

Instrumental teaching in schools: roles, rights and responsibilities

Edward Maxwell

Introduction

For some musicians, instrumental teaching in schools is a full-time vocation. For others, it provides a welcome element of relative stability in an otherwise volatile and unpredictable world of freelancing. A school often provides a more stimulating and vibrant environment than the solitary life of private teaching from home, but we do need to navigate working in a more regimented environment and tiptoe through various rules and regulations.

Some of us may be employed by an individual school or music service (or hub), while others are self-employed yet perform exactly the same role. Our employment status is one of the many grey areas, along with precisely what roles are expected of us. Often our job description is not clearly defined, and although our pay is usually ostensibly based on an hourly rate, it's sometimes unclear what's included in our wages and what should be paid extra.

Every school will have different expectations and requirements, and there are no hard and fast rules. Some schools will expect things to be done without additional pay when other schools offer a fee, but then may offer other benefits in kind, such as a free lunch. If you're on a salary that is not directly related to the hours you work, you'll probably be well integrated into your school and your pay will include all 'extra' work, such as playing in school concerts or conducting ensembles. If not, these things are perks that can provide useful extra income.

Some things that you consider to be normal may, on reflection, be unreasonable and vice versa. Don't take anything for granted, and feel able to challenge existing practices and suggest changes. A good head of music will appreciate feedback rather than feel threatened by the suggestion of something new – it shows engagement with the job and an enthusiasm to do things better.

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VMTs' employment status

Visiting music teachers' employment status is an important but contentious issue, awash with differing interpretations of the rules. Generally, music teachers are 'employed' or 'self-employed', though there is also 'worker' status.

For a more in-depth summary of these roles, read this (https://musiciansunion.org.uk/MusiciansUnion/media/resource/Guides%20and%20reports/Education/MU_Employment_Status-for-Instrumental-and-Vocal-Teachers-2021.pdf) from the Musicians' Union.

The IR35 rules set out the government's criteria for employment status. In 2019, a self-employed VMT took her school to a tribunal, which ruled that she was indeed a 'worker' and therefore entitled to benefits such as holiday pay. If you wish to research this further, the case was Mrs Scott v Chigwell School. Pointers included being integrated into the school music department, having a school email address, being listed as a staff member, and having to comply with school rules about timetabling and fees.

Benefits of being 'employed'

- ▶ Entitlement to holiday pay, sick pay, redundancy pay, maternity and paternity pay.
- ▶ You will be eligible for a teachers' pension scheme, to which your employer will contribute.
- ▶ The school collects money from parents and you get paid even if the parent defaults on their fees.
- ▶ Protection against unfair dismissal.
- ▶ You may be on a salary scale where you get paid more as you get more experienced, rather than being on a fixed rate, though this will probably apply only if you're working for a large organisation such as a music service.
- ▶ If you work for a music service, you should be paid travelling expenses between schools.

The amount that parents are charged for lessons is normally considerably more than your hourly rate, and although holiday pay sounds like a lucrative perk, many schools pay a lower wage than you may receive being self-employed, so in reality you are no better off. Essentially, they may take your pay for 30 weeks and divide it into 12 monthly portions. This is against the principle of holiday pay, but in the absence of any pay scales for instrumental teachers, it's impossible to prove.

Benefits of being 'self-employed'

- ▶ The contract is with the parent, not the school. This theoretically gives you more autonomy over how you operate (though see the 'school rule paradox' below).
- ▶ You are allowed to send in a deputy to cover your teaching if, for example, you need time off to go on tour (subject to the 'school rule paradox').
- ▶ You don't get national insurance and tax deducted from your pay at source.
- ▶ You can claim travel costs and other expenses as tax deductible.
- ▶ Fees are paid to you directly, meaning that the school does not take a cut (unless they charge a room fee). This makes lesson fees cheaper for parents.
- ▶ You theoretically get to set your own fees (though many schools do impose this – the 'school rule paradox' again).

The reality is, as they say, 'swings and roundabouts' – you normally receive a higher income being self-employed, but you lose some of the benefits of employment. It doesn't usually make a lot of difference to your overall pay, and it may be counterproductive to try to get your status changed.

