

LEARNING REPRESENTATIVE PROTOCOL

General Introduction

Multi-Establishment Learning Representatives (LRs) work within the school sector across establishments within their local authority area. EIS LRs within Further Education (FE) and Higher Education (HE) sectors work within their establishments. The protocol for EIS LRs within the schools sector is set out in Part A of this paper. The protocol for LRs within the FE and HE sectors is set out in Part B of this paper.

PART A MULTI-ESTABLISHMENT LRs

Number of LRs

The objective is that there should be an adequate number of LRs working across each local authority area to ensure that teachers receive the information, guidance and support required for their CPD. There should be a minimum number of LRs in each local authority area as follows.: Aberdeen City (3), Aberdeenshire (3), Angus (2), Argyll & Bute (2), Clackmannanshire (2), Dumfries & Galloway (2), Dundee (2), East Ayrshire (2), East Dunbartonshire (2), East Lothian (2), East Renfrewshire (2), Edinburgh (5), Falkirk (2), Fife (4), Glasgow (6), Highland (3), Inverclyde (2), Midlothian (2), Moray (2), North Ayrshire (2), North Lanarkshire (4), Orkney (2), Perth & Kinross (2), Renfrewshire (3), Shetland (4), South Ayrshire (2), South Lanarkshire (4), Stirling (2), Scottish Borders (2), West Dunbartonshire (2), West Lothian (3), Western Isles (2). LRs will be drawn from the school sector.

Additional LRs should be recruited as required.

The Role of EIS LRs

EIS LRs are appointed within a framework established by the UK Government, Scottish Government, TUC and STUC and have the rights and entitlements of LRs as set out in the relevant legislation and ACAS Code.

EIS LRs are subject broadly to the Standards for Learning Representatives set out by the TUC and specifically to the "Standards for EIS Learning Representatives". An LR does not fulfil the same role as an EIS Local Association negotiator. For example, CPD and PRD policy matters which require to be agreed with the Authority do not fall within the remit of the LR.

LRs, consistent with the terms of the national and local EIS Constitutions, will promote quality teacher professional development within the authority area where they work. This will include liaison on issues related to professional development with the Local Association Executive Committee with the Local Authority and other employers, and with all providers of teacher professional development. LRs will also provide support for EIS members in accessing, planning and managing professional development.

LRs are required to adhere to the rules and regulations of the EIS as set out in the Constitution of the EIS, to perform their duties consistent with the national and local Constitutions of the EIS and to adhere to the "Standards for EIS Learning Representatives".

LRs will work in a flexible manner with all appropriate stakeholders committed to the quality professional development agenda for teachers. These include Local Authority and Scottish Government representatives, teachers who are members of other unions and teachers who are members of no union. LRs will, however, only provide detailed support, information and advice on professional development opportunities to members of the EIS.

Appointment of EIS LRs

The Local Association, according to local procedures, will appoint sufficient numbers of LRs consistent with the terms of paragraph 1 of this Protocol in the area of which the LR will undertake his/her duties. Confirmation of the names of LRs in post will be made by Council at the final meeting of the annual EIS cycle of meetings and will be reported to the AGM.

A potential LR, after approval by the Local Association, will be required to undertake and pass an approved LR course. Only after the course has been successfully completed, will the potential LR be accredited to undertake the duties of an EIS LR. Each member undertaking the LR course will be allocated a mentor and the student LR should liaise closely and regularly with his/her mentor throughout the LR course.

The Education Committee has appointed a CPD Sub-Committee to oversee development in relation to the EIS continuing professional development role, including the arrangements in respect of LRs consistent with the terms of the EIS Constitution Section XVI Paragraph 3(d).

The CPD Sub-Committee will be charged with investigating any alleged failure on the part of an LR to adhere to the terms of this Protocol and/or to the "Standards for EIS Learning Representatives". This will include investigating any finding by a Local Association that the LR has failed to meet the terms of the Protocol or Standards and its recommendation of removal from post. If the Sub-Committee believes that the LR should be removed from post, it will make a recommendation to this effect to the Education Committee.

Time Off for LRs

Local Associations will be charged with negotiating appropriate time off for LRs within the framework of the ACAS Code. In the event of failure to agree appropriate time off which is acceptable both to the Local Association and to the LR, the matter will be referred back to the CPD Sub-Committee with a view to pursuing the matter with the Local Authority concerned and thereafter, if necessary, to seek appropriate redress in law.

Network and Meetings of LRs

The Education Committee, through the CPD Sub-Committee, will organise a network of all LRs. This will mean encouraging regular liaison among LRs through all means available including through a web based infrastructure established nationally by the EIS.

The Education Committee, through the CPD Sub-Committee, will from time to time organise meetings of LRs to discuss issues of common interest and to take forward EIS policy in terms of the EIS learning agenda.

Development of LRs

The EIS Education Committee, through the CPD Sub-Committee will, in liaison with an appropriate university partner, arrange for the teaching of a module at Masters level for EIS members wishing to become multi-establishment LRs. The content of the module will cover broadly the lifelong learning agenda as it applies to teachers and to other areas of work which LRs currently and in the future would undertake. No member will become accredited as an EIS multi-establishment LR without passing the module.

