

## **CHIEF EXECUTIVE'S OFFICE**

### **HEAD OF HUMAN RESOURCES – S.REES**

**1<sup>st</sup> September, 2015**

#### **SECTION B- MATTER FOR INFORMATION**

##### **WARDS AFFECTED: All**

##### **HR support to schools budget setting process and SSIP – Spring 2015**

##### **Report summary**

##### **Introduction**

- In early March 2015 - Director of ELLL notified schools about their budgets for 2015/2016. The Schools Delegated Budget for 2015/16 is £77,802,265 and was an increase of 0.48% from the 2014/2015 Schools Delegated Budget . However, when including all grant and other delegated monies the final delegated budget is £89,468,269 a decrease of 0.13%.
- 28 schools made an initial contact with the HR team about potential difficulties in setting a budget.
- In addition to the schools with difficulties in setting budgets, 5 schools began the school closure process (with an envisaged closure date of 31<sup>st</sup> August 2015) and 4 primary schools amalgamated to form 2 primary schools.
- The process for the redeployment of staff from Cwrt Sart Comprehensive, Glanafan Comprehensive, Sandfields Comprehensive and Traethmelyn Primary into the new Bae Baglan School, to open in September 2016, was completed with regard to permanent staff. Further processes are ongoing for temporary and fixed term employees. All staff confirmed as redeployed will remain in their existing schools to 31<sup>st</sup> August 2016, commencing in Bae Baglan School on 1<sup>st</sup> September 2016.
- A Voluntary Redundancy Scheme for school based employees was launched in March 2015. The following reflects the numbers of applications and acceptances from school based employees. The

2016 applications are only from employees currently undergoing the Bae Baglan change process:

- 70 Teaching Staff Applications for 2015 with 21 acceptances
  - 140 Support Staff Applications for 2015 with 33 acceptances
  - 13 Teaching Staff Applications for 2016 with 10 acceptances
  - 122 Support Staff Applications for 2016 with 23 acceptances
- It should be noted that all Voluntary Redundancies resulted in a post being lost from the respective schools, either directly or through a restructure.

### **Key stages in 2015 redundancy process due to budget deficit**

- A total of 11 schools with budget deficit were able to resolve their financial problems with the advice and support of the HR team, by proactively seeking Voluntary redundancy from the employees or ending temporary contracts.
- Management of Change initiatives were also implemented by some schools to avoid future redundancies.
- 17 schools were unable to resolve budget difficulties and convened Staff Disciplinary and Dismissal Committees, 2 secondary school and 15 primary schools.
- As a result the following reductions in staff numbers were identified in order to set budgets, this included actual posts and reduction in hours:
  - 9.36 FTE Teaching
  - 16.11 FTE Support Staff
- Staff Disciplinary and Dismissal Committees consulted with trade unions and considered counter proposals in line with the School's Redundancy Policy.
- Selection for redundancy was carried out where necessary.
- Employees had an opportunity to make representations.

- Support was provided to employees at risk of redundancy.
- Volunteers for Redundancy were sought within the schools at risk and bumped redundancies considered.
- All Staff Appeals were heard and redundancy notices issued, where no alternative had been identified, by 31<sup>st</sup> May 2015.

**Current position for school redundancies linked to deficit – key figures**

Redeployed successfully - Teachers	2FTE
Redeployed successfully - Support staff	1.33FTE
Compulsory Redundancy – Teachers	1.7FTE
Compulsory Redundancy - Support staff	3.78FTE
Voluntary Redundancy - Teachers	18.1FTE
Voluntary Redundancy – Support staff	11.7FTE
Support Staff Resignation – post not replaced	0.74FTE
Agreed reduced hours – Teachers (2 employees affected)	0.66FTE
Agreed reduced hours and term time contracts – Support staff (27 employees affected)	8.69FTE
Temporary contracts ended - Teachers	2FTE
Temporary contracts ended – Support staff	0FTE

## Current position for SSIP Closures

- 5 Primary schools began and completed the necessary Staff Dismissal Process to enable the schools to close.

