

**THE NASUWT SUPPLEMENTARY SUBMISSION
TO THE INDEPENDENT WELSH PAY REVIEW BODY
18 MARCH 2022**

The NASUWT – The Teachers' Union.

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1. Introduction

- 1.1 As has been the case in previous years, the NASUWT takes a great deal of pleasure in submitting supplementary evidence to the Independent Welsh Pay Review Body (IWPRB), having taken decisive steps since its establishment to improve the pay and conditions of teachers in Wales.
- 1.2 When responding to evidence from pay review body consultees in its supplementary evidence submissions, the NASUWT focuses on evidence from governments and from employer organisations and does not generally comment on evidence submitted by other unions.
- 1.3 In this respect, the NASUWT notes that the Welsh Local Government Association (WLGA) has not submitted evidence to the IWPRB, as was the case in 2021 in connection with the Review Body's 3rd remit.
- 1.4 However, in 2021, the Review Body admitted first evidence in connection with its 3rd remit from the WLGA as supplementary evidence, applying its supplementary evidence deadline in this case. The WLGA did not, in fact, submit supplementary evidence and the impact of its late submission of its first evidence was that the NASUWT and other consultees were denied the opportunity to respond to that evidence because the supplementary evidence deadline had passed. This was a fundamental breach of the Review Body's processes and the NASUWT asks the IWPRB to reject as inadmissible all submissions of supplementary evidence from consultees who have not submitted first evidence. It is manifestly unfair that consultees cannot respond to first evidence submissions, and the NASUWT asks the Review Body to take a very clear stance on this issue.
- 1.5 One of the most important tests of the effectiveness of a pay review body is its ability to respond to unexpected and unforeseen events. When the Review Body's 4th remit was issued, the UK economy was recovering strongly from the impact of the coronavirus pandemic, but teachers and other working people were in the grip of a cost of living crisis. The NASUWT believes that this must continue to be taken into account by the Review Body. However, since the issuing of the Review Body's 4th remit, wider international events have exacerbated the current cost of living crisis and it is vital that the Review Body considers the evidence from consultees in this context.

2. The Welsh Government's Evidence

- 2.1 The Welsh Government has stated: *'We have set out above that any pay award leading to an increase in the total pay bill needs to be appropriate and affordable.'*¹ The NASUWT reminds the Review Body that this is a matter for the Welsh Government and the UK Government via the Barnett formula. The Review Body must focus on its core remit, which is to make recommendations on the pay and conditions of teachers in Wales, which the Welsh Government then accepts or rejects.
- 2.2 The NASUWT has outlined in detail the impact of the cost of living crisis on teachers in Wales in its initial evidence submission, but we ask the Review Body not to ignore the growing impact of the war in Ukraine on the cost of living crisis. The most tragic consequence of the invasion of Ukraine is the loss of life and the suffering of the Ukrainian population, but it has stoked inflation, which was already running at the highest level for decades.
- 2.3 The Review Body has indicated that it will accept further evidence from consultees on the impact and relevance of the latest HM Treasury inflation forecasts which are due to be published shortly, by a revised deadline of 25 March 2022, and the NASUWT will submit its evidence in due course.
- 2.4 However, at this point, the NASUWT wishes to draw the Review Body's attention to the underlying context of falling public sector pay which the TUC accurately describes as a 'pay crisis'. The TUC has published a statement in advance of the Chancellor of the Exchequer's Spring Statement, appended to this supplementary evidence as an annex, which outlines that: *'workers are now being asked to bear the brunt of rising global prices, having already borne the brunt of a decade of austerity, the hardship of the pandemic, and the longest pay squeeze since the Napoleonic Wars (as illustrated on the chart below).'*

The worst pay squeeze since the Napoleonic Wars



¹ Welsh Government's evidence to the Independent Welsh Pay Review Body, Year 4, page 85.

