

BRANCH LINES

UNISON West Sussex Branch newsletter • www.unisonwestsussex.org.uk

Are you getting all your holiday pay?



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WELCOME



Welcome to the autumn edition of Schools and Academies Branch Lines.

We're taking a look at the implications for education in the next five years as a consequence of the election of a majority Tory government in May. We also explore: the latest developments in the Capita service-level agreement with schools; a look at several schools where we're involved in collective negotiations; the latest research on the advantages of having teaching assistants and finally; we take the opportunity to explain a bit more about the 'TUPE' process and the Schools' Forum. Feedback is always welcome: editor@unisonwestsussex.org.uk

Dan Sartin,
Branch Secretary

Capita service level for schools

UPDATE

In a previous edition of Branch Lines aimed at staff in outsourced services, we reported on the serious concerns raised by schools regarding the performance of Capita Employment Support, especially in the payroll area where there have been many and varied problems.

This focused on the impact of 23 redundancies being made in payroll by Capita without technology being installed to offset job losses. The council promised to set-up a working group of education professionals to report progress to the Schools' Forum in July this year.

How have things progressed?

The group has met twice and discussed two main issues:
a. how to improve the existing service to schools; and
b. making sure that schools can safely transfer to other payroll providers, should they choose.

WSCC's project manager has made sure Capita has provided adequate responses to the group's queries, yet this has all come at extra cost to the council. Capita are working on improving email response times and will be introducing a new Schools' Help Desk.

Capita are implementing most of the changes requested by WSCC, and most schools wish to remain part of the contract. The working group will continue to act as a quality assurance function as changes are implemented.

We'll continue to report developments in future editions of Branch Lines.

UNISON: coming to your school?

UNISON West Sussex has written to a selection of head teachers across the county asking for UNISON to hold information meetings for support staff at their school from September.

These meetings will provide an opportunity for existing support staff to be brought up to date with the latest union activity in their area, but also a chance for non-members to find out more about the union and join us.

If you plan to attend one of our meetings, feel free to bring along any colleague who may be interested in joining UNISON.

If you'd like us to visit your school, please contact James Ellis: james@unisonwestsussex.org.uk.



UNISON's James Ellis will be leading the events in schools

Are you getting all your additional holiday pay?

Starting in April this year, legal changes mean that anyone regularly working and claiming overtime, additional hours or job-linked allowances (such as sleep-ins or standby duties) should have these allowances taken into account for holiday pay.



UNISON West Sussex has successfully led the negotiations with the council which has become one of the first to introduce this change across the country.

UNISON has agreed that 'regular' means working one or more times every month for three consecutive months. So, if you're entitled to claim overtime, additional hours or other linked payments for three months, you will now qualify for more holiday pay.

If your working pattern was like this in January, February and March 2015, you will have qualified for more holiday pay this annual leave year.

The first payment should have been made to you in June and based on the extra hours, etc. you worked in April, May and June 2015. It would have shown as 'Claims Holiday Pay' on

your payslip. The additional holiday payment is based on a percentage of your claims.

You will continue to receive this holiday pay if your monthly working pattern regularly involves claiming overtime, additional hours or allowances. The amount of holiday pay you receive will vary depending on the amount of claims you make.

It will stop if you are no longer required to work overtime, make claims, etc, but can resume if you begin such a working pattern again for three consecutive months.

Some frequently asked questions (FAQs) about holiday pay claims are shown on our website. Go to <http://unisonwestsussex.org.uk/news/additional-holiday-pay/>

If you have any queries, please contact the branch office.

New 'Skills for Schools' website

UNISON's 'Skills for Schools' website is a new, innovative, easy-to-use online guide to careers, training and development for staff based in schools.

Lorraine Solti, UNISON West Sussex branch committee member and science technician at Regis school, Bognor is featured as one of its 'real life stories'.

Whether you'd like to develop yourself in your current role, or you're interested in moving on to another one, learning or training can help you take the next step. The 'Skills for

Schools' website is where you can find out about the eight main types of qualification you can work towards on your learning journey.

