



The Employment of Trainee Educational Psychologists:

The AEP position

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The AEP is the independently certificated trade union and professional association for educational psychologists. It represents the professional and employment interests of 93% qualified educational psychologists working in the United Kingdom, most of whom work for local government. It is the only professional association or trade union in the UK organised exclusively by and for educational psychologists. The AEP is unequivocally the voice of the educational psychology profession. In 2007 the AEP had just over 3000 members.

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Foreword

In September 2006 the training routes for Educational Psychologists in England, Wales and Northern Ireland changed radically from a one year Masters level course to a three year doctorate route with Trainee Educational Psychologists (TEPs) working full-time in universities in Year 1 and part-time in universities and part-time in employment in Years 2 and 3. The introduction of the new courses was rapid and the full implications for employment, supervision, workload etc had not been fully planned prior to the implementation of the new courses in September 2006. Since September 2006 much work has been put in by the various stakeholders to develop protocols and policies relating to the employment of Trainee Educational Psychologists in Years 2 and 3 of their training. The Association of Educational Psychologists (AEP) has during this time developed some policies and positions in relation to employment matters for TEPs, some of which have been particular policy decisions by the National Executive Committee and some of which have been developed during negotiation. There are other policy positions that were developed before this period. This paper updates and consolidates those policy positions and is the definitive policy statement of the Association on the employment of Trainee Educational Psychologists. That position will be subject to review and alteration by the normal processes within the AEP.

This position paper relates to the AEP position on the employment of Trainee Educational Psychologists in England and Wales only, where the AEP expects TEPs to be in employment situations. The AEP reserves its position in relation to Northern Ireland. This paper does not apply to Scotland, where different arrangements have been in place for some time. However, the operational principles contained in this paper are commended to AEP members in Scotland and Northern Ireland

While some of the policy aspirations contained in this position paper have not been achieved, the AEP believes that the actions of its members, particularly of those in management and supervisory positions can help achieve them. This position statement is a carefully considered document that lays out a future that not only protects Trainee Educational Psychologists, but also protects the whole profession from potential future erosion of its salaries and conditions of service. Members of the AEP who are in senior positions are advised to ensure that wherever possible they should be adopting the policies espoused in this paper within their workplace. While budgetary demands may place pressures on individual managers, where they are members, they should not allow those pressures to be paramount and subvert the implementation of these policies.

In this document the AEP policy positions, as reviewed and consolidated in June 2007, are indicated in text boxes. The AEP advises its members to act in accordance with these policy statements and any subsequent revisions.

1 Employment Status

In England and Wales, prior to September 2006, host local authorities notionally employed educational psychologists in training and funded places on the old one-year Masters level training course, on behalf of the Local Government Employers. This ensured that Trainee Educational Psychologists were able to maintain and build upon their continuous employment rights within local authorities. As a result of a purely financially pragmatic move to solve a budgetary crisis, the Local Government Employers (LGE), from September 2006, transferred Year 1 trainees from salaries to training bursaries. Although the LGE was bound by contractual agreement with funded trainees to maintain an employment relationship with TEPs in Year 1 who started training in September 2006, this contractual arrangement does not apply to future trainees.

The picture in relation to the contractual arrangements for TEPs is a confused one that is changing rapidly to meet each new problem the introduction of the new training arrangements has created as they occur. The picture is different for Year 1 as opposed to Years 2 and 3. It is also different for the September 2006 entrants from the situation for all other entrants. The situation is also different in Northern Ireland from England and in Wales matters further differ and may not be uniform.

Where Trainee Educational Psychologists (TEP) are employees of Local Authorities under the terms of the Soulbury report (see JESC 149¹), they are entitled to the same full employment rights as any other employee. They should be able to access the same, or equivalent, facilities, support and benefits as any other member of the EP Team.