Redeployed successfully - Teachers	11 FTE
Redeployed successfully - Support staff	14.9 FTE
Compulsory Redundancy – Teachers	3 FTE
Compulsory Redundancy - Support staff	3.2 FTE
Voluntary Redundancy - Teachers	2FTE
Voluntary Redundancy – Support Staff	1.6FTE

## **1. Purpose of report**

To update and inform Members on (a) the HR support provided to the recent school budget setting process and SSIP (b) the outcomes in relation to job losses and redeployment activity.

## **2. Introduction and background information**

In early March 2015 the Director of Education, Leisure and Lifelong Learning notified schools about their budgets for 2015/2016.

The overall budget for 2015/16 was a decrease of 0.13% from the previous year. Support from the HR team was required where, in order to set a budget, the school needed to consider reducing the pay bill of the school, and any resulting actions, e.g. job loss, reduction in hours.

With regard to SSIP, support from the HR team was required to advise and assist Governing Bodies with the difficult process of school closures and amalgamations.

In order to prepare for the above, the HR team had already taken the following actions:

- Reviewed the already established Redundancy / Redeployment Policy and Procedure for All School Based Staff, ensuring the policy properly sets out a process for consultation, contained a fair and objective mechanism for redundancy selection and ensured that roles and responsibilities were clearly set out.
- Offered and arranged formal training during January 2015 for Governors, Head Teachers and Bursars in the Policy. In addition, an ad hoc' training session was provided for Headteachers who had not undertaken this process previously.
- Encouraged the use of the Joint Pledge to Safeguard Employment in Schools, in association with the trade unions, Head Teachers, Governors and the Council.
- Supported the introduction of the LLAN and NAASH early retirement (ER) schemes in late 2014.

- Developed a VR process for schools where there was a budget deficit and/or school closure.
- Developed a timetable for schools with a budget deficit or school closure. The timetable sought to ensure that the various stages, including consultation with staff and trade unions, selection criteria and selection itself (where necessary), meetings and communication with affected staff and trade unions representatives, representation hearings and appeals hearing could all be carried out in the very limited time available.

Note: The Staffing of Maintained Schools (Wales) Regulations 2006 require notice to be issued to teaching staff by 31<sup>st</sup> May to terminate an employee's contract by the end of the summer term. If this deadline is not met, a dismissal may not be effective until the end of December, which would result in further cost implications for the school between September and December, potentially leading to more job losses.

- The HR team made arrangements to ensure that they were as available as much as possible during March, April and May and to be available for significant overtime working out of office hours in order to be as responsive as possible to school requests for support.

### **3. The Redundancy Process 2015**

A total of 28 schools contacted the HR team to indicate difficulty in setting budgets, with the potential for an impact on staffing.

3.1 Head Teachers were encouraged as far as possible to have an early discussion with HR to discuss indicative budgets. Where schools did involve HR at an early stage, in some instances early solutions were found that enabled schools to set budgets without having to consider actions such as job loss.

3.2 School Finance Sub Committees met in the middle to end of March, 2015 and, where they were unable to set a budget, referred the matter to their Staff Disciplinary and Dismissal Committee. 11 Schools convened such a committee. HR Officers attended to

support the committee in determining the actions required and, where necessary, develop Redundancy Selection Criteria. At this point, the committee would establish the impact on staff, whether they would be seeking job losses, and if so, how many, and whether teaching or support staff would be affected. The committee would also establish any other actions to be considered such as seeking to change terms and conditions of employment, i.e. reducing hours of work.

3.3 In addition 5 schools began and completed the staff dismissal process where the schools were proposed to close. 4 schools began the management of change redeployment process to enable staff to be redeployed to the new Bae Baglan School, opening on 1<sup>st</sup> September 2016.

3.4 A further series of meetings was arranged, in line with the Redundancy /Redeployment Policy. HR Officers attended throughout, supporting Head Teachers and Governors throughout the process, seeking legal advice on behalf of the Governors where necessary, liaising with trade unions and employees, and seeking to ensure support was in place for affected employees.