Where an EIS member wishes some experience of the work of an LR but has not studied the LR module, the Local Association, in consultation with the CPD Sub-Committee, may appoint the member as an Assistant LR. This would usually arise when there is a vacancy, or anticipated vacancy, for the post of a multi-establishment LR. This member would have access to appropriate meetings and discussions with accredited LRs and with EIS personnel but would not give detailed support, advice and information to members. An Assistant LR would be expected within a reasonable period of time to study the EIS approved LR module and thereafter to achieve accreditation as an EIS LR.

The Education Committee, through the CPD Sub-Committee, will arrange appropriate follow-up development and training for LRs in post in order that LRs are equipped to maintain the "EIS Standards for Learning Representatives."

Expenses of LRs

A flat rate sum, to be approved from time to time by the Education Committee, through the CPD Sub-Committee, will be paid to accredited multi-establishment LRs to cover expenses including travel, ICT software replacement and telephone. Particular requests to consider additional significant out of pocket expenses incurred by LRs would be considered by the CPD Sub-Committee.

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PART B

LRs WORKING IN THE FURTHER EDUCATION (FE) AND HIGHER EDUCATION (HE) SECTORS

Number of LRs

The long term objective is that there should be one EIS Learning Representative within each FE college and HE institution. Larger FE colleges and HE institutions have the option of appointing additional LRs, with the approval of the CPD Sub-Committee.

The Role of EIS LRs

EIS LRs are appointed within a framework established by the UK Government, Scottish Government, TUC and STUC and have the rights and entitlements of LRs as set out in the relevant legislation and ACAS Code.

EIS LRs are subject broadly to the Standard for Learning Representatives set out by the TUC and specifically to the "Standards for EIS Learning Representatives". An LR does not fulfil the same role as a branch representative. For example, EIS members' grievances which arise in relation to PRD or CPD are a matter for the branch representative's involvement, not the LRs.

LRs, consistent with the terms of the national EIS Constitution, will promote the quality of lecturer professional development within the establishment where they work. This will include liaison on issues related to professional development with the EIS Branch Secretary and representatives, with the Senior Management Team of the establishment and with representatives of the CPD providers providing development for members in the establishment. LRs will provide support for EIS members in accessing, planning and managing professional development.

LRs are required to adhere to the rules and regulations of the EIS as set out in the Constitution of the EIS, to perform their duties consistent with the national Constitution of the EIS and to adhere to the "Standards for EIS Learning Representatives".

LRs will work in a flexible manner with all appropriate stakeholders involved with the work of the establishment who are committed to the

quality professional development agenda for lecturers. Such stakeholders include representatives of the local community, including business communities, representatives of universities and other CPD providers. LR involvement also includes working and co-operating with the EIS Branch Secretary and with all lecturers in the establishment regardless of union membership. LRs will, however, only provide detailed support, information and advice on professional development opportunities to members of the EIS.

Appointment of EIS LRs

The EIS within the establishment, at a Branch meeting, will approve a member to undertake the approved development programme for LRs and, on successful completion, to become an LR. The EIS Branch Secretary within the establishment will advise the Branch Committee and the national EIS body of the decision and will also advise the Principal. The EIS Branch Secretary will liaise closely with the potential LR during the period of his/her development.

A potential LR will be required to undertake an approved course delivered by a provider working in partnership with the EIS nationally. Only after the course has been successfully completed will the potential LR be accredited to undertake the duties of an EIS LR within the establishment. Each member undertaking the LR course will be allocated a mentor and the student LR should liaise closely and regularly with his/her mentor throughout the LR course.

All appointed LRs will be expected to undergo a development programme, designed for LRs, with an approved provider as soon as practicable after appointment.

The CPD Sub-Committee will be charged with investigating any alleged failure on the part of an LR to adhere to the terms of this Protocol and/or to the "Standards for EIS Learning Representatives". This will include investigating any finding by a Branch that the LR has failed to meet the terms of the Protocol or Standards and its recommendation of removal from post. If the Sub-Committee believes that the LR should be removed from post, it will make a recommendation to this effect to the Education Committee.

Time Off for LRs

Branch Secretaries will be charged with seeking local agreement, within the framework of the ACAS code, with the further education college or higher education institution on time off for LRs within these establishments. In the event of failure to agree appropriate time off and access to facilities which are acceptable both to the EIS within the establishment and to the LR the matter will be referred back to the CPD Sub-Committee with a view to pursuing the matter with the further education college or higher education institution concerned and thereafter, if necessary, to seek appropriate redress in law.

Network of LRs

There will be regular liaison among LRs through all means available including through a web based infrastructure established nationally by the EIS.

Development of LRs

The Education Committee, through the CPD Sub-Committee will, in liaison with an appropriate partner, arrange for the teaching of a course at Masters level for EIS members wishing to become LRs within their establishment. The contents of the course will cover broadly the lifelong learning agenda as it applies to lecturers and to other areas of work which LRs within establishments are likely to be required to undertake. No member will become accredited as an EIS LR working at further education college level or higher education institution level without passing the course.

The CPD Sub-Committee will organise regular development and training for FE and HE LRs.

Where an EIS member seeks to become an LR or has a particular interest in the work of an LR but has not yet undertaken the course the member will, with the approval of the EIS within the establishment, become appointed as an Assistant LR. Such a member will have access to appropriate meetings and discussions with accredited LRs and with appropriate EIS personnel but will not give detailed support, advice and information to members. An Assistant LR will be expected within a reasonable period of time to study the EIS approved LR course and thereafter to achieve accreditation as an LR.

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