

**TO: EDUCATION EMPLOYMENT COMMITTEE
16 JULY 2013**

**MODEL SCHOOL HR POLICIES
Director of Children, Young People and Learning**

1 PURPOSE OF REPORT

- 1.1 This report provides the background on the policy development for Teachers Capability and a Model Policy for Pay. This includes the activities undertaken to produce model policies for adoption by school governing bodies. These policies are statutory for school governing bodies and these updated policies will ensure the school are complying with the latest arrangements.

2 RECOMMENDATION

2.1 The Committee are requested to:

Review the new model policies for Performance Capability and Model Pay Policy and recommend to school governing bodies for adoption.

3 REASONS FOR RECOMMENDATION

- 3.1 To enable schools to effectively manage the performance of teachers and to take advantage of the new flexibilities for teachers pay.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 None.

5 SUPPORTING INFORMATION

- 5.1 All schools are required to have a suite of HR policies to enable them to manage their staffing arrangements. The Human Resources Team in Children, Young People and Learning provide model HR policies for school governing bodies in Bracknell Forest to adopt. By performing this task it enables the local authority to continue positive relations with trade unions and saves each school the time and energy in that the full consultation arrangements are completed centrally. Once model policies are available, these are presented to school governing bodies to consider adoption.
- 5.2 The HR Team have been working to develop new policies for dealing with Teacher Capability and a new Pay Policy. This follows changes implemented by the Government to allow speedier timescales to dismiss poorly performing teachers and to provide schools with more flexibility for the pay arrangements for their teachers.
- 5.3 Draft model procedures were created and a period of consultation was held with the trade unions. As it often the case in Bracknell Forest the consultation period was undertaken in a constructive way with positive engagement with most teacher unions.
- 5.4 The Teacher Capability procedure was a relatively straight forward process as the changes implemented largely mirrored national expectations and best practice. The main changes to the previous procedure centres around the reduction in the stages in the procedure and the removal of an informal stage of support, The Government wanted to ensure schools could, where necessary, remove "poorly" performing teachers as quickly as possible. In Bracknell Forest the capability procedure has been used as a supportive performance improvement tool. This will continue to be

Unrestricted

done through this new procedure but, should performance fail to improve, this can be resolved within reduced timescales.

- 5.5 The new national pay “flexibilities” has created some concern nationally as to how these may be implemented. These have been incorporated into the new Pay and Conditions document. Both the trade unions and, to some extent head teachers, are concerned how these will be implemented. In a number of local authorities it has been left to individual schools to establish their own pay policies and arrange their consultation with trade unions. In Bracknell Forest we have decided the most effective route was to establish a model policy for schools to adopt. This has been achievable thanks to the constructive consultation with trade unions and assistance from a group of head teachers.
- 5.6 The main changes to the School Teachers Pay document:
- Pay progression linked to performance thereafter (i.e. end of annual incremental progression)
 - Introduction of minimum and maximum salary levels – reference points in between decided by school
 - Removal of Advanced Skills Teachers (ASTs) and Excellent Teachers pay scales
 - Leading practitioners pay range introduced
 - Simpler criteria for threshold assessment
 - Removing requirement to protect existing salary at recruitment
 - Introduction of fixed term TLR
- 5.7 The most contentious issues include the whole scale introduction of performance related pay, the removal of a formal pay structure and the removal of pay protection, or portability as it is known, when appointed to a new teaching appointment.
- 5.8 The performance related pay arrangements were already in place for members of the leadership teams and teachers on the upper pay range. The new arrangements extend this to teachers on the main scale and unqualified scale. The new policy has defined how these new arrangements can be implemented.
- 5.9 There is an expectation from the DFE that schools will welcome the new flexibilities for the pay arrangements for their teachers. Schools can decide where, within the salary ranges, chose to pay new recruits. After September 2013, for recruitment purposes, they will not be required to protect the level of pay that the teacher was previously on. Having consulted headteachers in Bracknell Forest it is fair to say that these new arrangements have created uncertainty and concern. There is every likelihood that applicants for vacant teacher posts, particularly for “outstanding practitioners”, can put pressure on schools to pay more for as part of a job offer. Almost a situation of naming a price. It is yet to be seen what the implications will be for this but there is some concern how this might operate. Through the consultation it has become apparent that trade unions do not want to see the removal of the pay portability arrangements. As this is now not covered in the new School Teachers Pay and Conditions Document the pay portability arrangements will no longer apply.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

6.1 Not requested

Borough Treasurer

6.2 Not requested

Equalities Impact Assessment

6.3 Not undertaken

Strategic Risk Management Issues

6.4 Schools are required to have policies for Performance Capability and pay. Not updating these policies could allow Ofsted to criticise school leadership for not taking advantage of new pay flexibilities and would also result in the policy to matching the requirements of the statutory School Teachers Pay and Conditions document.

Other Officers

6.5

7 CONSULTATION

Principal Groups Consulted

7.1 Trade unions

Headteachers

Chairs of Governors

Method of Consultation

7.2 Meetings and information exchanges

Representations Received

7.3

Background Papers

Contact for further information

Paul Young, Children, Young People and Learning - 01344 354060

Paul.young@bracknell-forest.gov.uk