

Nottinghamshire School Tuition Guidance

November 2021



**Adopted by the governing body
on 25th November 2021**

HR Advice, Support and Training Service

SCHOOL Tuition Guidance – Table of Contents

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Please also note that any changes to the original policy documentation will require your governing body or trust to re-consult with the secretaries of the recognised trade unions and staff in your school.

Introduction

- 1.0 The Governing Body of Arno Vale Junior School adopted this Nottinghamshire School Tuition Guidance on 25th November 2021. The governing body will review and monitor the impact of this policy annually with the head teacher. The next review will take place during the autumn term 2022.
- 1.1 The governing body has adopted the guidance set out in this document to provide an agreed framework for the exercise of its powers and discretions in relation to all staff employed in the school and paid from within the school budget.
- 1.2 The governing body understands its responsibilities and is committed to taking decisions in accordance with the principles of public life as listed in DfE guidance, objectivity, openness and accountability. Governing bodies should ensure that they are fully aware of their responsibilities under employment law in applying this guidance.
- 1.3 The governing body recognises the legal requirements placed upon them by the Education Act 2002 and subsequent legislation. This document will apply to all staff, including apprentices, directly employed by the school.
- 1.4 The governing body assumes the responsibility for approving decisions relating to this policy.
- 1.5 References to the governing body should be taken to refer to the entity that is responsible for exercising governance functions for a maintained school or academy, which in the case of a multi-academy trust may be the trust board. Likewise references to governors should be taken to mean whoever is responsible for fulfilling governance functions. Where maintained schools are federated under a single governing body this will be the federated governing body.

- 1.6 In fulfilling staffing responsibilities, the governing body may delegate its staffing functions in accordance with its articles of government. In delegating functions, the governing body must not lose sight of the fact that it retains overall accountability for the decisions made by those to whom the function has been delegated. As a result, the governing body should regularly review their arrangements for managing staffing functions and that the right people are fulfilling these roles on its behalf.
- 1.7 The School Staffing (England) Regulations 2009 confers the right of the County Council to send a representative to all proceedings of the governing body of a community or voluntary controlled school relating to the selection or dismissal of any teacher (including the head teacher and deputy) to offer advice. If the County Council decides to send a representative, they must be allowed to attend. Any advice offered as a result must be considered by the governing body (or those to whom the function has been delegated) when reaching a decision. This will usually be a senior officer from the HR Service who may also advise the governing body/head teacher as appropriate. The same rights do not automatically apply in respect of maintained foundation, voluntary-aided and foundation special schools.

Advice, Support and Training

- 1.8 It is the responsibility of the head teacher to ensure that all relevant senior leaders understand their role and have access to appropriate support, advice and training in the application of this guidance. The head teacher should also ensure, in conjunction with the Chair of Governors and the training co-ordinator, where appropriate, that in discharging their duties and responsibilities, governors have access to support, advice and training as appropriate.

Consultation and Agreement with the Recognised Trade Unions

- 1.9 The Nottinghamshire School Tuition Guidance is recommended for adoption by all community, voluntary aided, voluntary controlled, academy, foundation, and trust schools who purchase their HR Service from Nottinghamshire County Council.
- 1.10 This guidance has been agreed with all the recognised trade unions through the JCNP process, is based on the guidance as set out in the [School-led tutoring grant](#) and meets legislative requirements, including the working time provisions set out in the School Pay Policy and the School Teachers Pay and Conditions Document.
- 1.11 Due to the complexities of this area of employment and education law, governing bodies are strongly advised to adopt the attached guidance without amendment. Should, exceptionally, a governing body seek to amend the recommended guidance, they will need to consult/negotiate any changes collectively with all the secretaries of the recognised trade unions and confirm any amendments to the local authority. Governing Bodies are strongly recommended to seek advice from the HR Service in these circumstances.

Equalities and Equal Opportunities

- 2.0 The governing body recognises its legal responsibilities to staff under the Equality Act 2010 and this policy will ensure equality and fairness regardless of race, sex, sexual orientation, religion or belief, gender re-assignment, pregnancy and maternity, marriage and civil partnership, disability or age. All decisions will be taken in accordance with relevant equalities legislation, the Employment Relations Act 1999, the Part-Time Workers (Prevention of Less Favourable Treatment) Regulations 2000 and the Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002.
- 2.1 The governing body is aware of its responsibilities under the Freedom of Information Act 2000 to make available this policy to all staff at the school and its responsibilities to be compliant with the Data Protection Act 2018 and the General Data Protection Regulations 2018.