The 'school rule paradox'

When you start at a school, you normally have to sign an agreement to abide by the school's rules and regulations. These are usually very sensible rules, designed to promote good practice, ensure that pupils are properly safeguarded, and ensure that teachers have a unified approach, rather than each teacher operating in a completely different way, which may be confusing to parents. Occasionally rules may seem somewhat arbitrary or even punitive, in which case you have every right to challenge them.

But what happens when school rules conflict with the government's definition of self-employment? For example, the school may impose a uniform fee structure rather than allowing you to set your own rate – an important principle of being self-employed. While the school may legitimately say that if you want to work for them, you have to abide by their rules, the law obviously trumps a school rule. The only way to test this is at a tribunal or in a courtroom, which is a lengthy and costly process, and is likely to create bad feeling all round. Normally, through a quiet chat with the bursar or head of music, a sensible compromise can be found.

Room hire

Some schools charge a fee to hire the facilities, ostensibly to establish your self-employed status. There are, as we have seen, different interpretations, but it certainly does not appear to be a legal necessity. According to an ISM survey (www.ism.org/images/files/ISM-Teachers-Fee-Survey-Results_2021.pdf), very few respondents reported being charged a room hire fee, though anecdotally it is more widespread.

In reducing our relationship with the school to an overt financial transaction, we now become a paying customer and the school unwittingly loses some control over how we operate. If a school charges us for a room, surely it's only fair for us to charge them for things they request, such as writing reports? Of course it's never quite that simple – the school has recruited us, gives us administrative support and provides us with pupils. Although I've always felt resentful about having to pay for the room when I am providing a service from which the school benefits, it's essentially no different from a school which employs a VMT, taking a cut of the income it receives from a parent.

Starting at a new school

It's important to remember that when teaching in a school, you are part of a team: getting to know the other instrumental teachers is useful for getting advice on how the school operates. Try to develop a positive relationship with the class teachers and find out what extra-curricular musical activities are available, so that you can encourage pupils to participate in ensembles and concerts, both in and out of school. You may also be required to support pupils with GCSE and A level performances, so familiarise yourself with the requirements.

School rules

When on site, you must abide by school rules, which normally include the following:

- ▶ Signing in and out.
- ▶ Wearing a lanyard or name badge.
- ▶ Dressing appropriately.
- ▶ Keeping a register of pupils (this is essential, as schools need to be able to account for pupils at all times of the school day).

Contracts

When you start a job in a school, regardless of whether you're employed or self-employed, you will normally be asked to sign an agreement or contract that sets out your role and responsibilities. Read this carefully and feel free to question anything that needs clarification. There will be certain administrative duties that you may be expected to fulfil.

If you're self-employed, you will need to have an agreement in place with each parent that sets out rules such as the notice period for stopping lessons. There may be a standard school agreement or you may need to have your own. Here is a sample one (<http://edwardmaxwell.com/wp-content/uploads/2021/07/SampleTermsAndConditions.doc>) which you can download and amend as you wish.

Organising a timetable

This can be an onerous task, though in some cases a school or music service will do this for you. Despite the extra workload, I prefer to organise my own timetable. Pupils or parents may tell me about issues or clashes about which a school administrator may not be aware, and I can also factor in my own commitments: I like to be in full control.

Keep an eye on the school calendar for trips, matches and exams. Although you will hopefully be informed about such things, don't assume you will be. I have twice arrived at a school for a day's teaching, only to find that there was an INSET day. I hadn't checked the school calendar and nobody had thought to tell me.

It's essential that you have proof (such as an email) that you have given pupils, parents and class teachers the timetable, so a missed lesson cannot be put down to the 'but you didn't tell me my lesson time' excuse. Ensure that timetables are posted on school noticeboards and are up to date. If you have your own website, it's good to post timetables there too, but don't list a pupil's full name – use initials or first name only. This is due to data protection rules.

If you're a gigging musician, you might require some flexibility regarding timetabling to accommodate performing work. However, never rearrange a lesson with a pupil without informing the school and checking that a room is available at the new time. I have been fortunate to have taught in schools that have been very supportive and are pleased to have a professional player on board. Others are less lucky and it may be incompatible to teach at a school that insists on completely rigid adherence to the timetable.

Billing parents

If you're self-employed, you will need to charge the parents directly. It's normal to do this termly in advance and set out a clear timescale for payment. If, for example, they haven't paid by half term, stop teaching immediately. I have heard numerous stories of teachers who continue teaching even when the whole previous term's fees are outstanding. It can be very difficult to collect the arrears, especially if the pupil gives up or leaves the school. Schools will often be helpful in assisting you chasing up outstanding bills, even though it's outside their remit – another example of gestures of mutual goodwill between us and the school.