- 2.5 The NASUWT believes that, given this context, the Review Body should consider the sufficiency of the Welsh Government's modelling of two levels of pay award for 2022/3 and 2023/4:
- Model A - 4.0 % from September 2022 and 2.5% from September 2023; and
 - Model B - 4.0% from September 2022 and 4.0% from September 2023.²
- 2.6 The key issue for the Review Body is that, in the context of the impact of projected inflation on living standards, both of these approaches to the pay award would result in a further fall in teachers' leaving standards during the next two years.
- 2.7 It is therefore vital that the Review Body rejects both of these models and recommends far higher levels of pay award. As the TUC has stated:
- 'Public sector workers have endured pay freezes and pay restraint since the coalition took office in May 2010. Reduced pay meant reduced spending by public sector workers, this damaged the economy and so meant reduced private sector pay. Over the fourteen years since before the global financial crisis, public and private sector pay have moved together and have ended up virtually no different from their relative starting points. Real public sector pay is down 1.6 per cent and real private sector down -0.2 per cent (on the basis of RPI real pay on both measures is down by about 10 per cent).'*³
- 2.8 The TUC has made very clear the need for higher pay for working people and that the whole economy suffers when the pay of public sector workers falls.⁴
- 2.9 It is therefore vital that the Review Body rejects both of these models and recommends far higher levels of pay award. As the TUC has stated:
- 'Public sector workers have endured pay freezes and pay restraint since the coalition took office in May 2010. Reduced pay meant reduced spending by public sector workers, this damaged the economy and so meant reduced private sector pay. Over the fourteen years since before the global financial crisis, public and private sector pay have moved together and have ended up virtually no different from their relative starting points. Real public sector pay is down 1.6 per cent and real private sector down -0.2 per cent (on the basis of RPI real pay on both measures is down by about 10 per cent).'*⁵
- 2.10 The TUC has made very clear the need for higher pay for working people and that the whole economy suffers when the pay of public sector workers falls:⁶

² Ibid.

³ Ending the pay crisis, TUC Statement ahead of HM Treasury's Spring Statement on 23 March, page 15.

⁴ Ibid, pages 27 and 28.

⁵ Ending the pay crisis, TUC Statement ahead of HM Treasury's Spring Statement on 23 March, page 15,

⁶ Ibid, pages 27 and 28.

Building back better

- 2.11 The promises to ‘build back better’ after the pandemic must not be forgotten. Beyond the immediate challenges of rising prices and falling real pay, government needs a strategy to deliver a better economy for working people. Any such approach must recognise that the economy has for too long served the interests of the wealthy ahead of labour. As a result there is vastly excessive money in the hands of the few, and too little in the hands of the many.
- 2.12 Looking at the inflation debate in this broader context, former US Secretary of Labour Robert Reich warned last year: *“Here’s the thing. The wealthy spend only a small percentage of their income – not enough to keep the economy churning. Lower-income people, on the other hand, spend almost everything they have – which is becoming very little. Most workers aren’t earning nearly enough to buy what the economy is capable of producing”*.
- 2.13 A comparison between Wales and England can be drawn, where the Department for Education (DfE) has proposed the following pay award in 2022/3 and 2023/4:

England (excluding London & Fringe)							
	2021/22	2022/23			2023/24		
		UPR & LPR 3%	£ increase	% increase	UPR 2%	£ increase	% increase
Main Pay Range							
M1 (Minimum)	£25,714	£28,000	£2,286	8.9%	£30,000	£2,000	7.1%
M2	£27,600	£29,800	£2,200	8.0%	£31,650	£1,850	6.2%
M3	£29,664	£31,750	£2,086	7.0%	£33,391	£1,641	5.2%
M4	£31,778	£33,850	£2,072	6.5%	£35,227	£1,377	4.1%
M5	£34,100	£35,989	£1,889	5.5%	£37,165	£1,176	3.3%
M6 (Maximum)	£36,961	£38,440	£1,479	4.0%	£39,209	£769	2.0%
Upper Pay Range							
UPS1	£38,690	£39,851	£1,161	3.0%	£40,648	£797	2.0%
UPS2	£40,124	£41,328	£1,204	3.0%	£42,154	£827	2.0%
UPS3	£41,604	£42,852	£1,248	3.0%	£43,709	£857	2.0%

- 2.14 The Institute for Fiscal Studies (IFS) has analysed the DfE’s proposal and has concluded:

