

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Personnel Committee

5 September 2016

Report of the Head of Human Resources – Sheenagh Rees

Matter for Information

Wards Affected:

All wards

HR Support to Schools Budget Setting Process and SSIP - Spring 2016

1. Purpose of the Report

The purpose of this report is to provide Members with details of the HR support provided to schools facing financial difficulties as a result of budget pressures, following receipt of their budgets in March 2016. And to provide members with details of the HR support provided to schools affected by the Strategic School Improvement Programme (SSIP).

2. Background

In order to prepare for the budget difficulties schools may face as a result of their budgets, the HR team had already taken the following actions during September / October 2015:

- 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 sessions during January 2016 for Governors, Head Teachers and Bursars on the reviewed Policy.
- 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 2015.
- 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 31st 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 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.

13 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, two schools amalgamated to form one Primary School (Melin Infants and Juniors) and the procedures for closure of 4 schools and the opening of one age 3-16 (Bae Baglan) school was concluded.

3. Voluntary Redundancy Process

A Voluntary Redundancy (VR) Scheme for school based employees was launched in March 2016. The following reflects the numbers of applications and acceptances from school based employees.

66 Teaching Staff Applications for 2016 with 6 acceptances (5.4 FTE)

38 Support Staff Applications for 2016 with 12 acceptances (8.18 FTE)

It should be noted that all Voluntary Redundancies resulted in a post being lost from the respective schools, either directly or through a restructure.

4. Key Stages in the 2016 redundancy process due to budget deficit

A total of 13 schools contacted the HR team to indicate difficulty in setting budgets, with the potential for an impact on staffing.

Headteachers 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 compulsory job losses.

Five schools with a budget deficit were able to resolve their financial problems with the advice and support of the HR team, by proactively seeking volunteers for Voluntary Redundancy from the employees or ending temporary contracts.

Eight schools were unable to resolve budget difficulties and convened Staff Disciplinary and Dismissal Committees, one Secondary School and seven Primary Schools.

School Finance Sub Committees met in these schools in mid to end of March 2016 and where they were unable to set a budget, they referred the matter to their Staff Disciplinary and Dismissal Committee (SDC).

HR Officers attended to support the SDC in determining the actions required and, where necessary, develop Redundancy Selection Criteria. At this point, the SDC 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 SDC 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.

As a result of these meetings, the following reductions in staff numbers were identified in order to set budgets across the schools, this included actual posts and reduction in hours:

- 8.88 FTE Teaching Posts
- 12.23 FTE Support Staff Posts
- 2 x 13 week reductions (to support staff working 52 weeks per year)

A further series of meetings was arranged, in line with the Redundancy/Redeployment Policy. HR Officers attended throughout, supporting Head Teachers and Governors through 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.

Meetings held by the committees and Headteachers included meeting with trade union 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.

Employees were given the opportunity to make representations to the SDC 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.

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.

All Staff Appeals were heard and redundancy notices issued, where no alternative had been identified, by 31st May 2016.

5. SSIP Processes

It was reported to Members last year that 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 in relation to permanent employees. This process involved a large assimilation, interview and appointment exercise involving all four schools. This process continued during 2015/16 to seek redeployment opportunities for the temporary and fixed term employees based at the four schools.

A Voluntary Redundancy Scheme for employees affected by the SSIP programme linked to Bae Baglan was launched in March 2015, with additional applicants in 2016 from these schools and the Melin amalgamation. The following reflects the numbers of applications and acceptances from school based employees.

28 Teaching Staff Applications for 2016 with 14 acceptances
76 Support Staff Applications for 2016 with 22 acceptances

The process to amalgamate Melin Infants and Melin Junior Schools to form Melin Primary also commenced during this academic year.

Both the above SSIP processes involved consultation with relevant stakeholders and Trade Unions as part of formal processes.

There have been no compulsory redundancies as a result of the SSIP school closures in 2016, within minimal fixed term contracts ending.

6. Feedback from the 2016 process

Practice has been established for the HR team to seek to receive feedback from key parties such as ELLL Management Team,

Challenge Advisors, Trade Unions etc to identify what worked well and what improvements can be made.

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 the trade unions, as with previous years, 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.

In the Autumn term of 2016, LLAN and NAASH will also be invited to feedback on the process, to determine any areas for action.

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.
- Alternative training arrangements were trialled this year with cluster schools and HR will liaise with Governor Support to arrange further training next year.
- The training 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 the 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 2017/18 budget is issued.

2. Financial Impact

In early March 2016 the Director of ELLL notified schools on their budgets for 2016/2017. The Schools Delegated Budget for 2016/17 is £79,616.00 and was an increase of 2.3% from the 2015/2016 Schools Delegated Budget.

When all grant and other delegated monies is included, the final delegated budget is £91,558m an increase of £2.090m from the previous year.

3. Equality Impact Assessment

An Equality Impact Assessment screening form was completed to assist the authority in complying with its Public Sector Equality Duty. The screening indicated that there was no requirement to carry out a full equality impact assessment.

4. Workforce Impacts

The table below shows the workforce impacts in relation to the schools redundancy process.

Current position for school redundancies linked to deficit – key figures

Redeployed successfully - Teachers	1FTE
Redeployed successfully - Support staff	0FTE
Compulsory Redundancy – Teachers	0FTE
Compulsory Redundancy - Support staff	2.1FTE
Compulsory Redundancy – Support Staff offered reduced hours/contracts in line with reduction necessary for the school but did not accept the offer	2.87FTE
Voluntary Redundancy - Teachers	5.4FTE
Voluntary Redundancy – Support staff	8.18FTE
Agreed reduced hours – Teachers (2 employees affected)	1.05FTE
Agreed reduced hours and term time contracts – Support staff (19 employees affected)	1.43FTE
Temporary contracts ended - Teachers	1.43FTE
Temporary contracts ended – Support staff	0FTE

All processes were carried out in line with the Schools Redundancy and Redeployment Policy and Procedure.

5. Legal Impacts

There are no legal impacts associated with this report.

6. Risk Management

All posts lost as a result of the VR Scheme are subject to a robust business case signed off by the relevant Head of Service.

7. Consultation

There is no requirement under the Constitution for external consultation on this item.

8. Recommendations

It is RECOMMENDED that the report be NOTED.
FOR INFORMATION.

9. List of Background Papers

School Redundancy/Redeployment Policy and Procedure
Individual VR Business Cases
Equality Impact Assessment Screening Form

10. Officer Contact

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