This UNISON owned and managed website is an invaluable resource to help your career and skills development. You'll be surprised by the number of opportunities available to you.

Go to www.skillsforschools.org.uk

COLLECTIVE ROUND-UP

The examples below show the variety and complexity of collective negotiations the branch is involved in on behalf of many of our school support staff. Among some examples of good practice, there are many where processes have been ignored or misinterpreted, causing problems for our members. If your school is threatened by academisation or a major internal reorganisation, please let us know as soon as you can. The information below reflects the status at time of going to press.

Orchards Middle School, Worthing

The school has consulted with stakeholders over plans to convert to academy status. The school's Leadership Team believes it has had no choice but to become an academy due to a perceived lack of support from the local authority. This, plus the fact it had done worse than other local schools during the Worthing Age-of-Transfer programme, led to this decision. By severing links with

WSSC, the school argues it will be able to increase its school roll rather than reduce it due to losing a year-group. The knock-on effect of this on neighbouring schools could be to undermine their school roll – showing the chaos that comes with a 'competing market' of schools rather than a more planned, collegiate approach.

Lindfield Primary, Haywards Heath

This school has decided to become an academy under the University of Brighton Academies Trust. Bill Goodwin, their director of development, is keen to maintain good industrial relations and has committed to round-table meetings to develop a formal union recognition agreement (including facility time arrangements and negotiating mechanisms). Early discussions have focused on the trust's ambition to have a 'mobility

clause' as part of its contract. This would give the employer the right to change the location of an employee if certain types of school work were to be done elsewhere. UNISON has objected to the need for a school to have such a clause inserted, as we fear it could lead to merging some types of job to make savings. The trust has agreed to continue discussions.

More 'collectives'

We're also involved in collective negotiations at the following schools.

Downsbrook Middle School, Worthing

Imberhorne School, East Grinstead

Thomas-a-Becket Middle School, Worthing

Oakmeeds School, Burgess Hill

Elm Grove First School, Worthing

Billingshurst Primary School

Bishop Luffa Academy, Chichester



Ifield Community College, Crawley

This is an excellent model showing how a reorganisation in a West Sussex County Council (WSCC) school should be done.

Proposals were very clear from the start and were well-explained at staff briefings

The restructure was caused by financial pressure from a funding gap. Nationally, WSCC has the fourth lowest school-funding formula. This has resulted in very challenging times for WSCC schools, as the council has focused its energy and support on academies. In the Ifield reorganisation, most of our members had posts guaranteed, but we're fully supporting the few who are more at risk. Consultation and the selection process have now finished.

St Wilfrid's Catholic School, Crawley

Another internal reorganisation of a council school initially proposed three compulsory redundancies. After UNISON intervention, this has been reduced to just one, with voluntary redundancies being offered and accepted by our affected members.

Union reps have recently met with the head teacher and successfully argued for a settlement agreement for one of our members who was given notice of redundancy. We requested she was paid in lieu of notice, which was agreed.



Bognor Regis Nursery Children's Centre

Positive outcomes resulted from the individual representations we made on behalf of our members here. They were originally told they would have to change their working hours from part to full time. The union argued that this could be discriminatory against them, especially as the school was increasing the number of posts, and could easily fill them locally. The school eventually agreed. This allowed our members to

retain their existing working pattern with the school being able to fully meet its resource requirements. We also lobbied the school on behalf of our members on health and safety grounds. Having to use very small, nursery-size furniture risked causing/ aggravating our members' back problems. They had also not received appropriate training for lifting and carrying. Independent assessors were brought in who made recommendations to the school. We are checking progress on their implementation and are in discussions with managers.



Some lessons are never learned

Schools' Forum (see below) member and UNISON school rep Tracey Clift (learning support assistant at Heene Primary School, Worthing) outlined the union's grave concerns at the council's decision to outsource yet more services impacting on schools: this time it's Facilities Management (FM).

