PERSONAL AND CONFIDENTIAL

Prime Minister

This is a personal note by Mr Wiggins.

DLS 17/1

MR NORGROVE

David - we must discuss with Mr. Wiggins how to deal with this

TEACHERS' PAY DISPUTE

I undertook to consider whether there might be a way forward in dealing with the teachers' pay situation different from those hitherto put before Ministers.

2. With much diffidence I attach a note on this subject. It is written from a frankly educational standpoint, and draws on informal conversations with teachers, headteachers and LEA officials (but not DES or Treasury officials). No doubt it is substantially influenced by the views and experience of the distinctly conservative and traditionally-minded teacher about which I hear most frequently - but the conclusions are mine and have not been suggested to me by any of my informants.

JW

A J WIGGINS
Economic Secretariat.
Cabinet Office.
16 January 1986

Mr. Wiggins - I am most grateful for the thought and perception which has gone into this confidential note - whose analysis and perceptions must be considered. Thankyou very much

MT

Attachment:

PERSONAL AND CONFIDENTIAL

CONFIDENTIAL

THE SITUATION IN SCHOOLS

This note attempts to summarise the present position in relation to education in schools from the standpoints of assistant teachers, head teachers and local education authority (LEA) administrators. After a background section, it sets out some of the factors which have contributed to the present teachers' pay dispute; it then suggests what the preconditions might be for a marked improvement in the performance of schools, and how the Government might pursue this.

BACKGROUND

2. Any analysis of the situation in schools must take account of the following underlying facts and constraints.

(i) Local Politics

Schools account for up to two thirds of the expenditure of each shire county authority. The education service is perceived by councillors and electorate as the most important county authority responsibility, and how that responsibility is discharged in detail commands intense local interest. The successful delivery of education depends fundamentally on local consent, particularly where it comes to the management of change. (Nevertheless change frequently has been, and is being mismanaged.)

(ii) The Challenge of Change

Changes in social habits, in the demands of the economy and in the numbers of children in schools, have all require major adaptions by the education service. Children now pose more serious problems of behaviour; teachers have to develop new syllabuses and new methods of teaching, in the light of increasing emphasis given to meeting the needs of the less able and to alternatives to traditional academic subjects and methods; changes in

the pattern and number of pupils (the present problem of falling rolls, a trend which will be reversed in the 1990s) have meant that school communities have frequently been uncertain whether they have any long-term future. New rights for parents and children (parental choice of schools, obligations on LEAs to meet "special" needs) have placed a heavy burden on schools and LEA administrators (and given rise to much expensive litigation).

(iii) Resources

LEAs and schools seem generally to perceive themselves as having been subject to a progressively increasing squeeze on resources over the last 10-15 years. Resources to maintain buildings, provide books and equipment and employ teachers of minority subjects have all been progressively squeezed. With the contraction of the system teachers' career and promotion prospects have deterioted. So they see themselves as already under heavy pressure before attempting to respond to the challenge of change. For the most part no additional resources have been provided to meet the challenge; and where they have (as in the TVEI) the incidence is widely seen as arbitrary and inequitable - and it is known that money and resources are not available to provide comparable benefits throughout the rest of the schools system. On a rather different point, the operation of restrictions on local authorities' use of capital receipts may prevent LEAs who could realise assets and make savings by concentrating on fewer sites from actually achieving this.

(iv) Responsibility and Communications

Responsibility is widely diffused through the system, and is a source of a good deal of uncertainty; and the chains of communication from DES through LEAs to individual schools are long and unreliable. There is inevitably tension between the tradition of academic independence, which emphasises the authority and responsibility of individual head teachers (and indeed assistant

teachers), and the needs of curriculum reform and school rationalisation. The ability of LEAs to deal with these problems depends on the quality and good sense of local politicians, LEA administrators, school gover nors and the teachers concerned; no general machinery is in operation to encourage or compel schools in particular localities to work together so as to make the best use of the resources they have available (for example, an individual headmaster may still arbitrarily discontinue the oeration of a joint 6th form with a neighbouring school). As to DES, there seems to be a widespread feeling that the Department completely fails to recognise the constraints which militate against quick responses to its initiatives; and that all too often the Department fails to take account of elementary practicalities, eg on the timing of circulars to schools and LEAs in relation to the timing of Television programmes in preparation for the introduction of the new GCSE.