The AEP has consistently maintained that Trainee Educational psychologists should be in secure employment situations with associated employment rights. Where that is not the case the AEP will continue to work to secure employment status for TEPs.

a. Year 1 Trainee Educational Psychologists

JESC 149 indicates quite clearly that *“Trainees in the first year of training will not be employed by local authorities.”* (JESC 149 paragraph 2. f) The LGE is currently examining ways that it might be able to allow Year 1 of training to count as continuous service for maternity and sick pay, but not for redundancy rights. From September 2007, all funded trainees in England and Wales will be classed as students in terms of their employment status. The AEP and other unions reluctantly agreed this element of the settlement to enable the more important elements relating to Years 2 and 3 to be concluded.

b. Year 2 and Year 3 Trainee Educational Psychologists

The position on TEPs employment status is clearer in Years 2 & 3. In England and Wales the Soulbury agreement has made provision for TEPs to be directly employed by local authorities. The Welsh Local Government Association has proposed different arrangements for TEPs from the Cardiff course, whereby they will be in receipt of bursaries in Years 2 and 3. Presumably it is still possible for local authorities in Wales to employ TEPs under the Soulbury Report, which has force in Wales. It is not clear at this stage what, if any, employment status they will have. In Northern Ireland TEPs will continue to be students of Queen’s University. This means that they will lose employment rights and will have to seek

¹ Joint Educational Services Circular No. 149. These papers (JESC) are the final reports of the agreement reached between trade unions and the Local Government Employers. JESC 149 refers specifically to the settlement in 2007 in relation to the employment and salaries of Trainee Educational Psychologists.

redress for any grievances etc through the processes of the university, rather than through the employer where they may be placed at any time.

In England local authorities are employing TEPs under the Soulbury agreement. This ensures that in Years 2 and 3 TEPs in England will have contracts of employment with individual local authorities and have associated employment rights. They will also be able to accrue benefit under the relevant pension scheme. This will not apply to those in Northern Ireland or in Wales if TEPs are engaged under training bursaries.

There has been some discussion of the use of bursaries by a few authorities in England. The AEP will resist this because of the lack of employment protection this offers. Members are further advised that the advice received by the Local Government Employers from Her Majesty's Revenue and Customs in relation to whether bursaries for year 2 and year 3 TEPs qualify as non-taxable training grants is not unequivocal and may depend on the nature of the work and activities undertaken.

All Trainee Educational Psychologists should be employed by a local educational authority Children's Service or similar.

TEPs who are in receipt of funded places on a recognised training course should be employees of such an employer that will allow them to maintain their continuous employment rights.

2 Salary

The salaries for Trainee Educational Psychologists in Years 2 and 3 of their training in England and Wales have been set down by the Soulbury Committee and are described in JESC 149. Year 2 and 3 TEPs in Northern Ireland are not salaried and they are paid by bursary. TEPs in England and Wales in Year 1 of their training are paid by bursary by the Local Government Employers currently, although this is under review by the Educational Psychology Future Implementation Group (EPFIG)

The AEP and the other unions in the Officers' Side of the Soulbury Committee recommend that TEPs should be paid the equivalent of at least point 4 in Year 2 and point 6 in Year 3 of the Soulbury Range for Salaries of Trainee Educational Psychologists.

The AEP position is that all TEPs should be salaried and paid according to the appropriate Soulbury or other nationally recognised scales in England, Wales and Northern Ireland.

3 Job Description

It is not the role of the AEP to devise a model job description for the employment of TEPs. Such a model description may in itself be hard to provide as the levels of competencies in different areas will differ between courses at the end of Year 1 and there will be individual differences between TEPs given the wider variety of prior experience they now bring to their training. Further, it is expected that TEPs will have an increasing level of competencies during their training that will allow them to undertake an increasing number of activities and with a greater complexity.