‘With inflation rapidly rising, the government’s proposals for teacher pay in 2022 and 2023 would be forecast to deliver a 5% real-terms cut in salaries for more experienced teachers between 2021 and 2023.’⁷

⁷ <https://ifs.org.uk/publications/15989>

- 2.15 Whilst the Welsh Government's proposals are not directly comparable with the DfE's proposal, Model A is closest to the DfE's proposal in terms of the impact on experienced teachers. Given rising inflation, IFS research indicates that both of the Welsh Government's models would deliver real-terms cuts in salaries for experienced teachers in Wales between 2021 and 2023, even taking into account that teachers received a 1.75% pay award in Wales, denied to teachers in England because of the public sector pay freeze.
- 2.16 Given the fall in living standards of teachers in Wales since 2010, the NASUWT asks the Review Body not to deliver further cuts in living standards and calls on the Review Body to reject both Welsh Government models. Consistent with its initial evidence submission to the IWPRB, the NASUWT asks the Review Body to recommend the following pay awards to teachers in 2022/3 and 2023/4, applied to a six-point pay scale for classroom teachers, which provides clear access to incremental pay progression, and affords the certainty of improved financial stability as teachers progress in their careers:
- 2.17 The following table shows both the guaranteed cash value and percentage incremental increases between pay points for classroom teachers under the pay framework which the NASUWT asks the Review Body to recommend.

2022 (12%)		£	%	2023 (10%)		£	%	2024 (8%)		£	%
		increase	increase			increase	increase			increase	increase
M1	£30,790			M1	£33,869			M1	£36,579		
M2	£34,115	£3,325	10.80	M2	£37,526	£3,657	10.80	M2	£40,528	£3,950	10.80
M3	£37,439	£3,325	9.75	M3	£41,183	£3,657	9.75	M3	£44,478	£3,950	9.75
M4	£40,764	£3,325	8.88	M4	£44,840	£3,657	8.88	M4	£48,427	£3,950	8.88
M5	£44,088	£3,325	8.16	M5	£48,497	£3,657	8.16	M5	£52,377	£3,950	8.16
M6	£47,413	£3,325	7.54	M6	£52,154	£3,657	7.54	M6	£56,327	£3,950	7.54

- 2.18 The NASUWT asks the Review Body to establish evenly distributed cash-value gaps between pay points on the single six-point classroom teacher pay scale, which incorporates the NASUWT-recommended increases to teachers' salaries and allowances of 12% in 2022, 10% in 2023, and 8% in 2024, which the NASUWT set out in its first evidence submission. This is necessary to reverse the real-terms reduction in pay suffered by teachers in Wales since 2010, as is likely to become even clearer when HM Treasury inflation forecasts are published.

Teacher supply

- 2.19 The NASUWT is concerned that the Welsh Government's evidence understates profoundly the nature and extent of the teacher supply problems the education system faces, and will continue to face, unless effective action is taken to secure and sustain adequate rates of recruitment and retention. The assertion by the Welsh Government in its written evidence that 'overall recruitment and retention rates show little evidence of concern' (4.5) does not

withstand scrutiny and is reflective of a complacent approach to teacher supply policy.

- 2.20 Evidence set out in the Welsh Government's own submission serves to emphasise the significant scale of these issues. In particular, on the retention of later-stage career teachers, the Welsh Government insists that data on the numbers of teachers leaving the profession confirms that issues of teacher wastage are substantially more pronounced in respect of those who have entered teaching relatively recently.
- 2.21 While the NASUWT does not challenge the view that effective action must be taken to tackle exit from teaching in this segment of the workforce, it is not credible to insist that wastage is not an important issue among more experienced teachers. The IWPRB will note that almost 30% of those leaving the teaching workforce in 2020 had between 11 and 20 years' experience in the profession.⁸
- 2.22 The Welsh Government's evidence glosses over the proportion of teachers leaving the profession by accessing early retirement benefits. As the IWPRB will be aware, under current Teachers' Pensions arrangements, teachers electing to access their pensions before they have reached pension age are subject to substantial actuarial reductions in benefits. Teachers leaving the profession in this way can reasonably be assumed to have strong motivations to exit the profession. The fact that more than three in ten teachers leaving the workforce in 2020 exited by these means indicates the presence of significant barriers to ensuring that more experienced teachers remain in the profession.⁹
- 2.23 The Welsh Government seeks to emphasise the number of applications for each vacant post as an indicator of a relatively benign teacher supply context. The NASUWT does not dispute that the number of applications rose slightly between 2019 and 2020. However, to suggest that this modest increase indicates an improving teacher supply situation fails to take into account that the marginal improvement cited by the Welsh Government coincides largely with the highly atypical circumstances in play during the early stages of the COVID-19 pandemic. Notwithstanding this oversight, the current application rate falls far short of levels reported in the recent past. For example, in 2011, the number of applications per post reached 20.03, indicating a far stronger teacher supply situation at that time than the 11.7 or 10.8 figures reported for 2020 and 2019 respectively.¹⁰

