

# NASUWT

## **Submission to the House of Commons Education and Skills Select Committee**

### **EDUCATION OUTSIDE THE CLASSROOM**

1. NASUWT is the largest union representing teachers and headteachers in all sectors of education throughout the United Kingdom. The Union is pleased to have the opportunity to submit evidence to inform the Education and Skills Select Committee Inquiry. This submission draws upon the extensive knowledge the Union has gained from feedback from members undertaking these activities outside the classroom and from the representational casework in which the Union has been involved.
2. The submission focuses in particular on educational visits, including academic fieldwork but also makes reference to the other activities highlighted within the Committee's terms of reference.
3. NASUWT recognises that education outside the classroom can provide valuable educational experience and curriculum enrichment, providing it is planned, properly resourced, linked to the curriculum and has clearly identified intended learning outcomes. However, NASUWT is not convinced that that is the basis on which all such activities are planned and there are a number of issues of concern which the NASUWT would like to draw to the attention of the Committee.

#### **Educational visits**

4. The NASUWT's position on teachers accompanying educational visits has been well publicised. The Union strongly advises members not to participate. This advice is rooted in extensive experience of supporting members who have been involved in high profile incidents which have resulted in serious injury or death of teachers and pupils. A copy of the NASUWT advice is attached to this submission. It details the Union's

position but also provides information for those teachers who may, despite advice, choose to accompany a visit.

5. The concerns of the NASUWT are as follows:
  - the possibility of litigation;
  - vulnerability of staff accompanying visits to false and malicious allegations;
  - the workload of teachers;
  - the lack of consistency of the role of LEAs in planning, monitoring validating and risk assessing activities;
  - the quality of staff training.

### **The possibility of litigation**

6. Society is an increasingly litigious and no longer appears to accept the concept of a genuine accident. It also fails either to understand that perfect judgement, total attentiveness and faultless foresight are beyond normal human capacity or to accept that in the best ordered of activities things will occasionally go wrong. Schools, therefore, find themselves increasingly vulnerable to the growing compensation culture.
7. Claims against schools are not, of course, confined to incidents which occur on educational visits but there is an increased risk involved in activities off-site.
8. NASUWT has witnessed, at first hand, the personal and professional devastation experienced by teachers who have volunteered to conduct an educational visit, have followed local and national guidelines and then, following an accident during the visit, have faced months of internal and external investigation as a result of being cited in legal action instigated by parents or carers.

9. To add to their trauma teachers in this position find that their employer will decline to support them citing 'conflict of interest' between the employee and the pupil.

### **The vulnerability of teachers to false and malicious allegations**

10. NASUWT has for a number of years been campaigning for recognition that teachers are vulnerable to false, malicious or exaggerated allegations by pupils. Vulnerability is increased when teachers are away from the school environment, particularly when they are in residential situations. A number of NASUWT members accompanying residential visits have been victims of false allegations of abuse.

### **The workload of teachers**

11. The National Agreement, 'Raising Standards and Tackling Workload', has introduced contractual changes which are the much needed drivers for remodelling of the school workforce to reduce teacher workload and to free teachers to focus on teaching and learning. The Agreement provides for enhanced roles for support staff, recognising the valuable contribution they can make in supporting teaching and learning.
12. The remodelling agenda is bringing about a number of changes in relation educational visits and other types of education outside the classroom. The traditional assumptions that only teachers can organise and supervise these activities are being abandoned. There are now numerous examples of appropriately qualified support staff organising and co-ordinating and, in some cases, supervising these activities. This has removed from teachers many of the time consuming administrative tasks often associated with these activities.
13. Unfortunately there are still too many schools who have not explored the full potential of remodelling and much of the existing guidance produced by the DfES and LEAs still places the responsibility for all aspects of these activities on teachers.

14. Despite the success of the remodelling agenda in alleviating the workload burdens on teachers, NASUWT believes that the best solution for schools is to use professional providers of educational visits if such activities are thought to be essential in meeting the school's curriculum objectives.
15. As a result of the National Agreement on Raising Standards and Tackling Workload the teacher's contract was changed in September 2003 to ensure that they were no longer required to be involved in any administrative and clerical task which did not require the professional skills and judgement of a qualified teacher. The administration of work experience was one of the examples specifically cited in the Annex to the School Teachers' Pay and Conditions Document as a task which could be transferred to appropriately qualified and trained support staff. There is evidence that an increasing number of schools are now doing this.
16. Whether teachers or support staff undertake this role, there is no doubt that the provision of high quality work experience places considerable burdens upon schools.
17. Time is needed to source appropriate placements, make site visits both before and during the placement and conduct risk assessments. Members have raised with NASUWT the problems of finding appropriate placements and their concern about the expectation that they will conduct the necessary risk assessments.
18. It is also important to recognise that remodelling and transferring responsibilities to support staff does not address the issues and difficulties NASUWT has identified elsewhere in this submission as the risks for support staff would be exactly the same as for teachers.