However members are advised that the job descriptions should, at the least:

- Indicate the nature of educational psychology activities to be expected over the 2 years' training period.
- Refer to the increasing competence of the TEP
- Refer to the increasing levels of complexity of the tasks to be undertaken as competence increases
- Refer to the levels of supervision expected.
- Give an indication of the direction of work, nature of study and supervision of 'university based time'.

Given that TEPs will be working directly for the authority for less than a full week, this should also be reflected in the Job Description.

All TEPs in Years 2 and 3 of their training should have job descriptions that, in addition to defined areas of work, indicate levels of complexity of tasks required, the levels and nature of supervision expected and expected levels of workload.

The job description for TEPs shall indicate the extent, the nature of and the responsibilities for support and supervision of 'university-based' time.

4 Location, Admin Support and Other Conditions of Service

Just as *Principal* Educational Psychologists, *Senior* Educational Psychologists and *Mainscale* Educational Psychologists are all educational psychologists employed by their local authority, *Trainee* Educational Psychologists (in Years 2 and 3) are educational psychologists employed by their local authority. Although, TEPs will have an element of their work time focussed on 'university-based' activities, they are contractually full-time employees and are entitled to the same benefits and rights as other full-time employees in the local authority and educational psychology service. In that sense, TEPs are entitled to no less favourable, levels of administrative support, access to equipment, access to IT and telephony, working space and environment etc as any full-time mainscale educational psychologist in their local authority. For example;

- TEPs should not be expected to 'hotdesk' if this is not expected of other full-time employees,
- they should be reimbursed for expenses incurred under the same procedures for full-time mainscale educational psychologists,
- etc.

Similarly, the conditions of service for TEPs shall be no less favourable than those pertaining to mainscale educational psychologists. "...*They (TEPs) should be employed under the terms of the Soulbury Report and with the same contractual entitlements as other officers of the local authority employed on that (Soulbury) basis.*" JESC 149 paragraph 2. a). For example;

- TEPs should expect the same holiday entitlement as available to other full-time educational psychologists,
- the same working hours and arrangements as available to other full-time educational psychologists,
- access to the same schemes of benefits, etc as available to other full-time educational psychologists,
- etc

As employees of the local authority the TEPs will be subject to the same regulations and sanctions that apply to other employees but also have the same rights in relation to respect, grievances and redress as other employees.

Although conditions of service for TEPs who may be in receipt of bursaries will not necessarily apply there is an expectation that they will be able to access the same level of facilities within the 'employment' situation that they would have expected had they been employees.

Where TEPs are not able to obtain the same conditions of service etc, they should contact their AEP Local Representative, (or Regional Representative if there is no local representative) for advice or assistance in raising a grievance.

TEPs will be employed under no less favourable conditions of service as any mainscale educational psychologists employed by the same authority.

TEPs should have access to the same level of facilities and benefits as any mainscale educational psychologist employed by the same authority.

5 Competencies and Activities

It is impossible to indicate the level and what activities should be undertaken as Trainees from different career routes and different training courses will have different competencies in different areas. There is no doubt that a higher level of supervision will be necessary. Workloads will inevitably have to be lower to allow for the levels of competencies. The JESC 149 and the accompanying Union Side Advice explains that this as the reasoning for a pay range rather than scale and that there should be regular reviews of competencies and placement in the salary range during the two-year trainee period.

There may be a temptation by some services under pressure to rush TEPs into delivering full services to groups of schools at the earliest opportunities. Members are reminded of their responsibilities as psychologists under the relevant Codes of practice published by the AEP and the British Psychological Society to their 'clients.' Significant in these responsibilities are the responsibility not to undertake work that exceeds professional competency. This not only applies to TEPs who should ensure that they are working within their levels of competency, but to supervisors and managers who share that responsibility with them. Of course in a training situation, one might expect the TEPs to be working within, even at the extreme edge of their zone of proximal development. In such circumstances the level of supervision can compensate for the level of competency.

