



NYHR News

North Yorkshire
education services

Welcome

Happy New Year and welcome to the first edition of NYHR News. We have reviewed our written communications with schools and Academies and are introducing a **new style, shorter newsletter** which will be published **more frequently**. This will mean we can keep you **up-to-date** with developments as they happen, whilst still providing you with access to our more **in-depth articles**. We hope you find this newsletter informative and welcome any feedback you may have.



Policy Update

Below are details of the HR policies which have recently been **developed or updated**. The **complete list** of our HR policies on CYPS Info is regularly updated and is available [here](#).

Recruitment and Selection Policy and Procedure

We have produced two policies; one for use within maintained schools and the other for Academies and independent schools. These have been completely reviewed and will help you to **recruit and select effectively** whilst ensuring you fulfil your **safer recruitment** and **statutory obligations**. The policies and a range of templates are available on our **refreshed recruitment pages**.

An **important change** is around when criminal conviction information is requested. Our revised advice due to a legislative change is that this is **only requested from shortlisted candidates**. Our standard **application form** and **invitation to interview letter** have been updated to reflect this and it is suggested those using their own application form do so also.



Action

- Progress policy for adoption in line with local procedures
- Review recruitment processes and documentation in light of the revised guidance around criminal conviction information

In this issue

New Policies – Recruitment and Selection, Early Retirement, Academy Pay Policy

Amended policies – Leave Policy, Parental Leave Policy

Coming soon – policy updates to look out for

Support for EU workers – applying for settled status for current staff

NYHR Training – book your place now

Employment Law Training – sessions running in March

Employment Law – part-year workers, statements of particulars and parental bereavement leave

May Day bank holiday – what impact does the changed date have?

Recruitment and Retention – additional payments from the DfE which your teachers may be able to claim

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Early Retirement Policy

We have produced a model [Early Retirement Policy](#) for settings to **consider for adoption**. Employers which provide access to the Local Government Pension Scheme (LGPS) and Teachers' Pension Scheme (TPS) should have **written policies** around how they apply the **provisions and discretions** of the schemes within their settings. See our detailed guidance [here](#).



Action

- Download and consider our detailed guidance

Academy Pay Policy

The pay policy is a vital document which sets out the employer's **pay arrangements** and how they will make **pay decisions**. Academy Trusts and independent schools have greater freedoms to provide **different pay, terms and conditions** to their staff but need to understand their **statutory obligations** around **negotiation and consultation** with representatives.

We have developed a **different style of pay policy** which reflects the **needs and flexibilities** of these settings. It is intended to provide a framework to **document current arrangements** and to prompt you, as employers, to **consider and make the necessary pay and related decisions**.

This is a complex area so the policy is being rolled out by NYHR advisors in preparation for adoption in September.



Action

- Contact your NYHR advisor to discuss your pay policy

Amended Policies

The following policy changes have been made:

Parental Leave Policy – due to an **HMRC change**, you no longer need to send original MATB1s to your payroll providers. You will **still need to see the original certificate and keep this, or a copy, on the employee's file**. The policy has been amended at paragraph 2.3 and 4.7 to reflect this change.

Leave Policy and Guidance – This has been amended to include changes in statutory provisions around **paternity leave, shared parental leave and unpaid parental leave**. Provisions around **term-time only values** have been updated to reflect the **NJC advisory formula** based on **NYCC leave entitlements**. Settings **not applying** these provisions will need to revise these sections to reflect their arrangements.



Action

- Adopt revised policies via normal channels
- Check arrangements around the provision of MATB1s with your payroll provider

Policies coming soon

Resolving Issues at Work – due Easter 2020

Managing Allegations guidance – due Summer 2020

Access our model policy list [here](#).

EU Workers

Now that Brexit has finally happened, we would recommend that you encourage EU workers to apply for pre-settled or settled status. Further information is available [here](#).

NYHR Training

We deliver a range of training specially designed to support the effective management of staff in schools. Our most popular events are:

- Appraisal
- Challenging conversations
- Holding people to account
- Coaching conversations
- Engaging staff in change
- Supporting attendance and wellbeing

Alternatively we can deliver training at your school at a time and place to suit you, including training days and twilight sessions.

For further information please visit the [NYES website](#) or contact susan.mcgin@northyorks.gov.uk

Employment Law Training

NYCC is running two ½ day employment law update sessions delivered by a local law firm specialising in employment law.

The sessions will take place on 4th March 2020 at 9.30 and 1.30 in Northallerton at a cost of £53.

See the [flyer](#) on our **upcoming events** page for details of how to apply.



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Employment Law

2020 promises to be a busy year for employment law and we are expecting to see a number of the provisions from the Good Work Plan being brought into law. We'll also wait to see what impact Brexit will have on workers' rights.

The following changes are coming soon:

Day 1 Statement of Particulars

From 6 April, 2020, all employees and workers must be issued with their **main written Statement of Particulars** on or before their **first day of employment with the school**. The previous requirement was to issue the statement within 8 weeks. This new right applies to all **employees and workers**, and the revised statement includes **additional terms**. In addition, where **existing employees** request a new style statement you will have to **issue this within 30 days**. See our detailed guidance [here](#).



Action

- Download and consider our detailed guidance

Parental Bereavement Leave

Also due to apply from 6 April, 2020, these regulations provide **two weeks' leave** to parents who lose a child under the age of 18 or suffer a stillbirth from 24 weeks. It will be a **day 1 right** and **statutory pay** will be granted to employees with 26 weeks' service. Further information will follow in our next newsletter.

Term-time working arrangements

In our Autumn newsletter we advised you about the **Brazel vs Harpur Trust** case which had a potential impact on **term time workers** and **needed some employer consideration**. We understand that a great many of you chose to adopt a 'watch and wait' approach pending the potential for further appeal. However, we now understand that this case will not go to further appeal so the **Court of Appeal decision**, that statutory leave cannot be pro-rated for part-year workers, will stand. We have updated our previous [guidance](#), including Unison's call for **6 years' back-pay**.

We have also been made aware that **Unison** are writing to Academy Trusts about applying the Green Book term-time only **advisory formula** following the Greenwich decision. We issued communications in the Spring of 2019 regarding this and have summarised our guidance [here](#).



Action

- Download and consider our detailed guidance on:
 - Part-year working and the impact of Brazel
 - The term-time only advisory formula

May Day Bank Holiday

This holiday has been moved from Monday to **Friday 8 May in 2020** to celebrate 75 years since VE day. This change may have an impact on **part-time staff**, who don't work on every day of the week.

We have produced some detailed [guidance](#) to help you identify who may be affected or options for those who have already booked leave for this day.



Action

- Consider detailed guidance
- Discuss and agree actions with affected staff

Recruitment and Retention

As part of its Strategy the DfE has introduced the following retention payments for which your teachers may be eligible. There is no cost to the school and both are administered by the DfE.

Please **share this information** with any of your teachers who may benefit from these initiatives:

Student loan reimbursement

Some teachers who completed their ITT in 2013/2014 or later can reclaim their student loan payments. Eligibility depends on teaching MFL, sciences or computing in state-funded secondary schools.

Further information and eligibility criteria are available on the [Gov.uk](#) website.

Physics and Maths payments

Those teaching physics or maths who gained QTS from 2014 onwards may be eligible for an additional payment up to £2,000.

Full details and eligibility criteria are available on the [Gov.uk](#) website.