Ordering music

Although parents are usually very cooperative, they are sometimes disorganised and ignore repeated requests to buy music. Some schools may have a system for ordering music and charging the parents, or you may need to order it yourself and add the cost onto their bill. Many retailers offer a discount for teachers, so you can charge the parents the cover price and the difference will pay for your time and trouble. Remember that using unauthorised photocopies is unethical and illegal, and can land you and the school in trouble.

Reports

Depending on the school, this may be every term, once or twice a year, or not at all. It is not usually paid extra. Some schools may ask you to attend parents' evenings, though this is rare. You should be paid for your time.

Recruiting pupils

Schools can't guarantee to provide you with pupils. However, VMTs are often given the opportunity to play in an assembly or visit class music lessons, in order to promote their instrument. Pupils may then be offered a taster lesson. This is sometimes charged to the parent, sometimes paid by the school, and sometimes expected for no payment. It's obviously in your interests to build up pupil numbers, but don't feel obliged to do anything unpaid if you don't want to. I was once asked by a school to give a whole term of unpaid 'trial' trumpet lessons. I thought this was unreasonable and refused.

Safeguarding

It is a legal requirement to have a DBS check. The cost is usually paid by the school, though I have heard of teachers being charged for this. If you work in several schools, it's a good idea to subscribe to the DBS update service, which currently costs £13 per year and essentially gives you portable DBS cover. If self-employed, you may need public liability insurance. This is included in the subscription for the MU or ISM.

You will usually be required to attend annual safeguarding updates. Some organisations pay for attendance, others don't. You may also be asked to complete online safeguarding courses. If you teach at multiple schools, but not under the umbrella of a music service, you're usually required to undertake essentially the same training at each individual school. Some schools will accept proof of training from another school, but others will insist on attendance before allowing you to teach. While this might seem onerous, we should never compromise on pupil safety.

There may be school rules banning the use of personal devices. I have all my teaching resources on an iPad: backing tracks (which I play through a Bluetooth speaker), numerous apps, and a large quantity of scanned music: piano accompaniments, duet books, orchestral parts, sightreading, aural tests, etc. When one school informed me that I couldn't use this, I explained how important they were to my teaching and offered to get parental consent for use of an iPad in lessons. Furthermore, I offered to submit my iPad for inspection at the school office after every day of teaching, to establish that I hadn't taken any unauthorised photos of children. The school refused and I resigned, having no interest in teaching without full access to my resources.

Fees

If you work for a music service, you're likely to be on a salary ladder where you get paid according to experience, qualifications and length of time working for the organisation. If, however, you are employed by an individual school, you are likely to be on a fixed rate, regardless of experience: someone straight out of university will be paid the same as someone nearing retirement. As previously stated, if you're self-employed, you theoretically get to choose your own rate. In reality, however, this is usually imposed by the school. This does make sense – it would be confusing to parents if teachers charged different rates within the organisation. If you have two piano teachers at the same school, are they going to try to undercut each other in order to attract pupils?

How do schools set fees? It often seems that figures are plucked out of thin air. Schools may quote an MU or ISM rate, though it should be remembered that this is normally a minimum rate, which does not necessarily take into account local variations (for example, pay will generally be higher in south-east England to take into account a higher cost of living). If you want to lobby for a pay rise, you may want to look at a balance between the following factors:

- ▶ How much do parents pay for lessons in other schools in the area?
- ▶ How much are teachers actually paid there (not necessarily the same thing, depending on their employment status)?
- ▶ What is the reputation of the school and the music department (if it rates highly, you may expect a premium)?

If you're teaching at a private school, it's quite enlightening to compare the increases of school fees with lesson fees. At one school, I discovered that over a ten-year period, school fees had risen 23% above inflation, while VMTs' pay had been eroded by 9% below inflation. Of course, there are a lot of other factors involved with setting school fees, so these are not necessarily directly comparable to rates of pay, but it's useful ammunition nonetheless if negotiating a rise.

Working conditions

These vary enormously. You may have a spacious practice room with a nice piano in a purpose-built music block. At the other end of the spectrum, however, you may have a corridor or a storage cupboard. There is a (possibly apocryphal) story of someone being asked to teach in a disabled toilet.