⁸ Statistics Wales (2021a). *Teacher retention: teachers who left the profession by subject and number of years (sic) experience*. Available at: (<https://statswales.gov.wales/Catalogue/Education-and-Skills/Schools-and-Teachers/teachers-and-support-staff/pupil-Level-annual-school-census/Teacher-Recruitment-and-Retention/teacherretentionyears-by-subject-destination>), accessed on 15.03.22.

⁹ Statistics Wales (2021b). *Teacher retention: teachers who left the profession by subject and destination*. Available at: (<https://statswales.gov.wales/Catalogue/Education-and-Skills/Schools-and-Teachers/teachers-and-support-staff/pupil-Level-annual-school-census/Teacher-Recruitment-and-Retention/teacherretentionleavers-by-subject-destination>), accessed on 15.03.22.

¹⁰ Statistics Wales (2021c). *Teacher recruitment: number of applications received by subject and year and Teacher recruitment: number of posts advertised by subject and year*. Available at: (<https://statswales.gov.wales/Catalogue/Education-and-Skills/Schools-and-Teachers/teachers-and->

- 2.24 On leadership supply, there is little evidence that the Welsh Government is taking action to address the scale of the issues that are likely to confront the education system in future, in light of the problems faced in securing effective recruitment and retention levels across the teaching workforce more generally. The IWPRB will have noted that considerable emphasis is placed by the Welsh Government in this respect on the proposed future activities of its recently established National Academy for Educational Leadership (NAEL). The NASUWT has yet to be presented with any compelling evidence, including by means of the Welsh Government's submission to the IWPRB, that the NAEL will secure its objective of 'developing a strong and sustainable pipeline of talented, motivated staff in leadership positions'. The intended benefits for leadership supply of this body, and the National Approach to Professional Learning (NAPL) referenced in this submission, are entirely speculative at this stage, and the NASUWT suggests that little reliance can be placed on them by the IWPRB in the development of its recommendations.
- 2.25 The Welsh Government highlights data indicating that recruitment into initial teacher education (ITE) increased in 2020. However, in doing so, it fails to reference the widely acknowledged temporary effects of the COVID-19 pandemic on entry into ITE programmes, not only in Wales but in many other jurisdictions. The impression created by the Welsh Government's submission that the reported increase in recruitment in 2020 was due in large part to factors other than the pandemic is difficult to sustain with any degree of credulity, in light of wider evidence in this respect. In any event, it should be noted that, notwithstanding COVID-related factors, recruitment levels remained substantially below allocation. As the Welsh Government concedes in its submission, 'recruitment into secondary [schools] remains challenging, with the national level allocations for full-time provision still not met' (5.1).
- 2.26 In respect of broader ITE policy, the NASUWT submits that the references made in the Welsh Government's evidence to its reforms to ITE and the 'fledgling' nature of the system do not have any relevance to the steps that are required to maintain effective recruitment into the teaching workforce. While these reforms may amend the content and structure of ITE programmes, it is by no means evident that they will feed through into increasing rates of entry into teaching to the levels the Welsh Government identifies as necessary.
- 2.27 The Welsh Government is right to recognise the 'leaky' nature of the pipeline from ITE into professional teaching practice. Its acknowledgement that more needs to be done to monitor ITE providers' policy and practice in this respect is welcome. However, without further details of the nature of this monitoring and the active steps that the Welsh Government intends to take to remove the barriers to ITE retention it identifies, it is not possible to anticipate the extent to which these intended actions will secure the improvements the ITE system requires.
- 2.28 It is important that those in a position to contemplate teaching as a career have access to reliable and accurate information about ways to secure

