

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

**Personnel Committee
4th September 2017**

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 2017

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 2017. Also, 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 financial pressures schools may face as a result of their budgets, the HR team had already taken the following actions during September / October 2016:

- 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 February 2017 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. (Attached as Appendix 1)
- Supported the introduction of the early retirement (ER) scheme in late 2016.
- Introduced a Voluntary Redundancy (VR) process for schools where there was a budget deficit.
- Developed a timetable for schools with a budget deficit. 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 of 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.

27 schools made an initial contact with the HR team about potential difficulties in setting a budget.

3. Voluntary Redundancy Process

A Voluntary Redundancy (VR) Scheme for school based employees was launched in March 2017. The following reflects the numbers of applications and acceptances from school based employees (based on headcount).

26 Teaching Staff Applications for 2017 with 9 acceptances

38 Support Staff Applications for 2017 with 12 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.

4. Key Stages in the 2017 redundancy process due to budget deficit

A total of 27 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.

21 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.

6 schools were unable to resolve budget difficulties. School Finance Sub Committees met in these schools in mid to end of March 2017 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 voluntary redundancies, actual posts and reduction in hours:

- 14.5 FTE Teaching Posts
- 11.23 FTE Support Staff Posts

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 2017.

Details of the number of staff affected are included in paragraph 9 – Workforce Impacts of this report.

5. SSIP Processes

The closure of YG Ystalyfera and Y Wern and opening of Ysgol Ystalyfera Bro Dur took place on 31st August 2017. The Management of Change Process was followed which involved the drafting of a new structure and consultation with staff prior to moving across to the new school. All staff have been issued with new contracts and assimilated into new posts. There have been no compulsory redundancies as a result of the School Improvement Programme this year.

6. Feedback from the 2017 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, Headteachers etc to identify what worked well and what improvements can be made in relation to the schools budget setting process and the SSIP programme.

Trade unions will be invited to provide constructive feedback at consultation forums during the Autumn term. 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 2017, 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 and circulated to support schools in looking at actions alternative to redundancy, for example reducing hours of work, changing to term time working. A review of the Flexible Working policy within schools is currently underway.
- Training Sessions are to be provided to both Governors and Headteachers. 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 and Headteachers 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 to reaffirm the Safeguarding Employment Pledge before the 2018/19 budget is issued.

7. Financial Impact

In early March 2017 the Director of ELLL notified schools on their budgets for 2017/2018. The Schools Delegated Budget for 2017/18 is £79,952.00 and was an increase of 0.42% from the 2016/2017 Schools Delegated Budget.

When all grant and other delegated monies is included, the final delegated budget is £91,760 m an increase of 0.22% from the previous year.

8. 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.

9. 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	0.5FTE
Redeployed successfully - Support staff	0.74FTE
Compulsory Redundancy – Teachers	1.35FTE
Compulsory Redundancy - Support staff	0FTE
Voluntary Redundancy - Teachers	7.9FTE
Voluntary Redundancy – Support staff	8.6FTE
Agreed reduced hours – Teachers (1 employee affected)	0.2FTE
Agreed reduced hours and term time contracts – Support staff (25 employees affected)	1.89FTE
Temporary contracts ended - Teachers	4.05FTE
Temporary contracts ended – Support staff	0FTE

Employee Seconded to another post - Teacher	0.5FTE
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All processes were carried out in line with the Schools Redundancy and Redeployment Policy and Procedure.

10. Legal Impacts

All employment processes reported within this report are compliant with employment legislation.

11. Risk Management

All posts lost as a result of the VR Scheme are subject to a robust business case signed off by the Director of Finance in consultation with the Head of Transformation.

12. Consultation

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

13. Recommendations

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

14. Appendices

Joint Pledge to Safeguard Employment in Schools

15. List of Background Papers

School Redundancy/Redeployment Policy and Procedure

Individual VR Business Cases

Equality Impact Assessment Screening Form

16. Officer Contact

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