## **The role of LEAs**

19. NASUWT believes that there is inconsistency in the way in which LEAs support schools with regard to educational visits. The National Outdoor Education Advisers' Panel has recognised this and has made consistency of practice a key aim over the next two years.
20. The DfES does advise schools and LEAs to consider the educational value of any visit which is organised. Despite this there are still significant numbers of schools which conduct visits to venues of dubious educational value and which bear little relationship if any with the school curriculum.
21. There also appears to be an increasing tendency for some schools to consider distant, exotic locations for visits increasing cost, risk and difficulty.
22. NASUWT believes there should be clear educational justification in every visit and a relationship to the school curriculum. However, there is a tendency to define educational benefit so widely that any activities, even visits to fun fairs can come within the definition. NASUWT believes that the question schools and LEAs should pose is not: "Can the pupil gain *any* benefit from this activity? Rather, "Is this an activity the school should be organising for this pupil rather than it being provided by a parent, voluntary organisation or specialist centre? A visit to a fun fair is of course interesting and enjoyable for most children but the question is not whether these activities are 'educational' in the broadest sense but whether it should be schools and teachers who take the responsibility for organising and supervising them.

23. NASUWT welcomes the DfES 'Standards for LEAs in Overseeing Educational Visits' and believes that all maintained schools in an LEA area should be subject to these standards and not just those for whom the LEA is the employing authority. The DfES supplement to the Standards says that *'the LEA will need to monitor and where necessary challenge the educational objectives that schools have stated for a visit.'* NASUWT has no evidence to demonstrate that this responsibility is being carried out with any rigour.
24. NASUWT has argued consistently for LEAs to identify and conduct generic risk assessments of sites and venues which have a clear educational benefit and to recommend these to schools. This would address the problem of teachers, often untrained, feeling obliged to conduct their own risk assessments.
25. NASUWT has provided specific advice to its members on the particular risks involved in accompanying pupils with disabilities on educational visits. The health, safety and welfare of these and all other pupils and staff should be paramount. Proper risk assessments by appropriately trained staff should be undertaken prior to the activity to identify what reasonable adjustments may be required for particular pupils, including whether additional staff above the recommended ratios are needed.

### **The quality of staff training**

26. The main 'training' for staff appears to be 'on-task training' as they organise and supervise these activities. There is training available for educational visit co-ordinators but there is no requirement for this to be undertaken before an activity is organised. Given the potential risks to all those involved, the lack of attention to this important issue is of serious concern.

### **Work in progress to address the concerns**

27. The Government is very keen to ensure that all pupils have the opportunity to have a residential experience and participate in activities which enrich and enhance curriculum provision. The Government has also recognised the validity of the NASUWT's concerns. At the NASUWT's Annual Conference in April 2004 the Secretary of State for Education and Skills, Charles Clarke, gave a commitment to work with the Union to address these.

28. Since that time NASUWT has engaged in discussions with senior DfES Officials and the following are currently under consideration:

- strategies to ensure that LEAs undertake more consistent monitoring of activities and take seriously the role of outdoor education advisers. The role of OFSTED is being considered in this context;
- the production of a checklist to assess the educational value of visits and discourage more dubious outings;
- the review of all DfES guidance to take account of workforce remodelling, particularly highlighting the role support staff can play in co-ordinating visits;
- more emphasis on the generic assessments already recommended by the DfES in its 'Standards for LEAs in overseeing educational visits';
- further guidance from the DfES on the indemnification of staff who accompany visits and the on the role of LEAs in providing legal support for employees.

29. With regard to the vulnerability of teachers to false and malicious allegations, in response to the NASUWT Campaign the DfES has engaged in discussions with the Union to develop proposals to which will seek to address the concerns. The proposals will be published for consultation in the next few weeks.

### **Costs and funding of outdoor activities**

30. NASUWT believes that a strong case can be made for the review of the charging policies of schools in relation to these activities. Many are now funded by parents being asked to make a 'voluntary' contribution. Many activities are costly, particularly the residential activities in outdoor pursuits centres or abroad.
31. Parents are advised that their contribution is voluntary but can be told in the information about the visit that failure to contribute may mean that it cannot proceed. This places unacceptable pressure on parents, particularly those from low income families, who may already be feeling concerned that they are not be able to afford to pay for their own child to go and then face the additional burden of responsibility for whether other children are able to participate.
32. OFSTED's recent report on Outdoor Education highlighted cost as an issue as it prevented some pupils accessing these activities.
33. The costs to parents has to be considered in the context of other 'voluntary' financial contributions parents may be being asked to make e.g. school fund, music tuition and special events.

## **Conclusion**

34. The timescale for submissions has prevented the inclusion of information on how provision in the UK compares with that of other countries. As a member of Education International NASUWT has access to a wealth of information on education systems throughout the world, in particular Europe, and would be able to submit information at a later date.
  
35. NASUWT will be pleased to expand on the points in this submission and other related issues at the oral evidence session on 1 November 2004.

27 October 2004