Members are reminded that they can be asked to undertake activities not directly specified on their job descriptions by a line manager with appropriate qualification. However, this has to be a reasonable direction and where the direction places the individual in a professionally inappropriate position the direction can be considered unreasonable and challenged. TEPs experiencing difficulty in this area should raise the matter with their line manager first. If they are still not satisfied they should contact their university supervisor for advice and support. In the event of the matter remaining unresolved, they should contact their AEP Local Representative, (or Regional Representative if there is no local rep) for advice or assistance in raising a grievance.

To ensure that difficulties in relation to an individual's competency to undertake activities are in most instances prevented, the AEP recommends the attached model (Appendix 1) for the review procedure.

Activities required of trainees shall reflect an agreed level of competency and supervision. TEPs shall not be expected to work outside of the range of their expected level of professional competency. TEPs will receive appropriately high levels of supervision.

There shall be regular reviews of the TEP's levels of professional competency in line with the AEP's *Model Competency and Salary Review Procedure for Trainee Educational Psychologists*.

6 Workloads

TEP workloads should be adjusted to take account of the time that they are available to do direct local authority work, viz. 3 days in Year 2 and 4 days in Year 3. Within this, some consideration will need to be given to the additional time necessary for their induction and support. TEPs are likely to need a greater allowance for admin activities when they first begin. TEPs will, depending on their competencies require a greater amount of supervision than is expected for a fully qualified colleague. Patch allocation should on no account be greater than could be expected to be completed in 3 days in Year 2 and 4 days in Year 3, (see also competencies above). There are suggestions that some PEPs have indicated to TEPs that in Year 2, when they will be working directly for the local authority for 3 days a week, they should have a 0.6 full-time equivalent patch of schools and in Year 3, when they will be working directly for the local authority for 4 days a week, a 0.8 fte patch. That arrangement, in itself, is not an unreasonable benchmark. However, it would become very unreasonable if there was an expectation that the TEP would provide the same level of service delivery to those schools as could be expected from an experienced and fully-qualified educational psychologist.

Members are reminded that AEP policy relating to newly-qualified educational psychologists who followed the one-year master's level route is that they require a reduction in workload (a 10% reduction is usual) and a higher level of supervision/support. While the training routes and competencies of TEPs differ from those of previously newly-qualified educational psychologists, the underlying principle remains the same; that is, new entrants to the profession need more time and more supervision to carry out the same work as their more experienced colleagues. These implications should be taken into consideration in all reviews of the competencies and workloads of the TEPs.

Workloads for TEPs need to be adjusted to take into account the inexperience of the TEP.

Workloads for TEPs should not be allocated outside of a *Competency and Salary Review* and should be set, by agreement, in the light of all the other factors considered in the review.

7 Supervision

The AEP acknowledges that under the current arrangements there is a significant difference between the supervision arrangements for TEPs in their first year as opposed to the two subsequent years of their training period. While that situation pertains, the AEP acknowledges that supervision arrangements during placements should be the same as those good practice examples that pertained under the previous one-year masters' level training programmes.

The following, therefore relates specifically to the supervision arrangements for TEPs in Years 2 and 3 of their training, when the AEP expects that they will be employees of local authorities, or similar, and working under the direction of a Principal Educational Psychologist.

Educational Psychology Training Course Directors have indicated that individual TEPs will have individual levels of competencies that will in part depend on the extent and nature of their prior experience. Course Directors have also indicated that there will be differing levels of competency in differing areas between the cohorts from each institution. It is the responsibility of the Course Directors, in the light of the BPS recommendations for supervision, to indicate to TEPs and their employers the extent of the supervision and support that individual TEPs coming from their course will require in the light of their individual competencies. TEPs will require a high level of supervision and support, at least in the first instance.