Aims of the Policy

- 3.0 The aims of the governing body's Tuition Guidance are as follows;
- a) To secure good progress in all pupil's learning;
 - b) To improve the quality of teaching and learning at the school;
 - c) To enable school to provide additional targeted support to particular pupils; and
 - d) To provide guidance in managing appointments relating to Tuition provision.

Background

- 4.0 A One to One Tuition Programme was created in 2009 to provide additional support in Mathematics and/or English, delivered alongside classroom teaching. Funding was provided by the government of the day.
- 4.1 The programme has since been discontinued, although schools may still wish to engage Tutors to provide additional support to pupils at a particular time in the academic year. For example, in the lead up to SATs.
- 4.2 Following the Coronavirus pandemic enforced closure of schools to all but vulnerable pupils during the summer term of 2020, the government announced funding provision for schools to use in supporting catch-up for pupils in the 2020/21 academic year.
- 4.3 For the 2021/22 academic year the government has committed further additional funding for tutoring, in particular a school-led tutoring programme. Eligible schools will receive a ring-fenced grant to source their own tutoring provision for disadvantaged and vulnerable pupils who have missed education due to Covid-19.
- 4.4 Schools can access three tutoring routes

Route 1 – Tuition Partners

Route 2 – Academic mentors
Route 3 – School-led tutoring.

This guidance concentrates on providing advice on how this third option of school-led tutoring can be managed in Nottinghamshire schools through the use of volunteers from existing staff such as teachers, teaching assistants or supply staff (including retired or returning teachers). Alternatives as set out above may include engaging private tutors who are self-employed or sourced through a tutoring organisation. Ultimately, the grant gives schools the flexibility to use tutors with whom they are familiar.

4.5 This guidance document has been updated and amended to reflect these changes.

Nature of School-led Tuition

5.0 It is envisaged that teachers alongside the school's SENCo, designated safeguarding lead and designated teacher for looked after children will identify and recommend children for additional tuition with the agreement of their parent(s) or guardian(s).

The DfE Guidance defines tutoring as a teacher, teaching assistant or other professional educator providing intensive and individualised academic support to pupils either one to one or in small group arrangements to close the education gap as a result of Covid-19. The tutoring should focus on disadvantaged pupils in Year 1 - 11, particularly those eligible for pupil premium. However, pupils with a range of other types of disadvantage or additional needs should also be included. Examples include (note this list is not exhaustive);

- a) Pupils with Special Educational needs and Disabilities (SEND)
- b) Looked after, and previously looked after children
- c) Young carers
- d) Vulnerable pupils as identified by the school.

5.1 Each identified pupil should receive a pre-agreed number of hours of tuition (the DfE recommend 15 hours per pupil).

5.2 Identified pupils will be allocated a tutor by the school and the Individual Learning Agreement provided in appendix 1 can be used as a potential framework.

5.3 It is envisaged that schools will employ a mix of their own teachers and support staff, alongside other qualified tutors deployed according to the needs of their students.

5.4 Tutoring is recommended to be on a one to one basis or up to a ratio of a tutor for three pupils.

5.5 Tuition can take place in a school, in the student's home, or at an external location, such as a library. Timing can be flexible, and it should be arranged at times to maximise attendance and can also take place during school hours, after school, at weekends or in school holidays.

Decisions on times and venues will be taken by the school, following discussions with prospective tutors and parents and agreement with the appointed tutor.

- 5.6 If tuition is being provided off-site and/or out-of-hours the school will be responsible for ensuring lone working guidance is adhered to and an appropriate risk assessment is undertaken by the school with the Tutor. Any issues identified in the completion of the risk assessment must be addressed in advance of the tuition commencing.
- 5.7 Funding allocated is set out in the DfE Guidance and works out at £18.00 per pupil hour. 75% of this cost (£13.50) is subsidised in 2021/22 with the school funding the remaining 25% (£4.50) through other budgets, for example the recovery premium or pupil premium. Schools can use their discretion but a group size of three pupils will ensure cost effectiveness whilst maximising outcomes for pupils. The funding for special schools is £47 per hour. 75% of this cost (£35.25) is subsidised and remaining 25% (£11.75) funded from other school budgets. The additional funding reflects the smaller group sizes envisaged in these settings.

