



**To: Council Lead Members in England
Chief Executives in England
Directors of Children's Services/Chief Education Officers in England
Diocesan Directors of Education
Directors of HR
Chairs of Governing Bodies of all Maintained Schools in England
Head Teachers of all Maintained Schools in England
Trade Union National Secretaries**

March 2010

Dear Sir/Madam

UPDATE ON SCHOOL SUPPORT STAFF NEGOTIATING BODY

Following our circular in November 2009, we are writing to update you on developments in the new School Support Staff Negotiating Body (SSSNB).

The Apprenticeships, Skills, Children and Learning (ASCL) Bill received Royal Assent, becoming the ASCL Act 2009, on 12 November. The provisions in the Bill relating to the SSSNB came into effect two months later and the SSSNB became a Statutory Body on 12 January 2010.

Further detailed information can be found in the SSSNB section of the Office of Manpower Economics' website at: <http://www.ome.uk.com/>.

Scope of the SSSNB

The SSSNB is required to agree a pay and conditions framework for school support staff in the maintained sector. Subject to ratification by the Secretary of State, agreements will apply to all maintained schools in England.

Under the terms of the Act the SSSNB will cover:

Any person employed under a contract of employment:

(a) by the governing body of a school maintained by a local authority in England;

[this is intended to cover support staff in foundation and voluntary aided schools where the governing body is the employer] or

(b) by a local authority in England to work wholly in a school or schools maintained by a local authority in England.

[this is intended to cover all community and voluntary controlled schools, maintained nursery schools, and pupil referral units (short stay schools)]

Teachers will not be covered, nor will support staff employed under contracts incorporating the agreements of any of the following: the JNC for Youth and Community Workers, the Soulbury Committee and the JNC for Local Authority Craft and Associated Employees. The definition at a) and b) above would include those who are employed by the local authority's DSO/DLO whose contract of employment provides for them to work wholly in schools. There will be a facility for the parties locally to refer jointly to the SSSNB any questions or differences of interpretation concerning the inclusion or otherwise of particular employees.

Work of the Body

The SSSNB is required to negotiate and seek to reach agreement on matters referred to it by the Secretary of State through the Employers' and Trade Union Sides are also free to bring other matters to the negotiating table. The Body has been asked to work on the following:

- The production of a core contract of employment to cover remuneration, duties and working time.
- The design of national job role profiles to cover core school support staff roles.
- The development and production of a method for converting those role profiles into a salary structure.
- A strategy that will effectively implement the national pay and conditions framework in all schools maintained by local authorities in England including a methodology to manage both transition and steady state.

The SSSNB has established a Core Contract and Working Year Working Group and a Role Profile and Job Measurement Working Group to undertake this work.

The Core Contract and Working Year Working Group is in the process of developing a national handbook of pay and conditions of service for support staff. There are ongoing negotiations between unions and employers on the definition of the working year and holiday pay entitlement for school support staff.

The Role Profile and Job Measurement Working Group, supported by external consultants, has focussed on developing further a bespoke job evaluation scheme and national role profiles. Once this design and development work is completed, the intention is to undertake testing of the proposed scheme in a sample of schools.

Timescale

The Secretary of State issued a referral letter to the Body on 29 July (<http://www.ome.uk.com/>) which asked the SSSNB to submit to him any agreements on these matters that it had reached by 28 May 2010. Despite considerable progress within the SSSNB and its working groups, Employer and Trade Union sides agree that it is looking increasingly unlikely there will be an agreement on a pay and conditions framework that would require implementation during this year. In these circumstances it is envisaged that implementation would not take place before 2011 at the earliest.

The SSSNB, Employer and Trade Union Sides will give support staff, local authorities and governing bodies adequate notice of change and the likely implementation timetable but at this stage, apart from keeping governing bodies, head teachers and support staff aware of developments, there is no specific action required locally in preparation for implementation.

Pay and grading reviews

Previous joint circulars have included advice to the effect that local authorities should continue to include school support staff in local pay and grading reviews until advised otherwise. That remains the position.

Further advice

For anything not covered by this circular or available on the OME website you are asked to seek advice from your representative body. We shall continue to keep you in touch with developments and ensure that you get adequate notice of everything you need to do locally in preparing for implementation.