It is important to draw some distinction between the management and the professional support and development elements of supervision. TEPs will be in an employment relationship and their line managers have a right to exercise that management function within the relationship. Indeed TEPs have a right to be managed and a right to expect that management will be appropriate and fair. All educational psychologists have the right to professional supervision of their work and professional activities. TEPs have the additional right to that professional supervision having an additional focus on their individual learning needs as trainees embarking on a new professional life. For these reasons, and as TEPs are employed educational psychologists, the AEP believes that the additional responsibilities given to fully-qualified educational psychologists involved in providing TEPs with supervision should be rewarded by payment on the B Scale of salaries for Educational Psychologists.

It is possible there will be some learning situations where TEPs might be allocated some work that might be undertaken by a fully qualified mainscale colleague in the normal course of their work; providing opportunities for a wider spectrum of experiences might be an example. In such a situation the mainscale colleague may be asked to provide some professional support and advice while the TEP is undertaking that work. In such a case the responsibility for the management of the supervision of the TEP would not be expected to transfer to the mainscale colleague who is providing the additional experience, but would be expected to remain the responsibility and duty of the designated supervisor and line manager.

a. Shared Rights

In a supervision setting there will be at least two individuals. In this case, members' rights and responsibilities in relation to supervision relate both to the TEP and the supervisor. In addition to individual rights pertaining to their role they have shared rights and responsibilities in their supervisory relationship. Due regard should be paid to AEP and BPS codes of practice and to local authority codes of practice, particularly in relation to respect, harassment and bullying. (Where local authority codes do not exist or are silent on matters the AEP expects its members to adhere to the relevant ACAS model procedures as default procedures.) The AEP recommends the model rules for supervision meetings attached at Appendix 2 below).

In the event of difficulty in the supervisory relationship, both the supervisor and the TEP should refer the matter to the Principal Educational Psychologist for resolution. In addition to resolution protocols pertaining in the service the PEP (or his/her representative where the PEP is the supervisor) should invoke the a review under the *AEP Model Competency and Salary Review Procedure for Trainee Educational Psychologists* (see Appendix 1) and follow the protocols laid down in that model and the associated *Competencies and Activities* paragraph above. When, following use of those procedures, members still cannot satisfactorily resolve matters they should contact their AEP Local Representative, (or Regional representative if there is no local rep) for advice or assistance in raising a grievance. (In such cases the AEP has protocols in place that ensure that, in appropriate cases, both members can be supported independently and confidentially.)

b. Rights of the TEP

All educational psychologists have the right to appropriate levels of professional support and supervision from their employers. In the case of trainee educational psychologists these are not only rights but also essential prerequisites of their training. The levels of supervision will vary according to the experience and competencies of the TEP and according to the nature of the activities they are expected to undertake.

The professional supervision of TEPs, as for other educational psychologists, must be provided by a fully qualified and experienced educational psychologist.

The best supervision takes place in those situations where there is a collegiate relationship between the participants and neither feels that s/he is restricted by the authority that the other may have over him or her, or vice versa. In these situations both participants can feel empowered to ask for matters to be discussed, can raise matters of concern and feel safe enough to allow himself or herself to expose personal vulnerabilities in order to develop. The best learning in such situations happens when the learner, from an informed position, feels able to take the lead in setting the agenda for his or her own learning.

TEPs have a right to supervision and support at a level commensurate to their experience and the nature of the work they are expected to undertake.

TEPs have a right to feel secure in supervisory settings and to raise the matter when they feel insecure.

TEPs have a right to expect supervision, both formal and informal, to be a positive developmental experience.

People supervising the work and development of trainee educational psychologists must be fully qualified and experienced educational psychologists.

TEPs have a right to be managed and a right to expect that management will be appropriate and fair.