(v) Teachers' Duties

Teachers' duties have never been specified with any precision. Traditionally, good teachers have done whatever they and their schools felt would contribute effectively to the educational and cultural enrichment of their pupils. Many activities (sport, drama, music etc) have been undertaken by teachers which no-one would ever have said represented "duties" but were nonetheless undertaken willingly and as a matter of professional pride. It is most unlikely that schools could function in the way everyone wants if teachers generally are induced to adopt a "working to rule" approach in response to their heads and LEAs.

(vi) Separateness of Education

Despite their importance to all children, and in terms of local politics, schools have had only very mixed and limited success in securing the support and involvement of the local communities they serve. Industry and

commerce generally remain reluctant to contribute, whether in terms of equipment, people to undertake specialist teaching, or work experience for the children; and they have been very slow to give any indication whether the schools were training people to develop the knowledge and skills they needed.

FACTORS UNDERLYING THE CURRENT DISPUTE

3. The present dispute is focussed on the demand of the main teacher unions for a one-third increase in pay. In fact it expresses a much wider unease and discontent on the part of teachers. The following are some of the ingredients in this: they all interact with each other.

(i) Public Esteem

There seems to be a widespread perception among teachers that their profession no longer commands the respect it had ten, twenty or thirty years ago. In part this is a reflection of their resentment about current salary levels, etc; but it also reflects their perception of the Government's attitude towards them, as well as their feeling that they can no longer expect the help and support of parents and of the wider community.

(ii) Uncertainty and Poor Career Prospects

Falling rolls, school reorganisation and the contractorisation of ancillary services all inevitably undermine the confidence of any school community, since there is no assurance that community will survive in its present form. In these circumstances teachers in middle life with a fair amount of experience feel themselves in a cul-de-sac with no possibility of improvement/promotion. LEAs do not appear to be equipped to manage this situation; and the steady reduction in the number of "scale points" each school has at its disposal when its rolls are declining adds to the problem. (Schools seem to be unanimous in pointing to the difficulty of reducing costs as pupil numbers decline; unless whole subjects

can be dispensed with, whole classes eliminated, and whole buildings shut, the result is simply increases in costs per pupil. With trends in numbers reversing from 1990 onwards, the scope for major savings through school closure/rationalisation must now be shrinking rapidly.)

(iii) Curriculum and Examination Reform

The need for and advantages of the Government's - overdue - efforts to improve the curriculum and reform the examination structure are well understood by many teachers. But they are reluctant to undertake the additional burdens when they see themselves as put upon by the rest of society; when the strains on schools resources already deprive them of free periods/preparation time which they could reasonably expect (ie because of demands to cover for absent colleagues); and when LEAs adopt policies which effectively rule out any availability of in-service training.

(iv) Teachers' Duties and Lunch-Time Supervision

Teachers' perception of the value placed on them by the rest of the community, and the pressure on them to accomodate change, have created fertile ground for the development of a "work to rule" attitude. The most obvious element in this is lunch-time supervision, which has been at any rate tacitly accepted as not part of a teacher's "duties" since the late 1960s; but until recently enough teachers have been ready to supervise lunch-time voluntarily to enable schools to function satisfactorily. Now the industrial action has undermined this willingness, and teachers generally have been increasingly unwilling to cover for absent colleagues. In addition to periodic, and sometimes "guerilla-style" strike action (at minimal cost to themselves), the action has also resulted in the disappearance of many out of hours activities (sport, music, etc). The results of the Government's initiative in offering

separate payment for lunch-time supervision have not yet become generally clear; but in secondary schools at any rate it seems unlikely that adults casually employed could have the respect, authority and knowledge of the children necessary to be effective.* The alternative is to make extra payments to teachers: but the maximum hourly rate on offer (£4-5 an hour) is well below what is paid for teachers' other work, and schools would remain vulnerable to this form of action if teachers decided in future to repeat their present action (the pain of doing without the supervision money (net of tax and NI contributions) would not be very great.

(v) Trade Union Activity

For all sorts of historical and political reasons, trade union activity in schools is now severely damaging to the educational process. The development of the three main unions in the primary (NUT), secondary modern (NAS/UWT) and grammar (AMMA) streams was a natural evolution; but now that the school system has been brought together at secondary level, the competition between the two largest unions in flexing their muscles against the employer in the context of pay bargaining only creates difficulty. The fact that some LEAs take sides politically with the unions, and acquiesce in a situation in which management and professional standards in schools have been abandoned in the face of union activity, simply compounds the problem. As long as the unions retain their present pay bargaining role, and continue to have at their disposal their present weapons of disruption, the whole system will remain extremely vulnerable.