Eligibility and Training

- 6.0 Tuition can only be carried out by: existing teachers and teaching assistants or by securing external provision via supply, retired or returning teachers and/or private tutors who are self-employed or sourced through a tutoring organisation.
- 6.1 Tutors will need to demonstrate sufficient knowledge of the subject they wish to provide. That does not necessarily mean, however, that the tutors must have a degree in the subject or be currently teaching it. It will be at the discretion of the headteacher to determine whether a prospective tutor has sufficient subject knowledge to be a tutor on the programme. The school will engage tutors (school based or otherwise) to meet the specific needs of an individual pupil or group of pupils based on their skills and experience.
- 6.2 A free online training course is available from 9 November 2021 to all school staff nominated as tutors by the school. On successful completion of the course certification will be provided. As required, schools will support staff to complete the required training (for example 11 hours for a member of the support staff, in line with the National School -Led Tutoring Programme requirement). Schools are advised either to arrange for staff to undertake the training in school time or provide payment to undertake this training out of school time. The pupil premium grant or the recovery premium could be used for this purpose.
- 6.3 The training has three pathways: one for staff with QTS, one for primary staff without QTS and one for secondary staff without QTS.
 - a) For teachers with QTS, and teachers without QTS but with at least two years' experience in the subject and phase they wish to tutor in, there will be a core module around 2 hours long. Although optional, it is recommended that these teachers take

up this development opportunity to help them plan for and deliver effective tutoring. However, these teachers are not required to complete the training to start tutoring.

- b) For all other staff, including teaching assistants, trainee teachers and teachers without QTS who have less than two years' experience in the relevant subject and phase, the training is essential and they will not be able to begin delivering tuition until they have successfully completed the course. The training will be available from November and the DfE will provide further details before the autumn half term.

6.4 Tutors who are not required to undertake the training have been able to begin tutoring from the start of the 2021/22 academic year.

Tutors Already Employed at the School

7.0 A tutor's substantive post in school will take precedence as regards contractual duties, responsibilities, and, if a teacher, PPA and other-directed time. See section 10.0 of this guidance for further details on Working Time.

7.1 Provision of tuition is entirely voluntary for existing employees. There is no expectation that staff will work additional hours as a tutor unless they are willing to do so and have signed up to an Individual Learning Agreement (see Appendix 1).

7.2 Tutoring must not impact on a teacher's PPA time and will not be included as evidence towards a teacher's appraisal cycle.

7.3 Teaching Assistants and other school support staff who are asked to tutor must have relevant experience in the subject and phase they will be tutoring and have completed the tutoring training course.

External Tutor Appointments

8.0 Where external candidates are engaged as a tutor, schools must ensure;

- a) A standard school application form is completed
- b) All relevant pre-employment and safer working checks are carried out as specified in the school's Recruitment and Selection Procedure
- c) A contract, and an agreed learning agreement are issued in advance of the tuition commencing [School Tutor Contract](#)
- d) All Tutors are included on the School Single Central Record (SCR)
- e) All Tutors are inducted, as appropriate to the school and subject to the School Induction policy / arrangements
- f) All Tutors are subject to the School Employee Code of Conduct and made aware their responsibilities in accordance with the current version of Keeping Children Safe in Education (KCSiE).

Payment

9.0 The school will engage tutors (school based or otherwise) to meet the specific needs of an individual pupil or group of pupils based on their skills and experience. Tutors will be appointed and paid an hourly rate as outlined in paragraph 16.0 and 21.0 of the School's Pay Policy.

9.1 The following table explains how to process the payment on the BMS portal.

Terms and Conditions	Status	Wage Type	WT Narrative	Type of Data
Teaching	Contracted FT or PT	3120	OOSH Payments	Monetary Value
	Supply	5400	Supply Hours – Teach	Hours

Support Staff	Contracted FT or PT	5000	Overtime @ 1.00	Hours
	Supply	5200	Basic Hours	Hours

Please note that if a supply teacher is currently being paid on UPR, then schools will need to request an additional supply post for MPR before the payment can be processed.

Working Time

10.0 If the tuition is delivered by a teacher currently employed by the school, this must be undertaken outside the teacher's annual contracted 1,265 hours, pro-rated for part time teachers. (See pay policy paragraph 7.0 for more information).

10.1 Where the tutor is a school employed teaching assistant, the tuition should take place outside of their normal, contracted hours.

10.2 Any meetings between the class teacher and tutor must take place within the class teacher's directed time. It will therefore be necessary for headteachers to review a class teacher's time budget to incorporate an appropriate amount of non-contact time for any meetings required.

10.3 Meetings between the Tutor and the class teacher should be concise and take place at the start and on completion of the course of tuition. Interim review meetings may be necessary if concerns arise.

- 10.4 Where meetings take place during the school day, this should not be at the expense of class teachers' non-contact time, in particular PPA time. Any such meetings should therefore be facilitated by use of cover where appropriate.
- 10.5 Where meetings take place at the end of the school day, it is recommended that the class teacher is given a one-off allocation of non-contact time during the school day to compensate for the additional hours worked. Where however, class teachers have commitments after school, for example involving childcare, these should be respected, and meetings arranged during the school day. Whatever arrangements are made must be subject to negotiation and agreement with the teacher concerned.

