 6 hours per day. This is a practice that some of our larger Primary Schools are considering implementing as a means of reducing their reliance on agency staff.

Analysis suggests that employing a Cover Supervisor on a permanent 30-hour contract only generates a saving after an average of 130 or 168 days of cover, depending on whether the school usually covers absences with Agency Supply Teachers or Cover Supervisors. There are, however, other benefits associated with directly employing a Cover Supervisor, such as improved continuity, and as they will be part of the school community, they can support with other duties and pastoral work, as well as managing in a way that fits the school's ethos and behaviour management routines.

Whilst not all absences can be avoided, and it is unknown at this stage what proportion of cover is sickness related, it may be possible to reduce the need for supply cover by introducing more robust sickness management procedures. Active absence management within a school could have a positive impact on the level of intermittent / short-term absences

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and help bring longer-term absences to a speedier conclusion. This is an area where HR Business Partners can add value, working directly with Headteachers and their Senior Leadership Teams, to provide training and support, as well as analysis of absence data.

Conclusion

When considering whether to move from the current arrangements to an alternative model i.e., direct employment, in-house supply agency or Teacher Booker, it may be prudent to consider the purpose / motivation for doing so.

Is it the intention to seek out a cheaper model to generate efficiencies, or simply a model which provides a better employment experience for the Teacher / Support Staff regardless of the cost implication?

Whilst, at a glance, the figures associated with Agency spend are alarming, initial analysis suggests that none of the alternative models discussed above would result in savings to the school or LA.

A change of approach to covering short-term Teacher absences with a Cover Supervisor, however, could generate some efficiencies with minimum impact on pupils and their learning.

However, regardless of the model adopted, a combined approach is recommended, which involves better absence management, to reduce the amount of supply cover needed, whilst ensuring that the cost of any incoming supply cover is as cost effective as possible.