Depending on the pervading attitude of the school towards music (often dictated by senior management), you may be treated as a highly qualified and valued visiting professional... or a nuisance who disrupts the smooth running of class lessons. Class teachers may smile at you when you collect a pupil and wish the child a pleasant lesson. They may, however, roll their eyes and say it's not a convenient time, making you and the pupil feel uncomfortable.

Missed lessons

If a pupil does not arrive at their allotted time, you may need to find them. As a rule of thumb, for primary school pupils, I wait five minutes and then go in search of them. For secondary school pupils, I send them an email (always using the school email account) but wait in my room. The danger is that you go on a wild goose chase and arrive back at your room ten minutes later, only to discover that the pupil arrived in the room 30 seconds after you left, making it look as if you were 15 minutes late for the lesson. The parents will probably want this time made up.

If a class teacher refuses to let a child attend a lesson, this puts you in difficult position. It is unreasonable to expect you to make the lesson up at another time – you are booked and paid for a particular time-slot, which was timetabled in advance. You must point out that the parents have paid for this lesson and the school may have to reimburse them if it prevents the pupil from attending. You should immediately take this up with the head of music, school senior management or your music service line manager. To pre-empt such problems, make sure that the class teacher has a timetable for the term, so there is no ambiguity about lesson times.

For lessons missed due to pupil illness, it's unreasonable to expect you to make it up at another time. You need to be paid for your time, regardless of whether or not the pupil attends. The lesson will be forfeited. Lessons missed through school trips are trickier, and there is an expectation that you will have looked at the school calendar and timetabled around school commitments. However, sometimes things crop up unexpectedly that are not on the school calendar. Your terms and conditions should deal with these circumstances.

Remote lessons

Now that we've become accustomed to remote teaching, some parents may request that a missed lesson is made up on Zoom. This should be entirely at your discretion and not an expectation. Remote teaching is a useful way of making up lessons missed through school trips, however, so this is a thorny issue that may require clarification with parents.

Schools will have rules set out for remote teaching, such as dictating which platform to use (eg a school Teams, Zoom or Google Meet account). These should of course be followed, but there is a proviso for the self-employed. When schools closed for the first lockdown in spring 2020, one of my schools forbade online teaching because they claimed there was a significant safeguarding risk. I pointed out that my contract was with the parents, not the school, and when outside of school premises the school had no jurisdiction over how I ran my business: if the parents agreed to go online, the school had no right to interfere. This right applies to all self-employed VMTs, although we normally acquiesce to the school's requests as a gesture of goodwill. However, when a school was arbitrarily attempting to prevent me from fulfilling a contract – and trying to remove my means of making a livelihood – I did feel it necessary to assert my rights.

Registers

Keeping a register is essential, so you can account for all lessons charged. When a pupil misses a lesson, send the parents an email – it's important to keep parents informed (and to cover yourself if there is a dispute about the number of lessons given).

Communication

It's essential to have good lines of communication with pupils, parents and the music department. Never use your personal email address or phone number, and only contact pupils using their school email address. If you have any problems with parents or pupils, flag this up immediately with your head of music or line manager, and seek help in nipping it in the bud before things escalate.

Goodwill

VMTs' relationships with schools are lubricated by a lot of mutual goodwill. We must remember that the school has shown faith in us by recruiting and supporting us, but it is a two-way street: while we are lucky to have the opportunity to work at a school, they are also lucky to have us. As well as helping to create a feeling of unity and well-being in a school, a thriving music department can give a school an edge over their competitors, making them more attractive to parents. (While this might sound more pertinent to private schools, the commercialisation of education applies in the state sector too – I remember being surprised when the head of my children's state primary school referred to neighbouring state schools as 'our competitors'.)

We mustn't undervalue or undersell ourselves, and things can come unstuck when a teacher feels that the goodwill is not reciprocated. Don't let ill feelings fester – often a simple chat with a head of music can dispel a misunderstanding or bad atmosphere. You have every right to challenge something that you perceive to be unfair and that you feel upsets the delicate equilibrium. It is always good to have the solidarity of your colleagues and it is recommended that you subscribe to a professional organisation – the ISM or MU are available for advice.

If you're not happy at a school and can't resolve the reasons why, walk away. You're not being fair to yourself, the pupils or the school, if you're not fully committed to the job.