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## **SOULBURY OFFICERS' SIDE PAY AND CONDITIONS OF SERVICE CLAIM 2020**

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*This pay and conditions of service claim is submitted by the Officers' Side of the Soulbury Committee national negotiating body, comprising the Association of Educational Psychologists, the National Education Union and Prospect.*

The professional workforce covered by the terms of the Soulbury national agreement continues to support local authorities in discharging their statutory responsibilities in respect of schools and other educational settings, children and young people (CYP) and their families. Despite the many ongoing changes in local government and local authority functions, these remain key responsibilities in ensuring the highest standards of education and achievement for our young people.

The Soulbury Officers' Side represents educational improvement professionals, educational psychologists and managers of young people's & community services employed by local authorities.

We remain committed to the national negotiating arrangements and the national pay and conditions agreement for the Soulbury workforce. We believe that it helps employers accommodate these professional groups within a pay and conditions structure tailored to their specific needs and interests.

We welcome the recent announcement that funding for local authorities in 2020-21 will be increased by £2.9 billion or 4.4% in real terms. Our members continue, however, to be concerned at the continuing threat to their employment and at the worryingly high workloads caused by the continuing loss of posts, failure to recruit and retain to vacancies, and reorganisation of services. An effective national agreement can help local authority employers to recruit and retain staff, while providing a foundation for the role of local authorities in supporting schools and other educational settings and CYP and their families. Maintaining a properly rewarded and motivated cadre of Soulbury employees will enable local authorities to respond quickly and professionally to additional responsibilities when specific issues arise eg post-inspection action plans.

In 'normal times', Soulbury staff work with the whole school system and educational settings, both maintained and academies, to co-ordinate, to disseminate key information and to work with many stakeholders and partners ensuring continuity of service and provision.

We must pay tribute to the incredible professionalism and flexibility of the Soulbury workforce in demonstrating this in their response to the unprecedented challenges posed by the Coronavirus pandemic.

The priorities of the submission are as follows:

- (1) A significant pay increase of 7% on all pay points, which will begin to address the substantial real terms cuts which Soulbury employees have, like other public sector workers, suffered since 2010.
- (2) A review of the current Soulbury pay structure in order to ensure that it reflects the current situation within local authorities and other organisations using the Soulbury agreement.
- (3) A serious discussion on the impact of the erosion in conditions of service entitlements in many authorities and services, which have hit Soulbury employees harder than many other local government workers.

## THE FUTURE OF LOCAL AUTHORITY SOULBURY SERVICES

*The Officers' Side reaffirms its belief in the central role of local authorities and their Soulbury-paid professional officers in delivering State-funded education provision and services to schools and to young people.*

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The increased funding for local authorities in 2020-21 will hopefully begin to restore support services to schools, children and young people. This should include a stronger and reinvigorated middle tier, operating within a successful national education service, which provides as well as commissions specialist education support services for schools. Any decision to move in this direction would benefit from the continuing support of a strong national pay and employment structure for the workforces involved.

The number of Soulbury-paid officers employed directly by local authorities has fallen, due to reduction, removal and outsourcing of services, while the remaining officers find their workload has increased significantly due to difficulties in recruiting or retaining colleagues in post. Other issues hampering morale and efficiency include ever-decreasing administrative support, loss of car allowances and parking, and an increased pressure on more and more officers to work from home without proper access to the necessary technological, administrative and professional support.

The responsibilities placed on local authorities by different governments, however, has grown. The availability of specialist advice, guidance and professional support becomes ever more important as the range of issues on which these are needed by schools and other educational settings becomes increasingly diverse. Local authorities now have to provide key leadership and strategic support on the Prevent duty, for CYP who are looked after and those CYP with Special Educational Needs (SEND) up to the age of 25. Schools and local authorities have also had to support an increasing focus on issues such as EHE, CYP missing from education, Safeguarding and CYP Mental Health and Wellbeing, while continuing to cope with a demanding agenda in respect of school improvement. The delivery of all these areas of work depends upon a heavy involvement of Soulbury professionals.