Conditions of funding and data requirements

- 11.0 Schools should pay particular attention to the conditions of funding, recovery of overpayments and data requirement sections as set out in the DfE Guidance.

Monitoring and Review

- 12.0 Where changes to this policy are proposed the governing body will undertake an Equality Impact Assessment (EQIA). The governing body will make available to staff the outcomes of the Equality Impact Assessment.
- 12.1 The governing body will monitor the outcomes and impact of this guidance annually. As part of this review it will monitor the programme of tuition, the DfE Guidance, the school's continued compliance with equalities legislation and the provisions of the STPCD, the Burgundy Book and the Green Book – NJC Conditions of Service.

JCNP Staffing Regulations Working Party	4 November 2021
Lead HR Business Partner	Bill Iliffe / Rose Harris
Senior HR Business Partner	Andy Wilson
Date policy updated	11 November 2021
Published Schools Portal	11 November 2021
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INDIVIDUAL LEARNING AGREEMENT SCHOOL LED TUITION

(Please note: In addition to the Individual Learning Agreement. all externally appointed should be issued with a contract of employment and this is available in CONTRACTS SECTION on the Schools Portal).

This Agreement is made between School & address.... (The School) andinsert name of tutor..... (The Tutor) for the provision of tuition, as follows:

Name of Pupil(s)in EY/ KS1 /KS2 / KS3 / KS4

1. The start date for tuition has been agreed as
.....
2. The anticipated completion date for tuition is
.....
3. The proposed venue for tuition is
.....
4. The proposed timing for tuition is
.....
5. **Purpose**
The purpose of this agreement is to enable tutors to undertake tuition, for named pupils in EY, KS1, KS2, KS3 and some KS4, as identified by the relevant Class Teacher (CT).
6. **Duration**
A maximum of xx one-hour sessions (normally at the rate of one per week*) * amend as required
7. **Nature of Work**
The nature of the work covered by this agreement is casual and intermittent and may vary from term to term. There is no obligation on the School to offer you any work and, if offered, there is no obligation on you to accept it.
8. **Confidentiality**
In providing this tuition you should not disclose any information or personal sensitive data to any other parties other than those covered by this agreement.
9. **Remuneration**
The rate of pay for tuition that takes place outside the normal school working day will be as outlined in the School's Pay Policy.
10. **Pensions**
Tutors eligible to join the Teachers' Pension Scheme or LGPS will automatically be opted into the appropriate scheme on commencement of employment as a tutor, unless they formally opt out or are ineligible due to an existing employment at the school. Please refer to the Teachers' Pensions or LGPS websites to obtain an opt out form.
11. **Termination of work**
Although school led tuition may be terminated without notice, wherever possible notice will be given to avoid sudden loss of employment. If for any reason the tuition agreement is terminated, you will be notified as soon as possible.

12. Absence

If for any reason you are unable to attend a previously arranged tutor session you should notify the head teacher / appropriate class teacher as soon as possible so that they can advise the pupil.

As you are providing tuition on a casual basis where there is no mutuality of obligation, you will not be paid for sickness absence.

13. Roles and Responsibilities

The Tutor will be required to comply with all school arrangements, policies and procedures for ensuring the health, safety and wellbeing of all pupils as set out in KCSiE and relevant school policies.

The Tutor will:

- 13.1. provide up to x hours of tutoring sessions with the pupil(s)
- 13.2. liaise with the school, pupil and parent(s) to establish an agreed time and location of tutoring
- 13.3. meet with the class teacher (CT) (and pupil/parent) where possible and before tuition begins to identify areas for development and support. Interim review meetings may be required.
- 13.4. liaise with the CT and parent(s) where appropriate during the
- 13.5. provide feedback to the CT to review both the pupil's progress and their ITP at the end of the tuition period and agree, where appropriate, next steps. Complete any required paperwork as required by the school.

The School will:

- 13.6. assess and identify appropriate pupils for tuition and return pre and post tuition assessments
- 13.7. maintain a confidential register of all pupils receiving tuition
- 13.8. liaise with parent(s) and discuss the tuition arrangements
- 13.9. oversee payments to tutors for work undertaken
- 13.10. consult with the class teacher to ensure appropriate directed time is allocated to liaise with the tutor.

The Class Teacher will:

- 13.11. liaise with the tutor to provide targets to support them
- 13.12. liaise with the tutor and parent(s) at the start of the tuition and immediately on completion of the tutoring to review progress and next steps.

Signed in agreement:

Tutor:	Class Teacher:
Date:	Head Teacher:
	Date: