

Report of the terms and conditions of staff working in adult and community education in England

June 2023

ACE freedom of information report

Introduction

In February 2022 we sent a Freedom of Information (FOI) request to 102 adult education providers in England.

We had partial responses from four providers, and complete responses from 40 providers – this was following intensive periods of chasing employers for a response. Providers were asked to return multiple responses if terms and conditions varied across sites.

This data is not routinely collated nationally by any other bodies or government agencies so using our own FOI is the best way for us to capture the terms and conditions of those working in ACE in England.

This report sets out the findings from our FOI request and we encourage members and branches to use the data to inform their own campaigns and negotiations for better terms and conditions.

Contract types

Our data collection confirmed what we already knew – that casualisation in the sector is rife. However, the levels of casualisation do vary across different job groups.

Table 1: Contract types for different job groups – all responses

	% Permanent Full-time	% Fixed-term Full-time	% Permanent Part-time (fractional)	% Fixed-term Part-time (fractional)	% Variable hours guaranteed minimum	% Zero hours
Leadership	72%	3%	10%	3%	0%	12%
Curriculum leader/manager	59%	3%	36%	3%	0%	0%
Tutor	5%	1%	19%	2%	7%	66%
Learning Support	9%	1%	19%	2%	3%	66%

	Secure contracts
	Some form of insecure contract

However, there are also huge variances between employers for example:

Table 2: Secure and insecure contract types for different job groups – examples by employer

	Leadership		Curriculum leader/ Manager		Tutor	
	% on secure contracts	% on some form of insecure contract	% on secure contracts	% on some form of insecure contract	% on secure contracts	% on some form of insecure contract
Birmingham ACE	60%	40%	100%	0%	11%	89%
Calderdale	100%	0%	100%	0%	100%	0%
City of London Community Education	6%	94%	33%	66%	35%	65%
Cornwall Adult Education Service	100%	0%	92%	8%	19%	80%
LB Hackney	100%	0%	100%	0%	100%	0%
Leicestershire County Council ACE	100%	0%	71%	28%	35%	65%
Adult Learning Lewisham	100%	0%	100%	0%	No data	No data
Manchester Adult Learning	100%	0%	100%	0%	77%	23%
Westminster Adult Education	100%	0%	95%	5%	100%	0%
Adult Education Wolverhampton	100%	0%	100%	0%	100%	0%

Zero hours contracts

Zero hours contracts offering no guarantee of any hours (or income) are used for more than 20% of tutors in the following providers:

- Birmingham ACE (89%, 191 tutors)
- Brent Start (75%, 48 tutors)
- Bristol ACE Stoke Lodge (100%, 71 tutors)
- Skills & Learning Bournemouth, Dorset and Poole- Oakdale Centre (85%, 79 tutors)

- City Lit (100%, 1063 tutors)
- City of London Community Education (32%, 22 tutors)
- Community Learning in Partnership (CLIP) (60%, 15 tutors)
- Cornwall Adult Education Service (76%, 133 tutors)
- Derbyshire ACE (89%, 199 tutors)
- Harrow Adult & Community Learning Service - Kenton Learning Centre (100%, 15 tutors)
- Hounslow Adult Education - Meadowbank Adult education centre (91%, 74 tutors)
- Leicestershire County Council ACE (61%, 91 tutors)
- London Borough of Havering - Havering Adult College (100%, 29 tutors)
- Norfolk AES (61%, 158 tutors)
- Richmond and Hillcroft Adult and Community College (91%, 205 tutors)
- Rutland County Council ACE - Rutland Adult Learning and Skills Service (100%, 17 tutors)
- Sutton College (100%, 129 tutors)
- Isle of Wight Council- The Learning Centre (81%, 13 tutors)

Whereas the following providers reported using no zero hours contracts:

- Bury Adult Learning Service
- Calderdale
- East Sussex CC - Adult College for Rural East Sussex
- London Borough of Hackney
- Hampshire County Council
- Adult Learning Lewisham
- Middlesbrough Council
- Portslade Aldridge Community Academy
- Waltham Forest Adult Education
- Westminster Adult Education
- The Working Men's College
- Wokingham Borough Council
- Adult Education Wolverhampton
- West Berkshire Borough Council
- East Riding ACE
- Herts County Council
- Liverpool Adult Learning
- Manor Training & Resource Centre (MaTRec)
- Wandsworth Council Lifelong Learning

However, we do not have data on the level of hours guaranteed by the above employers.

Term time only work – sector averages

We also asked about the use of term time only contracts which provide flexibility for some, but long periods without an income.