The Children and Families Act (CFA) 2014 and the SEND Reforms were widely welcomed by parents and professionals but their implementation at a time of significantly reduced LA budgets has resulted in a 'perfect storm' for local authorities delivering services to children and young people with additional needs and the constant pressure upon the "high needs block" of LA budgets. There has been a substantial shift in the balance of work required from educational psychologists, reducing the opportunities for early, preventative work and increasing the statutory SEND work which has had, in turn, a damaging impact on EP retention and recruitment. The Government's commitment to focus on young people's mental health and wellbeing is also leading to an increased demand for support from educational psychologists, as is the development of critical and major incident strategies for schools and LAs where EPs provide an immediate response in the event of such incidents to guide and support many members of local communities and parents. The EP workforce is struggling to meet the demands being made upon it because of lack of capacity – ministers and the DfE have recognised the national shortage of EPs by significantly increasing the number being trained from 2020 and commissioning research on future workforce needs.

Meanwhile, in the area of school improvement services, the LGA/ISOS report '*Enabling School Improvement*' demonstrated that the LGA and its constituent members recognised the necessity of local authorities continuing to play an effective strategic role in supporting educational achievement for young people. We believe that local authorities are crucial for promoting and facilitating school improvement and in supporting schools to secure positive educational outcomes for all their children and young people. We took issue, however, with

the position adopted in that report which appeared to envisage the role of local authorities as being focused on convening and supporting local partnerships and acting as “independent and impartial brokers” of services. We think that authorities should aspire to play a greater role in a partnership-based system for school improvement, which can be based on local authorities being both an essential strategic adviser and a provider of independent and impartial services to schools. The alternatives being advanced would be less effective and more costly than fully integrated services provided by a professional employed workforce.

Soulbury officers, however they are employed, will continue to work as part of a national education service delivered locally. The Soulbury agreement must provide a competitive and credible employment proposition within a national framework of pay and conditions in order to help recruit and retain staff with the skills and experience required by that service. Redressing the uncompetitive position of Soulbury staff relative to other comparable groups of professionals in terms of pay and career prospects and progression is therefore essential.

## SOULBURY PAY

*The Officers' Side believes that its pay claim is supported by the available evidence on recruitment and retention, trends in pay comparability for Soulbury staff and, in particular, the key comparator group of school leaders, and the impact of below inflation pay increases.*

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### Pay for Soulbury staff – the Officers' Side claim

The Officers' Side believes that the pay scales for Soulbury officers should be increased significantly to address the considerations set out in this submission. The Officers Side unions are seeking an increase of 7% in the value of all Soulbury pay scale points and all pay-related and London allowances from 1 September 2020. This is affordable when funding for local authorities has been increased by 4.4% in real terms.

The Officers' Side notes that the claim submitted by the unions represented on the NJC for Local Government Services includes a pay increase of 10% for most of the employees covered by that negotiating body. It was reported in the March 2020 edition of *Labour Research* that the unions had rejected a pay offer of 2%.

### Recruitment and retention issues

The most recent Soulbury workforce survey, carried out in February-May 2018, showed that 63% of respondents reported that they had experienced difficulties when recruiting over the previous 12 months. This figure was far greater than the 22% of respondents who reported this in 2013. It was also shown that half of educational psychology service respondents were concerned about their authority's ability to fulfill the entirety of its statutory obligations in education. The proportion was about a quarter (27%) for the educational improvement service.

Another insight into recruitment and retention is provided by an analysis of advertisements for EP vacancies placed by LAs in the Association of Educational Psychologists' member bulletin.

2015	2016	2017	2018	2019
503	390	333	371	480

While the number of vacancies advertised fell slightly in the period 2016-2018 there was a significant rise in the number of vacancies advertised in 2019 and the figures to date for 2020 are higher than the same period in 2019. Most main grade vacancies are advertised using the maximum range available and many more senior vacancies are advertised on EIP scale points in order to offer more money than permitted by the EP B scale. Many authorities say that the fall in adverts is due to an expected inability to recruit, not to a fall in vacant posts, and many are therefore being obliged to use agency staff and associates (where they are available) in order to try to meet statutory SEND deadlines, incurring higher costs than employing on Soulbury pay rates.