* In one school, students from the adjoining poly are said to have been employed by the headteacher under the Government's new scheme, with the remit to ensure that the children are kept out of the buildings during lunch-time.

4. On pay, the case of the main trade unions is essentially that teachers' average earnings in 1974 (post Houghton) were 33 per cent above male average earnings, and in 1984 were slightly below average earnings. Therefore a pay increase of a third is required. More sophisticated arguments may be constructed comparing teachers' pay with that in other professions and occupations; and much resentment is created by quoting particular comparisons, like the fact that ~~each~~ earnings of police inspectors have increased 3½ times since 1974, while those of teachers have little more than doubled. There is, of course, no universally correct basis comparison, and the selection of 1974 as base year is bound to bias any figures towards anwers which would justify large pay increases for teachers now. Considerations of recruitment and retention cannot, however, be dismissed. Much "dead wood" among teachers over 50 has already been eliminated; the signs are that the teachers leaving the profession now are exactly these it is most important to retain - those with the personal qualities and enterprise which will sustain them in other occupations, and those with qualifications, notably in maths, physics, computing, technical skills, etc which are most in demand in the context of curriculum reform, but which are equally in demand from the rest of the economy. It is said, moreover, that only 75 per cent of the (reduced) number of places for students undertaking the postgraduate certificate of education are currently filled, and there is some anecdotal evidence that the quality of applicants is declining. On present trends severe problems are in store for the 1990s when the recovery in pupil numbers and retirements among present teachers will require an unusually large proportion of new graduates to enter the profession.

NECESSARY CONDITIONS FOR IMPROVEMENT

5. So much for the diagnosis: what has to be changed to improve the situation?

(a) The Climate of Opinion must be changed. Teachers - provided they can earn it - must have more assurance of

the approval and support of the rest of the community. They must have some recognition of the much increased difficulty of the job they do. Schools and teachers must be helped to rebuild their own self-confidence in the work they are doing. The Government's policy towards educational standards and curriculum reform already recognises the need for this; but for whatever reason the tone of the Government's pronouncements has not got the message across.

(b) The quality and management of the profession must be improved. The need for some restructuring of the profession is already generally recognised, and this has to be achieved in a way which makes it possible to recruit and retain teachers with the ability and other qualities needed to secure the Government's objectives. LEAs and headteachers must institute arrangements for teacher management and career development in which the bulk of the profession can have confidence. Everyone must see that commitment (beyond the letter of any list of teachers' duties) and good performance will be rewarded.

(c) Stability must be re-established, and the value of achievement, whether in traditional academic disciplines or in new types of study, must be reasserted. This will not easily be accepted by those LEAs and educational theorists who have been so concerned to avoid labelling any children as failures that they have at the same time discarded the whole idea of achievement and success.

A POSSIBLE NEW APPROACH

6. There is a fair prospect that a staged settlement on teachers' pay for the current financial year will finally be reached within the next few weeks, whether by conciliation or arbitration, providing for increases of about 8 per cent to come into effect by the end of March. This will give an uncomfortable boost to wage inflation, and will of itself

do nothing to help the Government achieve "better schools". It may, however, give LEAs and headteachers some breathing space to reassert a measure of managerial authority - a process the Government should encourage, although great care will be needed in any public statements to avoid provoking the wrong response.

7. What positive steps should the Government then take to head off a resumption of the present industrial action in support of a pay demand which would probably still exceed 30 per cent? The Education Secretary's latest paper contemplates two alternative approaches:

(a) a wide-ranging inquiry into teachers' pay, management and duties which would pave the way for new legislation on teachers' contracts, management and appraisal, and negotiating machinery, or

(b) the issue of a consultative document, to be followed directly, and as quickly as possible, by the Government's own legislative proposals on these issues.

