

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Personnel Committee 3rd SEPTEMBER 2018

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 2018

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 2018. 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 the budget setting process, the HR team had already taken the following actions during September / October 2017:

- Reviewed the already established Redundancy / Redeployment Policy and Procedure for All School Based Staff, ensuring the policy properly sets out a process for consultation, contains a fair and objective mechanism for redundancy selection and ensures that roles and

responsibilities are clearly set out, following discussions with Trade Unions and Headteachers.

- Offered and arranged formal training sessions during February 2018 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)
- 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 included in the Policy, could all be carried out in the very limited time available.

Note1: 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.
Note 2: Unlike in previous years, there was no Early Retirement Scheme offered in 2017 for school employees. This was a decision taken by school representatives linked to cost and legalities of the scheme.

- 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.

21 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 February 2018. The following reflects the numbers of applications and acceptances from school based employees (based on headcount).

36 Teaching Staff Applications for 2018 with 9 acceptances
68 Support Staff Applications for 2018 with 8 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 2018 redundancy process due to budget deficit

A total of 21 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.

15 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 (SDDC).

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:

- 17.59 FTE Teaching Posts
- 13.08 FTE Support Staff Posts

HR Officers attended to support the Staff Disciplinary and Dismissal Committees (SDDC) in determining the actions required and, where necessary, develop Redundancy Selection Criteria. At this point, the SDDC 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 SDDC would also establish any other actions to be considered such as seeking to change contracts of employment, i.e. reducing hours of work.

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 SDDC 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 application forms and ensuring all vacancies were circulated to them in a timely manner.

There were no Appeal hearings as a result of the budget setting process this year, all redundancy notices were issued, where no alternative had been identified, by 31st May 2018.

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

5. SSIP Processes

The closure of Groes Primary, Dyffryn Comprehensive, Llansawel Primary, Ynysmaerdy Primary and Brynhyfryd Primary took place on 31st August 2018, with the opening of Ysgol Cwmbrombil and Ysgol Carreg Hir on 1st September 2018. 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 Strategic School Improvement Programme this year.

SSIP Voluntary Redundancy Process

A Voluntary Redundancy (VR) Scheme for school based employees in the schools listed above was launched during the Autumn term. The following reflects the numbers of applications and acceptances from these schools (based on headcount).

11 Teaching Staff Applications with 1 acceptance
29 Support Staff Applications with 9 acceptances

6. Feedback from the 2018 process

In order to make improvements year on year, the HR Team request feedback from key stakeholders 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 2018, 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 and feedback received.
- Guidance will be further enhanced and circulated to support schools in looking at actions as an alternative to redundancy, for example reducing hours of work, changing to term time working.
- 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 contractual documentation including statements of particulars to school staff. It is important that those involved in recruitment and issuing this contractual documentation have an in depth understanding key aspects of this documentation, such as temporary and fixed term contracts having clear reasons for the temporary / fixed term nature for the contract with a firm and up to date end date contained in the documentation. 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 the reaffirm the Safeguarding Employment Pledge before the 2019/20 budget is issued.

7. Financial Impact

In early March 2018 the Director of ELLL notified schools on their budgets for 2018/2019. The Schools Delegated Budget for 2018/19 is £79,952 million and was an increase of 0.42% from the 2017/2018 Schools Delegated Budget.

When all grant and other delegated monies is included, the final delegated budget is £91,760 million 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 and term time contracts – Support staff (16 employees affected)	1.5FTE
Temporary contracts ended (9) - Teachers	7.84 FTE
Temporary contracts ended – Support staff (5)	2.24FTE

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
Equality Impact Assessment Screening Form

15. List of Background Papers

School Redundancy/Redeployment Policy and Procedure
Individual VR Business Cases

16. Officer Contact

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