They are responsible for school and grounds maintenance. Once again, the story demonstrates the council's lack of transparency in decision-making and its apparent disregard to the impact on staff, services and their users.

- 1** UNISON was mistakenly left out of the outsourcing business case development process by the council, so was unable to constructively challenge and improve it;
- 2** No council select committee reviewed the decision, nor was it 'called-in' for debate: the cabinet member took the decision without any scrutiny;
- 3** Schools were not invited to input into the decision to outsource, yet they are key stakeholders;
- 4** Underperformance in outsourced services such as payroll has been raised at Schools' Forum before, yet the decision to outsource yet another school service has gone ahead before learning any lessons; and
- 5** There's no guarantee that retrospective 'repairs' to a failing outsourced service will not have to be done again, demanding more resource from already squeezed council staff.

“The disregard of schools and the union throughout this whole process is lamentable. We think the in-house service could have been improved at less risk to schools and the council”

Dan Sartin
Branch Secretary

Schools' Forum in a nutshell

The Education and Skills Forum (previously known as the Schools' Forum) is a county-wide group of headteachers and senior council officers set up to discuss issues of common interest affecting schools across the county. Its 'scrutiny' function mirrors that of a council 'select committee'.

It is chaired by headteacher Clare Collins and includes Brin Martin, strategic commissioner for learning, as one of its members. UNISON is represented by workplace rep Tracey Clift, who is a learning support assistant at Heene Primary School, Worthing.

Following concerns expressed in the peer review led by Phil Norrey (see

Schools Branch Lines, Spring edition), the forum is being re-constituted to give it more influence in schools-related business. There will be a number of sub-committees set up, focusing on key issues.

UNISON will continue to represent you on the Schools' Forum and is seeking membership of key sub-committees.

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Home address														
Postcode														
email														
Phone number (please indicate if home, work or mobile)			National insurance number (from your payslip)											
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Please give your ethnic origin: <i>(tick one box)</i>														
<input type="checkbox"/> Bangladeshi	<input type="checkbox"/> Pakistani	<input type="checkbox"/> Black African	<input type="checkbox"/> Black UK	<input type="checkbox"/> White UK										
<input type="checkbox"/> Chinese	<input type="checkbox"/> Asian UK	<input type="checkbox"/> Black Caribbean	<input type="checkbox"/> Black other	<input type="checkbox"/> Irish										
<input type="checkbox"/> Indian	<input type="checkbox"/> Asian other			<input type="checkbox"/> White other										

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£11,001-£14,000	<input type="checkbox"/>	£7.85
£14,001-£17,000	<input type="checkbox"/>	£9.70
£17,001-£20,000	<input type="checkbox"/>	£11.50
£20,001-£25,000	<input type="checkbox"/>	£14.00
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UNISON HERE WHEN YOU NEED US

As funding cuts bite and schools face restructuring, support staff are being stretched to the limit, but UNISON is here to help and there's never been a more important time to join.

UNISON speaks out for school support staff at a national and local level, and the more members we have, the louder our voice – so join today!

It couldn't be simpler.

Fill in this form and send it to the address below:

UNISON West Sussex
Central Attic
County Hall
Chichester
PO19 1RQ

Email: office.unison@westsussex.gov.uk

www.unisonwestsussex.org.uk



Three simple ways to join UNISON today:



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Call us on
01243 777636



Fill in the form and
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TAs do improve pupils' learning

Research conducted last year by the Education Endowment Foundation (EEF) corroborates the Department for Education's (DfE's) independent review panel aims when looking into the professional standards of teaching assistants (TAs). EEF found that when they are deployed well, TAs can improve literacy and numeracy. Their findings suggest that TAs are most effective when they are used to support specific pupils in small groups or through structured interventions.