### Pay in real terms

With a combination of pay freezes and below inflation increases from 2010 onwards, the real value of Soulbury officers' pay has been cut significantly, even before the impact of other matters such as increased pension costs on their take home pay. This trend has continued despite the 2% pay increases from September 2018 and 2019. The Retail Prices Index was 3.3% in September 2018 and the latest rate was 2.6% in March 2020. RPI inflation is predicted to be around or just above 2.5% across 2020.

Cumulatively, between September 2009 and September 2019, inflation rose by 33.2% when measured by the Retail Prices Index or 22.5% when measured by the Consumer Prices Index. Soulbury pay increases over this period, on the other hand, have an aggregate value of only 9.29%. If Soulbury officers' pay had risen between September 2009 and September 2019 in line with the increase in the Retail Prices Index, their pay rates would be much higher as set out below:

#### Soulbury pay shortfall

##### **Education Improvement Professionals**

EIP point 8	£54,206 compared to actual £44,032
EIP point 20	£72,225 compared to actual £58,670

##### **Educational Psychologists**

Scale A point 8	£61,749 compared to actual £50,159
Scale B point 8	£70,010 compared to actual £56,869

Soulbury officers have also faced significant increases in pension contributions, greater than those for most other local government employees, under the LGPS's tiered contribution arrangements. Most Soulbury officers are now paying 8.5% or even 9.9% of their pay in pension contributions compared to 7.2% or 7.5% in 2009, cutting the value of their take home pay further.

#### Pay comparability with employees generally

While the pay increases of Soulbury officers have been suppressed, average earnings elsewhere in the economy have continued to grow.

Between 2009 and 2019, average earnings across the whole economy showed an increase of 20.2% compared to the Soulbury pay increase of 9.29% referred to above. Earnings across the economy rose by 2.8% between September 2018 and September 2019, while the Soulbury two year agreement for September 2018 to September 2020 provided only an increase of 2% in each year. The upward trend in earnings continues, with forecast annual rates of increase of more than 3% for 2020 (whole year forecasts). Pay increases for Soulbury officers which are below increases in earnings in the economy generally must not continue indefinitely.

The short-term impact of COVID-19 is likely to include a sharp reduction in earnings but this is expected to be a strictly and limited and one-off phenomenon that should not detract from the need to improve the position of Soulbury pay relative to earnings in the wider economy in the long term.

#### Pay comparability with appropriate professional comparators

For education improvement professionals, the Officers' Side continues to believe that the importance of being able to recruit from senior levels of the teaching profession for many Soulbury roles means that pay comparisons with that group continue to be hugely relevant. The latest pay increase for teachers in schools was 2.75% from September 2019 and the NEU called for an increase of 7% from September 2020 for all teachers in its evidence to the School Teachers' Review Body.

The three examples below - which relate to the current equivalents of what were, for many years, the agreed pay comparators for Soulbury roles - suffice to demonstrate the pay gap which has developed between Soulbury pay and the pay of school leaders and education professionals. It is still the case that authorities will seek to recruit from senior levels of the

teaching profession. The pay levels available are neither appropriate nor sufficient to allow this.

### Soulbury pay and professional comparisons

#### **Soulbury Senior EIPs**

Minimum point	£50,561	point 13
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#### **Head teachers Group 5<sup>1</sup>**

Median salary point	£83,757	point L30
Typical range	£74,103 to £85,826	points L25-L31

#### **Soulbury Lead EIPs**

Minimum point	£58,670	point 20
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#### **Head teachers Group 7**

Median salary point	£97,013	point L36
Typical range <sup>1</sup>	£87,960 to £101,885	points L32-L38

#### **Senior professionals in education<sup>2</sup>**

Median salary	£68,852	
Interquartile range	£63,253 to £81,165	

1 "Typical pay range" points taken from most recent STRB Pay Survey (September 2008 table 3 p34-35)  
Values of pay points taken from joint teacher union advice on reference pay points (September 2019)

2. "Senior professionals in education" taken from Incomes Data Research pay levels database

For educational psychologists, another appropriate professional comparator is with clinical psychologists employed and paid under the NHS Agenda for Change (AfC) pay scales. Most psychology graduates will look carefully at the training routes and pay structures of both careers before committing themselves to the 3 years' doctoral training necessary in order to become an EP. The greater number of clinical psychologist pay points and salary ranges are not reflected in the Soulbury Salary Scale. This restricts progression and opportunities for educational psychologists to take on additional professional and managerial duties.