Table 3: Term time working – all responses

	% who work term-time only	% who have 52-week contracts
Leadership	0%	100%
Curriculum leader/manager	4%	96%
Tutor	34%	66%
Learning Support	27%	73%

Agency staff

Most respondents didn't provide data on agency staff. Amongst the 7 providers that provided data about the number of tutors engaged through an agency, 4 reported high levels (more than 25% of tutors) of agency staff usage.

Rates of pay

We asked employers to provide data about the rates of pay for different staff groups, for both staff on hourly rates of pay and those on annual salaries.

Table 4: Average hourly rates of pay – all responses

	Average hourly pay (hourly paid staff)	Number of responses
Leadership	£27.00	15
Curriculum leader/manager	£19.66	15
Tutor	£20.83	30
Learning support	£14.07	20

Table 5: Average salary – all responses

	Average salary (salaried staff)	Number of responses
Leadership	£53,020	39
Curriculum leader/manager	£36,526	38
Tutor	£30,870	30
Learning support	£23,586	24

However, again there were huge variances across the sector.

Table 6: Average tutor hourly rates of pay and salaries by employer

	Mean average tutor hourly rate (hourly paid staff)	Mean average tutor salary (salaried staff)
City Lit	£35.78	£51,329
Adult Learning Lewisham	£30.53	£55,562
Wandsworth Council Lifelong Learning	£30.00	£30,000
Working Mens College, The	£29.36	£31,988
Birmingham ACE	£27.23	£23,853
Leicester ACE	£25.76	£24,843
Manchester Adult Learning	£25.74	£27,424
Derbyshire ACE*	£25.67	£22,460
Brent Start	£25.00	£31,934
Wokingham Borough Council*	£24.80	
Portslade Aldridge Community Academy (PACA) - Aldridge Adult Learning	£23.73	
Richmond and Hillcroft Adult and Community College	£22.80	£30,560
East Riding ACE	£22.61	£32,625
Rutland County Council ACE - Rutland Adult Learning and Skills Service	£22.29	
Sutton College	£18.56	£26,888
Liverpool Adult Learning	£18.35	£33,486
Waltham Forest Adult Education	£18.00	
Norfolk AES	£17.90	£30,335
Hounslow Adult Education- Meadowbank Adult education centre	£17.22	£31,454

Westminster Adult Ed	£17.16	£34,907
Luton Borough Council	£16.97	£32,667
Bristol ACE - Bristol Adult Learning Stoke Lodge	£16.71	£32,234
Bury Adult Learning Service	£16.10	£30,984
Adult Education Wolverhampton	£16.07	£23,871
Staffordshire County Council	£14.26	
Skills & Learning Bournemouth, Dorset and Poole-Oakdale Centre (primary site)	£14.24	£27,471
Isle of Wight Council - The Learning Centre	£14.05	£27,041
Cornwall Adult Education Service	£13.92	£26,860
Leicestershire County Council ACE - Leicestershire Adult Learning Service	£12.35	£25,017
East Sussex CC - Adult College for Rural East Sussex (ACRES)	£11.68	£22,307
Hampshire County Council - Hampshire Futures		£32,825
Calderdale CAL		£29,253
London Borough of Hackney		£36,486
Manor Training & Resource Centre (MaTRec)		£25,000
Herts County Council		£34,429

**Tutor pay rate only applies to teaching hours*

However, these hourly rates can't necessarily be compared as like-for-like as some of them include an element for preparation, marking, student support etc, some include an element for holiday pay, some include both and some include neither.

For example, the £17.90 per hour (ph) paid at Norfolk AES does not look as generous as other providers but they make additional payments for preparation, marking and CPD and leave is paid when it is taken (i.e. it is not rolled up in the hourly rate of pay).

The higher rate of £25.76 at Leicester ACE includes 47.4 mins of preparation time and 18.03% as holiday entitlement. This would bring the flat rate down to £11.79 ph.

It is highly likely that hourly paid tutors themselves do not know how their rate of pay breaks down unless it has been clearly explained in their contract or in their pay slips.

London Weighting

Four London colleges pay London Weighting in addition to the salaries above:

- Wandsworth Council Lifelong Learning - £1500 for all staff groups
- Brent Start - £3973 for all staff groups
- Waltham Forest Adult Education - £530 for tutors only
- Sutton College - £2412 for all staff except leadership

Pay awards

The low pay in the sector has been exacerbated by the below inflation pay rises over the past few years.

Of the 35 institutions who provided the data, the average pay award for 2018/19 was: 1.7%

Of the 36 institutions who provided the data, the average pay award for 2019/20 was: 1.8%

Of the 38 institutions who provided the data, the average pay award for 2020/21 was: 1.9%

The best pay award in 2020/21 was 3% (with a number following the local government award of 2.75%) but 5/38 employers reported 0% pay increases.