These findings come from a trial of 'Switch-on Reading', a 10-week programme aimed at pupils in their first year of secondary school who did not achieve the expected levels in literacy at the end of primary school. The approach consisted of one-to-one reading sessions lasting 20 minutes and is most commonly delivered by TAs. The trial involved 308 pupils across 19 schools. It found that - on average - pupils made an additional three months' progress as a result of taking part in the programme. Pupils eligible for free school meals and those previously struggling with reading made

even greater additional progress. Similar outcomes were shown for maths support using the 'Catch-Up Numeracy' programme.

The report concludes by saying: "Structured interventions should be planned in school timetables at the beginning of the year to ensure they are given priority and status. In the past many schools have struggled to train and support TAs in ways which benefit children, particularly those from disadvantaged backgrounds. These studies suggest some promising ways to change that."

<https://educationendowmentfoundation.org.uk/news> and search for 'teaching assistants'

New standards for TAs

An independent review panel set up last autumn to look at the status and professional standards of teaching assistants (TAs) is due to report back imminently.

The review planned to look at measures that could be introduced to make the most of TA skills and expertise. UNISON member Karen Jackson, who is also a higher level teaching assistant, is on the panel.

UNISON's head of education and children's services, Jon Richards, said:

"Our campaign to defend this invaluable group of staff and recent research has shown that when deployed properly, TAs have a positive impact on children's education.

Wisely, the DfE has recognised that if you improve the skills and professional status of teaching assistants this will

have a positive impact on education standards." In a statement, the DfE said: "The standards drawn up by the review will aim to steer the professional development of TAs at all levels and are designed to inspire confidence in these staff."

Through our website, we will report back on the review's findings as soon as they are available.

UNISON: challenging amendments to the Education and Adoption Bill

The government is rushing through legislation to greatly increase its power to force 'coasting' maintained schools to become academies.

The bill would remove requirements to consult with parents, local communities and staff when schools are forced to 'academise'. UNISON submitted evidence to the committee debating the bill. Here are some of the key points.

- 1** Academies are not a panacea, nor necessarily better than maintained schools.
- 2** There is no equivalent intervention for 'coasting academies'. Why are successful local authorities not allowed to oversee failing academies?
- 3** There will always be a spread of schools performing at different levels. With grade 'quotas', gains by one school will mean others will do 'worse'. More academies means more will be classed as 'coasting'.
- 4** Only a few academy chains perform highly: usually those expanding slowly and sensibly. So they cannot fill the gap. Other large chains have been put on hold. New sponsors are a gamble.
- 5** Schools are reporting difficulties appointing headteachers as many realise they are more likely to be dismissed if their school doesn't improve quickly enough.
- 6** Meaningful community consultation must continue as part of any Act amendment. This would give a fair hearing to concerns, so any final decision is justified and respected.



General secretaries warn off ATL in schools

The general secretaries of three TUC trade unions – Dave Prentis (UNISON) pictured above, Paul Kenny (GMB) and Len McCluskey (Unite) – have written to Mary Bousted, general secretary of the ATL (Association of Teachers and Lecturers) to express their grave concerns about the behaviour of ATL reps and officers across the country approaching school support staff to join their union.

This practice has been happening in some West Sussex schools. Only UNISON, GMB and Unite have a national recognition agreement to represent school support staff in regard to nationally agreed pay and all other terms and conditions, including your pension and sick pay. This provides a framework for industrial relations within an organisation. It sets out the rules and procedures to

be used by the union and the employer in carrying out consultation, collective bargaining and representation. ATL as a consequence have no remit for support staff in this regard, and if support staff join ATL it weakens the ability of the other unions in those vital negotiations.

In addition, in West Sussex, the employer of most school support staff in local authority maintained schools is West Sussex County Council. The council only recognises UNISON for local matters relating to support staff. The ATL cannot negotiate on your behalf on issues such as terms and conditions of employment because WSCC does not recognise the ATL for support staff. Nor does the ATL have regular access to the two directors of children's services and learning: only UNISON has this agreement and meets with those senior leaders to negotiate for you on a bi-monthly basis.

If you're approached by the ATL, contact our office straight away as branches are being asked to keep the general secretaries informed of ATL behaviour so that if the problem is not rectified, it can be brought before the TUC for a formal resolution.

