

Report for: Staffing and Remuneration Committee, 23rd January 2018

Title: Schools HR Policies

Report

authorised by : Mark Rudd, Assistant Director Corporate Resources

Lead Officer: Julie Amory, Schools HR Business Partner

Ward(s) affected: All

Report for Key/

Non Key Decision: N/A

1. Describe the issue under consideration

1.1 This report presents a number of model policies to be recommended by the Council for adoption by the governing bodies of the community, voluntary controlled, community special and maintained nursery schools, which the Council maintains, and to be implemented by the Council in respect of any unattached teachers that it employs. The recommended policies are:

- Annual Leave and Special Leave;
- Flexible Working;
- Whistleblowing;
- General Data Protection Policy;
- GDPR Privacy Notices.

2. Cabinet Member Introduction

Not required for the Staffing & Remuneration Committee.

3. Recommendations

3.1 That the Committee approves the model policies attached at Appendix A through to D:

- i. be recommended by the Council from 23 July 2018 for adoption by the governing bodies of the community, voluntary controlled, community special and maintained nursery schools which the Council maintains;
- ii. be implemented by the Council in respect of any unattached teachers it employs from 23 July 2018.

The appendices are exempt from publication under Part 1, Section 12 a (3) of the 1972 Local Government Act.

3.2 These new policies will replace any existing policies and guidance that are currently in place.

3.3 That the Committee authorises the Assistant Director Corporate Resources, in consultation with the Chair of the Committee, to make such amendment to the policies as he considers minor. Any such amendments to be reported back to

the meeting of the Council immediately following the making of the amendments.

4. Reasons for decision

- 4.1 Having good HR policies and procedures assists in providing schools with a framework to manage Council employees based at the school effectively, and ensure compliance with employment law, but also statutory requirements relating to staff in schools. These policies were reviewed in consultation with Heads and Trade Unions.

5. Alternative options considered

- 5.1 The alternative is to not conduct any reviews and continue to the existing versions. However, it is accepted that reviewing HR policies is necessary to ensure that policies reflect changes in employment legislation, case law and best practice. Furthermore, it is good practice to review HR policies regularly to ensure that these meet the needs of Haringey schools.

6. Background information

- 6.1 The Council has produced various model HR policies and procedures that cover its employment relationship with its staff in schools. The decision whether to adopt these policies and procedures lies with the governing bodies of those schools.
- 6.2 Haringey Schools HR owned these documents, which it periodically reviews and presents to this Committee for ratification following a full consultation process with key stakeholders including headteachers, governing bodies, trade unions, and the Schools Consultative Group.

7. Model Annual and Special Leave Policy (Exempt Appendix A)

- 7.1 The Haringey Schools Model Annual and Special Leave Policy has been separated into a standalone document as information on this topic previously formed part of the Leave Time Off and Maternity Policy issued in 2004.
- 7.2 The updated policy contains a new section 'Calculating Annual Leave (Support Staff)', which is aimed at providing guidance on how to calculate annual leave for this group of employees.

8. Model Flexible Working (Exempt Appendix B)

- 8.1 The Haringey Flexible Working is a new standalone policy as the entitlement to request flexible working is now no longer limited to those with responsibility for the care of children or vulnerable adults.
- 8.2 The revised policy now applies to all employees who have at least 26 weeks continuous service when making a statutory flexible working request provided the individual has not made another statutory request during the past 12 months.

- 8.3 In addition to the above changes, there are also three new sections covering 'Trial periods' (see Section 9), 'Deferring flexible working' (see Section 10) and 'Job Sharing' (see Section 11).

9. Model Whistleblowing Policy (Exempt Appendix C)

- 9.1 This policy has been updated to reference latest legislation and best practice including The Public Interest Disclosure Act (PIDA) 1998, the Enterprise and Regulatory Reform Act 2013 and Keeping Children Safe in Education (September 2016).
- 9.2 There are also new sections that provide greater clarity on anonymity of the individual making the protected disclosure, concerns raised by children and a section on who is responsible for the policy and its implementation.

10. Model General Data Protection Policy and Privacy Notices

- 10.1 To address the changes to data protection, Haringey Schools HR has developed a General Data Protection Policy and Privacy Notices. To support the GDPR policy, the Service has also produced a Subject Access Procedure, which will be presented to a future meeting of this Committee.

11. Contribution to strategic outcomes

- 11.1 The Council's Corporate Plan sets out an ambitious agenda, and one that will require significant change to deliver. Having robust HR policies and procedures is a key element of how the Council will meet the Corporate Plan objectives by having fair and consistent approaches on how it manages and develops its workforce.

12. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

Legal Comments

- 12.1 The Assistant Director, Corporate Governance, has been consulted in the drafting of this report and makes the following comments:

Legal Services have been involved in the drafting of the Policies. They comply with all relevant legal requirements.

Chief Finance Officer Comments

- 12.2 All the policies are updated to reflect correct statutory requirements and do not appear to have any financial implication as the entitlements have not changed.

13. Use of Exempt Appendices

Appendix A – Haringey Schools Model Annual and Special Leave Policy;
Appendix B – Haringey Schools Model Flexible Working Policy;
Appendix C – Haringey Schools Model Whistleblowing Policy;
Appendix D – Haringey Schools Model General Data Protection Policy and Privacy Notices

(4 appendices covering Infants, Primary and Secondary Schools)

14. Local Government (Access to Information) Act 1985

14.1 This report contains exempt and non-exempt information. Exempt information is under the following categories (identified in Part 1 of Schedule 12A of the Local Government Act 1972) paragraph (3) information relating to financial or business affairs of any particular person (including the authority holding that information) and paragraph 5 information in relating to any consultations or negotiations or contemplated negotiations in connection with any labour relations matter.

14.2 Appendices A – D are Exempt.