### Soulbury EP pay and professional comparisons

#### **Soulbury EPs**

Typical scale	£40,949 to £50,159	Scale A points 3-8
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#### **Clinical Psychologist (NHS)<sup>1</sup>**

Typical scale range	£44,606 to £50,819	band 8a
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	£52,306 to £60,983	band 8b
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#### **Soulbury Senior EPs**

Typical scale	£50,159 to £55,040	Scale B points 3-6
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**Soulbury Principal EPs**

Typical scale	£56,869 to £60,428	Scale B points 8-11
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**Consultant Clinical Psychologist (NHS)<sup>1</sup>**

Typical scale range	£61,777 to £72,597	band 8c
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	73,936 to £86,687	band 8d
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**Clinical Psychologists also have possible career progression to Head of Service within the NHS which pays at Band 9 level<sup>1</sup>**

Typical scale range	£89,537 to £103,860	band 9
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NB the NHS also pays a London high-cost supplement at 20% of basic salary for inner London, 15% for outer London and 5% for fringe areas.

<sup>1</sup> Agenda for Change – Pay Rates (April 2019)

**Pay in London**

The Officers' Side continues to believe that Soulbury London allowances must be reviewed and increased. The low level of the allowances in comparison to teachers' and NHS London area differentials can constitute a further obstacle to recruitment and retention. They can in practice also distort the application of the national structure as some employers decide to use higher basic pay scales than elsewhere, leading to varying practice between employers.



## **SIMPLIFYING & STRENGTHENING THE SOULBURY PAY SPINES**

*The Officers' Side proposes that the Soulbury Committee should review the Soulbury pay structure in order to allow authorities to offer additional pay opportunities to benefit employers and employees alike.*

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The Officers Side was very disappointed that the Soulbury Employers' Side did not agree in 2019 that the starting point of most spines or scales should be increased with, where appropriate, a commensurate addition of points at the top of those scales. This would have helped authorities to recruit and retain staff, including through a significant boost to the lowest paid professionals.

We are concerned by reports that Soulbury officers have been appointed to posts on salaries that are lower than the minimum point for that post in the Soulbury agreement.

Trainee Educational Psychologists being paid bursaries rather than the nationally agreed salaries is another issue that should be addressed, particularly when all Trainee Clinical Psychologists are properly remunerated using their agreed NHS pay scale throughout their training. The view of the Officers' Side is that any changes to the application of the Soulbury pay scales should be formally negotiated with Soulbury unions. Should there be a failure to agree at a local level, the correct escalation route should be to the Soulbury Committee

We welcomed the statement made in our last negotiation that *'The Soulbury Committee recommends that the arrangements set out in this report should not only apply to officers employed in such functions by local authorities but also to officers employed by other organisations which undertake such functions for schools and authorities'*. We ask that this position is re-stated to stakeholders once more.

The Soulbury agreement makes it clear that the third SPA point is not subject to any quota but far too few Soulbury officers are in practice in receipt of that point. Not only should the criteria for the third SPA point should be reviewed to ensure that officers are not unreasonably being denied progression but serious discussions should be held about the addition of a 4<sup>th</sup> SPA point.

### **CONCLUSION**

We believe that any realistic assessment of the circumstances of the Soulbury workforce, in terms of authorities' ability to deliver key functions, will suggest that a pay increase in real terms is appropriate and necessary for Soulbury employees. It would not resolve the workload and other pressures faced by a highly committed and motivated workforce. It would, however, go some way towards showing Soulbury employees that they are valued by local authorities. We therefore seek an increase of 7% in all Soulbury pay spine points.

**Soulbury Officers' Side**  
**May 2020**