For new members, UNISON is the only union you should join! You can do this by completing the form in the centre pages.

What can we expect from Tory education plans?

With a majority Conservative government voted in, we explore the likely implications for schools in the next five years. Here are four of their election manifesto education commitments, with both our take on their impact and the opinion of Chris Husbands, Director of the Institute of Education and Professor of Education at UCL Institute of Education.

1 Five hundred more free schools to open. The Public Accounts Committee last year stated that no applications to open primary free schools had been submitted in half the areas with a high or severe forecast need for extra school places. Only 76 free schools have been inspected compared to 17,285 local authority schools. There is little reference in the Tory manifesto to ensuring that new and diversified school provision will be in the places of highest need. While some free schools have been a success, others have been well-publicised and costly failures such as the Discovery Free School in Crawley.

2 Children who fail end of primary school assessments to retake in secondary school. Will this really signify that pupils have actually achieved a basic level of competency? Or is it just a gimmick for the government to claim they have eliminated illiteracy and innumeracy? This has drawn widespread criticism from school leaders and teachers. The international evidence on repeating tests in successive years as a lever for improved attainment is generally negative.

3 Maintain per pupil funding for 4-16 year olds in state schools and keep the pupil premium for disadvantaged pupils at current levels. These measures mean that school funding will increase in line with pupil numbers, but not with inflation or cost pressures, including National Insurance changes. The Institute for Fiscal Studies calculated that this meant schools could face cuts of up to 12% over the course of the parliament.

4 'Failing' and 'coasting' secondary schools to become academies. While some academy groups have been effective in improving the performance of struggling schools, many have not. The struggle to find enough high-quality school sponsors looks to become increasingly difficult. Three of the largest academy trusts (Academies Enterprise, Kemnal and E-Act) have faced critical reports from Ofsted following investigations.



AGE-OF-TRANSFER CONSULTATION

'STARS' group of schools

Schools from the 'STARS' area are being consulted on planning their future education system.

STARS includes Amberley, Ashington and St Mary's (Washington) C of E Schools, Storrington and Thakeham First Schools, West Chiltington Community School and Rydon Community College. STARS is the last group of county schools not having age-of-transfer to secondary education in line with national curriculum key stages. Steyning Grammar School will also take part in the consultation as many of the pupils from STARS area schools currently transfer there at the end of Year 8.

The council would like all pupils to transfer at age 11, but says any change, "has to be about raising educational achievement and improving our children's emotional well-being."

Following and pending the outcomes of the current consultation (due to end 18 September 2015), options will be drawn up and then put out for further consultation.

After feedback, any formal proposals will be then be developed, intending to introduce any changes for the start of the school year in September 2017.

If you work in any of the STARS schools, or have children who attend classes there, UNISON recommends you take a full role in the consultation to make sure your voice is heard. Union reps will be involved throughout.

What's TUPE all about?

TUPE refers to the 'Transfer of Undertakings (Protection of Employment) Regulations 2006'. TUPE rules apply to organisations of all sizes. They protect employees' rights when the organisation or service they work for transfers to a new employer.

TUPE has impacts for the employer who is making the transfer (also known as the outgoing employer or the transferor) and the employer who is taking on the transfer (also known as the incoming employer, the 'new employer' or the transferee).

When TUPE applies, the employees of the outgoing employer automatically become employees of the incoming employer at the point of transfer. They carry with them their continuous service from the outgoing employer, and should continue to enjoy the same terms and conditions of employment with the incoming employer.

Following a transfer, employers sometimes find they have employees with different terms and conditions working alongside each other and wish to change/harmonise terms and conditions. However, TUPE protects against change/harmonisation for an indefinite period if the sole or principal reason for the change is the transfer. Any such changes will be void.

UNISON West Sussex has successfully supported hundreds of our members who have been transferred under TUPE regulations to new employers. If your school is likely to transfer to an academy, TUPE rules must be followed.