qualified status and the nature of professional life as a teacher. However, it is not clear, as the Welsh Government implies, that previous recruitment campaigns have contributed to under-recruitment into ITE and that the campaigns it plans in future will improve matters. The IWPRB is urged to treat such claims with an appropriate degree of scepticism, given the lack of evidence presented to it that such action is likely to result in improvements to overall teacher supply.

3. Further NASUWT Evidence on TLR Payments

Pro-rata Principle and TLR payments

3.1 The NASUWT notes that the Independent Welsh Pay Review Body's (IWPRB's) 3rd Report recommended:

'Recommendation 5

IWPRB recommend that the Welsh Government consult on a change in the provision within the STPC(W)D to allow part-time teachers to receive full-time TLR1 and TLR2 payments, including schools using their own discretion in making such awards.'

3.2 The NASUWT found this recommendation unambiguous and a clear and positive response to the submissions from consultees that fed into the 3rd Report.

3.3 In his Final Remit Letter,¹¹ the Minister for Education and Welsh Language submitted this recommendation as a new recommendation within the context of 'B) Short and/or medium term amendments to remedy particular items of concern:

'Undertake a review of the proposal to remove the pro-rata principle from TLR payments to part-time teachers.'

3.4 Whilst this Year 4 Remit Recommendation is a facsimile of Recommendation 5 of the IWPRB's 3rd Report, it does recognise that the Pro-rata Principle of TLRs is an 'Item of concern'.

3.5 In the Welsh Government's written submission,¹² the Government argues that the considerations under part B in the Minister's remit would be better considered alongside the wider, longer term, strategic review as outlined in Part C of the remit:

'...as part of this strategic review, the structure of TLRs will also be considered. It may, therefore, not be best placed to suggest interim changes to any elements of the TLR system, such as the pro-rata principle for TLRs, at this time.'

3.6 The Welsh Government's rationale for this claim is that:

'there is very little evidence on the impact of the pro-rata principle on part time workers'.¹³

3.7 The NASUWT contends that the data suggests otherwise. The table and associated chart below show the number of teachers in Wales in receipt of a TLR payment per local authority and type of contract (full-time or part-time)¹⁴:

¹¹ School Teachers' Pay And Conditions Year 4 Remit: Matters For Report – MfEWL 20/12/21.

¹² Welsh Government written Submission To The Independent Welsh Pay Review Body (IWPRB) Covering Letter 3/3/22.

¹³ Welsh Government's Evidence to the Independent Welsh Pay Review Body: The 2022 teachers' pay award March 2022.

Local authority	Full-time	Part-time
Isle of Anglesey	130	25
Gwynedd	170	45
Conwy	280	50
Denbighshire	235	25
Flintshire	340	65
Wrexham	280	30
Powys	225	45
Ceredigion	125	35
Pembrokeshire	190	20
Carmarthenshire	425	55
Swansea	465	70
Neath Port Talbot	330	15
Bridgend	440	55
Vale of Glamorgan	355	50
Rhondda Cynon Taf	585	65
Merthyr Tydfil	150	15
Caerphilly	395	75
Blaenau Gwent	135	15
Torfaen	215	15
Monmouthshire	180	40
Newport	420	50
Cardiff	835	125

- 3.8 The issue of part-time teachers and pro-rata TLR payments is not an irrelevance by any means, given the number of part-time teachers which hold a TLR payment and have the value of that payment reduced accordingly.
- 3.9 Furthermore, whilst 76.7% of all teachers are female, only 33.4% of them hold a TLR1 or TLR2.¹⁵ 27.8% of all teachers are male yet 42.2% of them hold a TLR1 or TLR2.¹⁶ The evidence points to the current TLR framework discriminating against women teachers in Wales.
- 3.10 In the Welsh Government's written submission evidence,¹⁷ the Government also asks the Review Body to:

'consider it would be of benefit to explore how TLRs are used in practice, whilst also considering the impact in term of ensuring equality of the provision

¹⁴ School Workforce Census (SWAC): *Teachers (headcount) in receipt of Teaching and Learning Responsibility (TLR) allowance by local authority and tenure, 2020.*

¹⁵ Ad hoc request to School Workforce Annual Census team - <https://gov.wales/ad-hoc-statistical-requests-22-november-3-december-2021>

¹⁶ Ibid.