It has been recognised, however, that neither of these approaches can be relied on to prevent action of the present kind, and that the present dispute cannot be solved by Government legislation in any sort of reasonable timescale, if at all. It is the contention of this paper that neither of these approaches should be followed, at any rate in the form hitherto contemplated, for the following reasons:

(i) an inquiry would delay any remedial action but tell us little that we do not already know, and would probably just confirm the broad diagnosis in the first half of the paper;

(ii) the pursuit of precision and exhaustiveness in the specification of teachers' duties will lead either to the loss of many activities which cannot be imposed as duties or to high costs in overtime payments (as further education teachers have apparently already

secured) for any functions outside contractual duties undertaken outside school hours;

(iii) schools are institutions which can only function effectively with the general consent of both the teachers and the local communities. This would still be true even if the present LEAs were replaced by a "National Education Service";

(iv) as long as the present trade union structure remains, any collective bargaining arrangements, whatever their institutional structure, are likely to give rise to confrontation of the present kind, unless the unions' salary ambitions are fully safisfied. The lessons of the present action, and the irremediable weakness of the management position in response to it, will not be quickly forgotten.

8. Against this background, this paper recommends the following approach to the pay and managment of teachers.

(a) Teachers should be treated as members of a profession with strong social responsibilities. Their duties should be broadly defined as including everything which contributes to the education of the children in their charge, and the sanction to secure good performance should be an appraisal system which would be the pre-condition for salary and professional advancement. No attempt should be made to give further precision or enhanced legal effect to the list of duties the Government have already promulgated.

(b) A standing Review Body should be established with a remit to set up a career structure and pay scales which will make possible the recruitment and retention of the teaching force the Government's policy objectives require. As well as a new career structure on the lines of the proposals made by the

employers last September, this would make possible consideration of special salary scales for shortage subjects, etc. If successful, it would largely eliminate the NUT/NAS power to make mischief.

(c) Legislation would be needed to give effect both to the appraisal system and to the new system for pay determination.

(d) LEAs and schools should be made more clearly accountable for the education they are delivering and for the results they secure. Schools should be obliged to publish the results of their pupils in public examinations, together with an indication of the proportion of pupils in each ability band. Similarly teachers' performance evaluations should take into account their effectiveness in achieving levels of performance in examinations appropriate to the ability ranges of the children concerned.

(e) The opportunity of Industry Year 1986 should be taken once more to challenge indudstry and commerce in each local authority area to review what they can contribute to the quality and effectiveness of education in their areas.

(f) The DES should review its relations with LEAs, and the allocation of its resources (notably those of HM Inspectors of Schools) in seeking to influence and improve the quality of education in schools. In the absence of any alternative instrument, HMI would need to play a major part in developing the accountability of local education provision and in establishing a new system of professional management of teachers. They would also need to establish a sensible division of labour with LEA inspectorates (in which schools characteristically have little confidence). The guiding principle for DES should be to ensure that all its links with LEAs take account of the way schools are organised and of the

constraints under which the authorities operate; it is essential to improve the confidence of schools and LEAs in the communications they in their turn receive from local and central Government.

COST

9. It is impossible in advance to specify what the costs of following a policy on these lines might be; that would depend on the membership of the proposed Review Body, and on the findings of its investigations. The facts on comparative earnings remain to be established, as does any assessment of the kind of career structure and prospects needed to attract and retain teachers of the necessary quality. It would almost certainly be realistic to consider that the overall cost will substantially exceed the 8-10 per cent of the salary bill so far offered by the Government (£1.25 billion over 4 years); and that some relaxation will have to be made, for the benefit of education, in central Government financial constraints on local authorities (present arrangements impose the strongest pressures against authorities which have historically been relatively low spenders). It should nevertheless be possible to avoid across the board increases of one-third or more on the lines sought by the NUT and NAS. The problem would remain of the possible repercussions: would concessions made to the teachers inevitably spread to other local authority employees, or indeed to cnetral Government employees not already covered by Review Bodies? The answer in part depends on political will: the teachers have quite a strong case both in political and social terms (from the standpoint of the public interest in the quality of education) and in economic terms (from the standpoint of the need to recruit and retain teachers of adequate quality). In terms of the difficulty of reducing their duties to an exhaustive list, and of the need to maintain - and indeed improve - their professional commitment to the interests of the children in their charge, teachers are undoubtedly in a position more akin to that of doctors and nurses than they are to white collar office workers in central or local Government. No doubt the

the performance of many of them is unsatisfactory; but professional and public support for demands to improve that performance is unlikely to be forthcoming unless the special case of professional status is at least partially recognised. Failing that, the outlook must be for present discontents to continue indefinitely.