Paid time for preparation, marking etc for hourly paid tutors

Some providers pay for additional teaching related work at a flat rate for the work undertaken. However, they were a minority and 86% of respondents roll up time for preparation or marking into the hourly rate of teaching staff.

However, the rates applied vary within employers (depending on what is being delivered) and across institutions. A constant complaint from our members is that the time provided for this additional work does not adequately reflect the time those duties take – leading to an even lower hourly rate of pay.

The highest factor paid from those who responded was 1 hour for every hour of teaching. The lowest was 14.9% or less than 9 minutes for every teaching hour.

Teaching hours

Annual teaching hours (FTE) ranged from 650 to over 1030 – with very little consistency across the sector.

The number of teaching weeks ranged from 32-52.

Annual leave

Annual leave varied across employers with the following ranges reported:

- Leadership: 24-37
- Curriculum leader / manager: 24-40
- Tutors: 24-60
- Learning support staff: 22-35

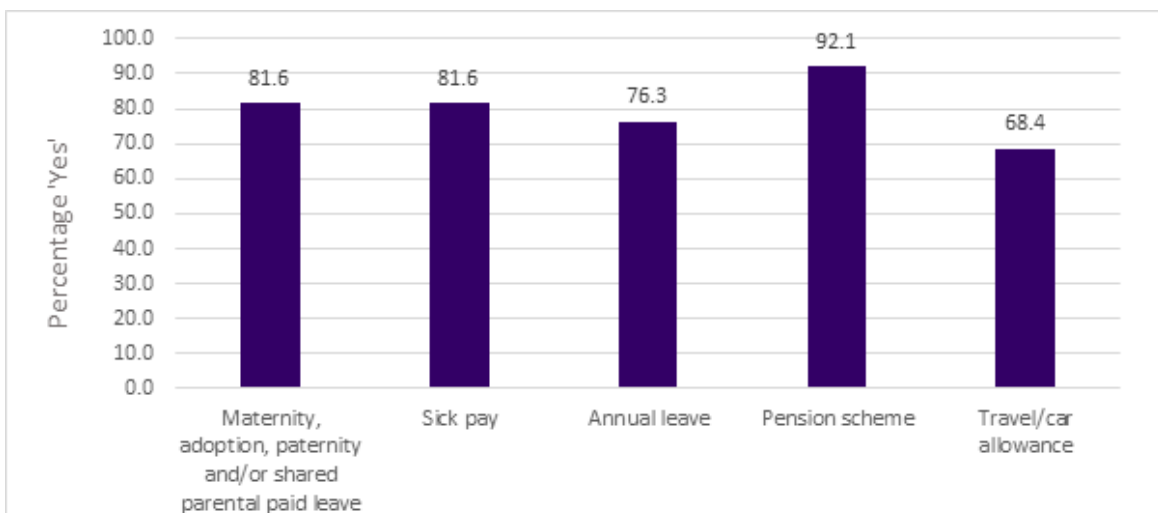
The majority of employers (82%) reported that they roll up holiday pay for their hourly paid teaching staff into a comprehensive hourly rate. This practice is not permitted in UK law although it clearly remains widespread. Of those who reported they do roll up holiday pay, the rates applied vary from 12.07% (which reflects the statutory minimum amount of paid leave) to 22.67%.

There is currently no provision to pro-rata holiday entitlement for part-year workers so just because someone works term-time only, their entitlement is still 5.6 weeks.