TEPs have a right to have a designated supervisor and designated line manager, who may be the same person.

c. Rights of the Supervisor

Professional supervision of a colleague, although usually rewarding, can be stressful and challenging. Supervisors have the same rights to respect and security as those they supervise. Supervision of trainee educational psychologists carries with it the additional responsibility for oversight of the TEP's learning. This additional responsibility can lead, in difficult situations, to the supervisors feeling vulnerable. Supervisors have the right to expect support for their work in their supervisory role. The level of responsibility involved in supervision means that the supervisors will have an increased workload and will need a commensurate reduction in their other duties

TEPs are employed educational psychologists and therefore those supervising them should be remunerated on the Soulbury Scale B for educational psychologists. The responsibility of the supervisor can be considerable, but will certainly include responsibility for allocation of work, oversight of activities, review of practice etc.

Supervision of TEPs includes close oversight of and shared responsibility for their work. It is vitally important that reports are countersigned; a legal requirement for statutory reports. Members are reminded that when they countersign any report they assume legal responsibility for its content and therefore they should pay particular importance to the content and satisfy themselves that they can personally justify and defend what is written before they countersign any report. Members are reminded that the legal advice the AEP has received is that a counter-signature is a direct acceptance of responsibility for all that is written in the report.

Those educational psychologists supervising trainee educational psychologists take on significant additional duties and responsibilities. These additional duties and responsibilities shall be recognised by a commensurate reduction in other duties and by payment on the B Scale of the Soulbury salary scales for educational psychologists.

Attached at Appendix 2 is the *AEP Model Competency and Salary Review Procedure for Trainee Educational Psychologists*. This model is recommended as of good practice to all members who are advised to adhere to the model in their practice.

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The AEP will always support its members in ensuring they have fair treatment in their place of work. Members who have difficulty with negotiating any of the above matters should get in touch with the general office through their local authority representative or regional representative for advice and support.

Eric Page
Association Secretary
(produced by the general secretary)

Approved by the National Executive Committee June 23rd, 2007

***AEP Model Competency and Salary Review Procedure for
Trainee Educational Psychologists.***

Following appointment and before deployment, the PEP should negotiate with the University and the TEP, preferably in a single meeting, the levels of competency expected of the TEP.

There should be at least termly and preferably twice-termly reviews of competencies involving the PEP (or representative), the supervisor of the TEP, the TEP (who may be accompanied by the AEP LA Rep, or 'a friend' if the TEP is not an AEP member), and a representative of the university.

The meeting will agree changes in the levels of the TEP's competency and the change in nature or complexity of activity and levels of supervision required for the period until the next review.

There should be a review of the point in the salary range at which the TEP is paid at the competency review meetings, in the light of their competencies and workload, at least once every six months.

The PEP shall be responsible for recording the meeting and seeking agreement of the record with all involved.

In the event of failure to agree, the TEP will have access to the usual grievance and complaints procedures pertaining within the local authority by whom s/he is employed.

Note: *In its guidance to the JESC 149; the Officers' Side of the Soulbury Committee recommends that TEPs should be paid at the highest available point on the TEP salary range and not less than point 4 in Year 2 and point 6 in Year 3.*

June 2007

AEP Model Rules and Arrangements for Supervision Meetings for Trainee Educational Psychologists.

- **Members have a right to respect in all supervisory relationships.**
- **Matters of ‘criticism’ and suggested areas for improvement shall be evidence based, raised in a non-valued laden environment and similarly be open to appropriate challenge.**
- **Members have a right to privacy and confidentiality.**
- **Either participant may request the attendance of a minute-taker or ‘friend’ in any formal supervision meeting.**
- **Such a request should not be reasonably refused.**
- **Both participants have a right to respect from each other.**
- **In normal circumstances, supervision meetings will be held on a regular basis and in an agreed confidential setting.**
- **There shall be an agenda agreed at least 24 hours before the meeting.**
- **Both participants have the right to place appropriate items on the agenda.**
- **The meeting should review progress towards targets set at the previous meeting.**
- **The participants should agree targets for development and criteria for success to be reviewed at the next meeting.**
- **While the supervisor has a responsibility to indicate areas for development, the supervisors’ role should not be seen to be directive.**
- **The participants shall agree who will record the meeting and how and with whom that record shall be agreed and shared.**

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