¹⁷ Welsh Government's Evidence to the Independent Welsh Pay Review Body: The 2022 teachers' pay award March 2022

for TLRs for both part time and full time teachers before any decision is made on whether to remove and/or amend the pro-rata principle.'

3.11 The NASUWT Teachers' Pay Survey Wales 2021/2022 provides ample evidence of how TLRs are used in practice, and shows that the TLR landscape is in dire need of consistency, alignment and fairness. Data from the respondents show that:

- 39% of teachers were paid a permanent TLR payment;
- 7% were paid a temporary TLR payment;
- 16% voluntarily gave up a TLR payment;
- 13% lost a TLR payment through restructuring;
- 36% believe that they should have a TLR for the duties for which they are responsible and accountable;
- 30% indicated that their TLR has been subject to a restructure in the last three years;
- for teachers subject to restructuring, 24% saw the monetary value of their TLR decrease and 44% saw an increase in workload;
- 94% of teachers said that their TLR workload had increased in the last three years;
- only 13% of teachers said that they had sufficient management time to discharge their TLR duties, with 64% of teachers saying that their management time was insufficient and 23% of teachers having no management time for their TLR duties.

3.12 Comments from respondents to the NASUWT's pay survey indicated the high level of unacceptable practice within the TLR framework in Wales¹⁸:

"HT are removing teachers with TLRs from experienced staff as a money-saving exercise through staff-restructuring processes. As a result, excellent and experienced staff are losing money, and standards are falling. Unspecialised staff are leading faculties."

"I am particularly angry about the Welsh Government not following the recommendation of full TLR for part timers."

"I am angry that changes to the pay structure means TLRs are lost in one school whilst other schools have not changed their pay structure - the structure should be the same in all schools."

"I feel that the current TLR amount for pastoral work within a secondary school setting is nowhere near reflective of the volume of work required to perform the role effectively."

"TLR payments are all over the place with regards to workload differences on same pay. Should be a proper national approach. Starters are unfairly awarded."

¹⁸ NASUWT Teachers' Pay Survey Wales 2021/2022.

- 3.13 The NASUWT contends that current practice in the awarding of TLR payments to part-time teachers is a driver of discrimination and is also manifestly unfair. It is not acceptable for part-time TLR holders to find themselves discharging the same duties as a full-time TLR holder and yet only receive a fraction of the TLR payment. This clear inequity is one of the reasons why many teachers give up their TLR payment when they reduce their hours and become part-time workers, and the automatic application of the pro-rata principle to TLR payments in every instance is a key factor in the gender pay gap.
- 3.14 The NASUWT has already proposed the solution to this problem,¹⁹ having stated that part-time teachers have an entitlement to elect for a full-time TLR payment with associated full-time duties or a pro-rata TLR payment with reduced duties, and that the process for reducing duties in these circumstances should be clearly set out in Welsh Government statutory guidance.
- 3.15 In addition to changing the statutory provisions in the STPC(W)D, there is an urgent need for comprehensive statutory guidance on TLR payments to address this and the other unfairnesses and inconsistencies across the system to which we have drawn attention in this supplementary evidence submission.
- 3.16 The NASUWT asks the IWPRB to make a clear recommendation for the issuing of this guidance, that its content is remitted to the Pay Partnership Forum, and that action on this issue is not delayed any further.

¹⁹ NASUWT Submission to the Independent Welsh Pay Review Body. 4 March 2022.

4. Annexes

- 4.1 Ending the pay crisis: TUC Statement ahead of HM Treasury's Spring Statement on 23 March 2022.