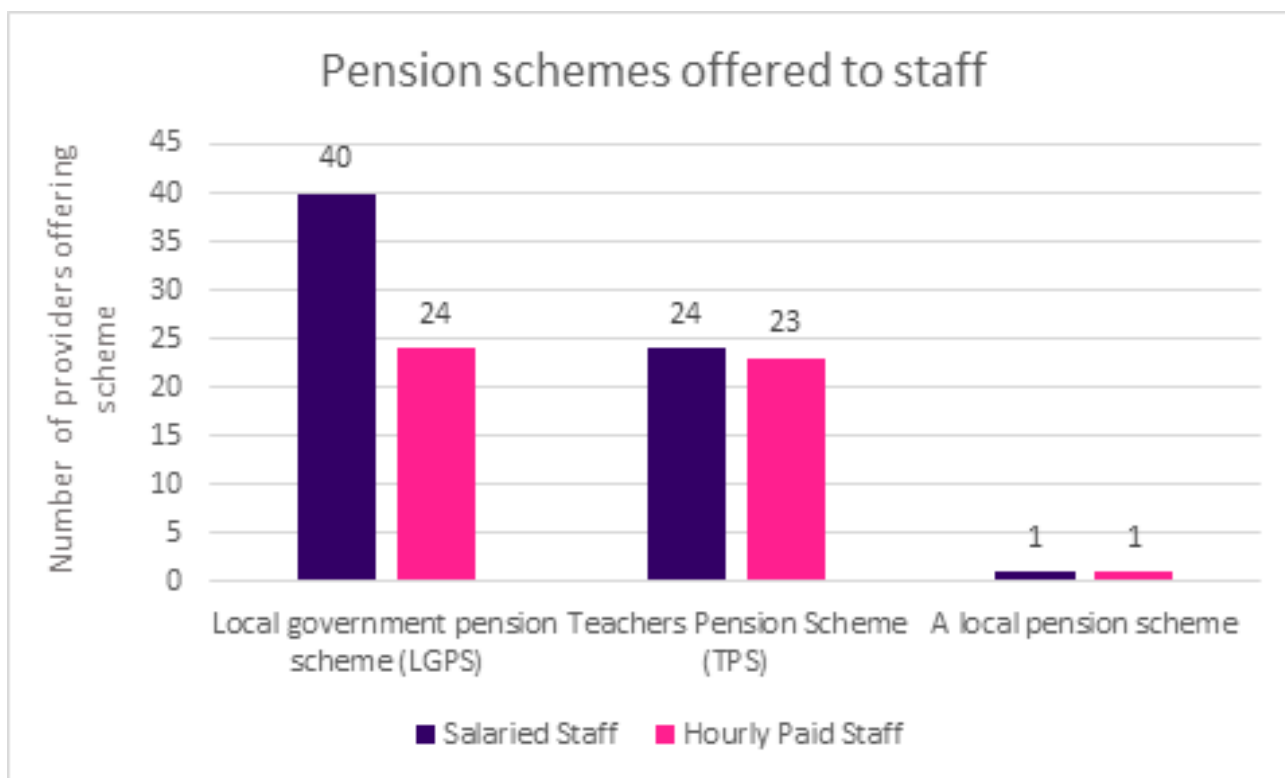
Other terms and conditions for staff

We asked employers if they provided the same terms and conditions for hourly-paid staff and salaried staff.

Graph 1: Percentage of employers offering the same T&C to hourly paid and salaried staff



Graph 2 : Number of employers offering pension scheme to hourly paid and salaried staff



Continuing Professional Development (CPD)

95% of employers reported that staff get time for CPD.

However, the time offered to staff ranged from 6 hours per annum (pa) for tutors to 331 hours pa.

For tutors, a nominal amount for CPD is often rolled up into an inclusive rate of pay. In some cases, time for CPD was actually just time to undertake mandatory training.

Trade union facility time

Nearly a 1/3 of employers (31.6%) did not provide trade union facility time for UCU representatives.

Class size

65.9% of employers reported that they do use a minimum class size for classes to run.

Of those that reported they used minimum class sizes, the minimum numbers ranged from 5-14. Most reported a minimum class size in the 6-10 range.

Equalities

Gender

The following table shows the gender pay gaps and distribution of men and women in different job groups. A positive pay gap indicates that, on average, men are paid more than women in that job group. A negative pay gap indicates when women's pay is, on average, higher.

Table 7: Distribution of men and women in different job groups and average gender pay gaps – all responses

Job group	% Women	% Men	Gender pay gap
Leadership	59.1%	40.9%	+6.5%
Curriculum leader/manager	80.4%	19.6%	+3.3%
Tutors	75.2%	24.8%	-22.6%
Learning Support	82.1%	17.8%	-3.5%

Race

Distribution of staff

The following table shows the distribution of staff by ethnicity across different job groups.

Table 8: Distribution of staff by ethnicity in different job groups– all responses

Staff group	% Asian / Asian British	% Black/ African/ Caribbean / Black British	% Mixed / Multiple & Other ethnic groups	% White
Leadership	10.5%	6.8%	3.0%	79.7%
Curriculum leader/manager	7.7%	4.1%	12.5%	75.7%
Tutors	9.1%	4.7%	7.6%	78.6%
Learning Support	8.8%	4.5%	9.1%	77.6%

Race pay gaps

The following table shows the race pay gaps based on the information supplied by the respondents. A positive pay gap indicates that, on average, white staff are paid more than staff from other ethnic groups. A negative pay gap indicates that the pay of staff from that ethnic group is, on average, higher than that of white staff.

Table 9: Race pay gaps – all responses

Staff group	% Asian / Asian British	% Black/ African/ Caribbean / Black British	% Mixed / Multiple & Other ethnic groups
Leadership	+4.3%	+8.9%	+5.2%
Curriculum leader/manager	+2.0%	-5.5%	-5.5%
Tutors	-1.2%	-6.1%	-7.3%
Learning Support	+5.7%	-9.3%	-0.5%