3.5 Meetings held by the committees and Headteachers included meeting with trade unions representatives to consult on proposals, agree selection criteria (where necessary), provide information, respond to queries and address employees' concerns. Selection for redundancy was then carried out and Head Teachers met with individual employees affected to advise them on outcomes. In some instances employees made counter proposals to avoid redundancy, which were considered.

3.6 Employees were given the opportunity to make representations to the committee and, following this further consideration was given to the decisions made. Where the decision was to proceed with redundancy the opportunity to appeal against this decision was given to affected employees.

3.7 Redeployment Liaison Officers (RLOs) were allocated from within the HR team to support employees at risk of redundancy. RLOs met with each affected individual to advise them about the redeployment process and to provide support in completing paperwork.

#### 4. Current position

4.1 All schools referred to in this report have now completed redundancy processes, with the exception of the process to implement the new Bae Baglan School, which will be ongoing. The following table includes **total** figures including both schools dealing with budget deficits and School Closures:

Redeployed successfully - Teachers	13FTE
Redeployed successfully - Support staff	16.23FTE
Compulsory Redundancy – Teachers	4.7FTE
Compulsory Redundancy - Support staff	6.98FTE
Voluntary Redundancy - Teachers	20.1FTE
Voluntary Redundancy – Support Staff	13.3FTE
Support Staff Resignation – post not replaced	0.74FTE
Agreed reduced hours – Teachers (2 employees effected)	0.66FTE
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#### 5. Feedback from this year's process

5.1 It is now the practice for the HR team to seek to receive feedback from key parties, such as ELLL management team, EDIS staff, Head teachers, trade unions, etc to identify what worked well and what improvements can be made.



5.2 Trade unions will be invited to provide constructive feedback at consultation forums. This will then help inform any actions that need to be put in place before next year. The main concern of these trade unions is that the timetable for consultation, selection and redundancy processes is tight, which puts more pressure on all those affected. The trade unions have particularly asked that school budgets can continue to be released as early as possible.

5.3 In the Autumn term of 2015, LLAN and NAASH will also be invited to feedback on the process, to determine any areas for action.

5.4 HR staff have already identified issues for action as follows:

- The HR team will review the policy and amend if necessary taking in account recent legal decisions.
- Guidance will be further enhanced to support schools in looking at actions alternative to redundancy, for example reducing hours of work, changing to term time working, etc.
- HR has reviewed the current training arrangements for Governors and Headteacher and a trial of an alternative provision will commence in the Autumn term.
- Briefings will include how schools can better forward plan at a much earlier stage in the year to reduce the need to consider redundancies at this later stage in the year. This includes forward financial planning of school budgets, with head teachers supported by bursars / PSOs. Where schools start to consider their budget position in a planned and considered way, at the earliest stage possible, it could prevent having to take action such as compulsory redundancy.
- Release of indicative budgets at an earlier stage will help ensure that meaningful consultation can take place. Head teachers, Chairs of Governors and as stated above, trade unions, have reported increased pressure as a result of the tight timeframe to complete the various stages of the process.

- Bursars have a HR dimension contained within their job evaluated job descriptions, for example, issuing statements of particulars to school staff. Head teachers and bursars need to understand the importance of ensuring that statements of particulars, and contractual letters are clear and up-to-date – if a member of staff is employed on a temporary contract for instance, it is important that there is a clear end date to the contract, and that this is up-to-date. HR will continue to arrange further training as needed for bursars to improve their knowledge and understanding of key processes that they are responsible for, such as issuing contractual documentation and maintaining up-to-date and accurate employee records.
- The Director of Education Leisure and Lifelong Learning will write to schools the reaffirm the pledge before the 2016/17 budget is issued.

## **6. Recommendation**

It is recommended that Members NOTE this report in relation to the 2015 schools budget setting process and SSIP closure process.

## **7. Officer Contact**

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