

SCHOOLS FORUM

Meeting date: 11 March 2021

From: Dan Barton, Assistant Director – Education & Skills

PAY PROTECTION POLICY

1 **EXECUTIVE SUMMARY**

- 1.1 *Cumbria County Council's Pay Protection Policy is being amended to include pay protection for a reduction in hours. The decision to do this was taken following the reshaping of a service within the council where the outcome for staff was a reduction in hours. Previously pay protection only applied where there was a reduction in grade.*

2 **RECOMMENDATION**

- 2.1 *The Schools Forum is asked to:*
- *Consider the implications of this amendment to the policy and how this can be implemented within schools*
 - *Support the implementation of the policy within schools, where applicable*

3 **BACKGROUND**

- 3.1 Cumbria County Council's Pay Protection Policy is in place to help employees adjust to a reduction in earnings resulting from changes to their pay. The policy applies to all County Council employees including schools except teachers who are covered by their own procedures which are laid down in their national or local conditions of service.
- 3.2 Pay protection applies in cases where the pay level of an employee is adversely affected as the result of:
- Organisational change/restructure
 - Changes to their role as the result of service needs
 - Implementation of a pay and grading review
 - An employee changing job as a result of a reasonable adjustment following a health issue as covered by the Equality Act 2010.

- 3.3 As with other Council policies, it is expected that governing bodies of all community and voluntary controlled schools adopt this procedure. Foundation and voluntary aided schools and academies are encouraged to do the same.
- 3.4 In 2019, following a Trade Union dispute regarding the restructure of a service within the Council, a change was agreed within the policy to also apply pay protection for a reduction in hours. At the time the policy pay protection only applied where there was a reduction in grade.
- 3.5 Discussions have taken place with Trade Unions to agree the changes to the policy to reflect the protection for a reduction in hours, however the final version is yet to be confirmed. These discussions now need to progress and reach a conclusion to implement the updated version of the policy.
- 3.6 One of the discussion points with the Trade Unions has been the impact on school budgets and if there are any options for supporting schools to opt out if the costs and impact on the budget are significant. However, no options could be determined or agreed as the policy applies as stated above to non-teaching staff in schools.

4 OPTIONS

- 4.1 The school budget is likely to be impacted by this change as where there are any requirements to make reductions in staff hours the pay protection policy will apply. Members of the Schools Forum are asked to consider the following points and feedback any risks and implications they foresee:
- How often are hours reduced for Green Book staff?
 - Do the contracts allow for any variation in hours?
 - The pay protection will apply to all reductions in hours as a result of implemented change but not where staff voluntarily request a reduction.
 - The pay protection period will be for a maximum of 12 months, or, until the new level of pay is equal to the protected level, whichever is the earlier.
 - Schools must meet the costs within existing budgets, Cumbria County Council are not able to fund schools to help cover the cost.
 - Schools have 3 years to recover any costs within their budgets.

5 CONCLUSION

- 5.1 The Pay Protection Policy needs to be updated and implemented as soon as possible to ensure all relevant parties are following the correct version and it is being applied consistently and fairly.
- 5.2 Feedback from the Schools Forum will be considered before further discussion can take place with Trade Unions. A meeting will be arranged with Trade Unions as soon as possible to progress and finalise the policy for implementation.

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REPORT AUTHOR

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