For more information contact your local workplace rep (or why not become one? See our application form on page 15). Join UNISON – complete our form in the centre of this newsletter.

WOMEN IN UNISON

WORKPLACE REP PROFILE

Stella Hamilton

Learning support assistant (LSA) and UNISON health & safety rep Stella Hamilton has worked at Manor Green College, Crawley since September 2013. At the time of our interview, she was busy preparing for an Ofsted inspection the following day.

"Manor Green has to be the best place I've ever worked," said Stella. "Our headteacher and management team are very supportive of the work done by union reps because it benefits the school as a whole. In my case, health and safety training helps improve the school not just for union members, but other staff, children and parents. It's great to work in a place where unions are valued.

"Consequently, we have a workforce that works well together, supporting each other, and not worried about raising issues that concern them. As a UNISON Rep, I am very comfortable with raising any issues that come up with our headteacher and he

listens to and acts upon any concerns raised by our members. I'm lucky to be able to mentor colleagues who want to take a more active part in union activity, perhaps to become reps themselves."

Stella continues: "I'd really encourage any LSAs or other support staff in schools to become a union rep. There is a lot of valuable training available to help in your job as well as union activity. It shows that a good employer should never fear a trade union: there is so much each side can benefit from by working together."

We're pleased to report that Manor Green College was rated as 'good' by Ofsted. Our congratulations go to all the UNISON support staff and their colleagues who contributed to this achievement.



NOMINATION FORM to become a UNISON Workplace* Representative

Complete and send to: UNISON West Sussex, County Hall, West Street, Chichester, PO19 1RQ.

I would like to become the Workplace* Representative for *(name your team, location, directorate or employer)*:

Full name (PLEASE PRINT)	Signature	Date
Proposed by (PLEASE PRINT)	Signature	Date
Seconded by (PLEASE PRINT)	Signature	Date

Please note: proposers and seconders should be UNISON members from the same workplace.

*A workplace may be a large team, a location (a day centre for example), a section within a directorate, or an employer.

Dealing with difficult behaviour

With challenging behaviour from pupils on the increase, UNISON is urging the government to better protect school support staff from violent attacks.

“At times I feel more like a security guard than a support assistant. I have never been hurt myself but I know of colleagues who have and the school pushes these incidents under the carpet rather than reprimand the pupils involved.”

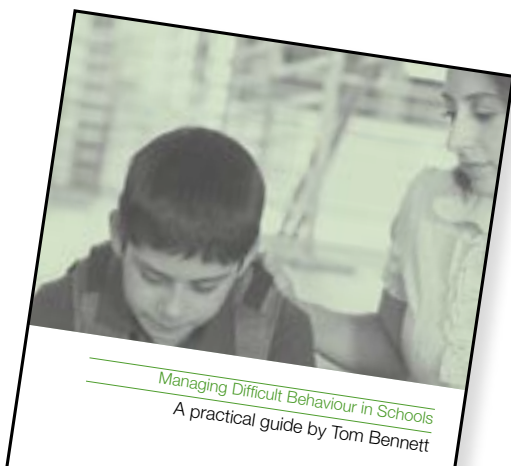
Support staff member

UNISON has published ‘Managing Difficult Behaviour in Schools – a new guide’, written by behaviour consultant Tom Bennett, designed to give staff more confidence and practical help when dealing with difficult situations.

UNISON has already raised concerns over a lack of training and guidance following a recent survey of more than 15,000 school support staff that revealed 60 per cent

were concerned about how to deal with challenging pupil behaviour. School support staff are on the front line when dealing with this.

The new report provides basic tips to help you understand school behaviour policies, as well as how to handle and report violent incidents. It also sets out methods for defusing difficult situations and building relationships with students. Download the document from <http://unisonwestsussex.org.uk/news/difficult-behaviour/>



“I wanted to thank you once again for your diligence, compassion and dedication. The whole process was considerably less stressful than it could have been thanks to you. You do a great job and I am proud to be a UNISON member.” (UNISON school member to West Sussex branch officer)



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