

NYES HR News

Welcome

With so much going on in the field of education at the moment, NYES HR feel it is important to communicate with Academies and schools on priority issues ahead of the next scheduled NYES HR Newsletter, anticipated for the start of next term. Hopefully, you will find the articles and updates contained within this extra and interim issue, topical, useful and informative!

Teacher's Pension Scheme Indexation

In issue 7 [Feb 2022] of the NYES HR Newsletter, we advised schools of the latest position on this issue. To recap – teaching unions have requested teacher employers make a notional payment (even £1 is enough) in order to trigger what is called pensions indexation. Triggering pension indexation can have a substantial impact on an individual teacher's pension although it also has the potential to cost the Teachers' Pensions scheme itself a significant amount as well as carrying a small risk of having a detrimental impact in some individual circumstances.

It was previously noted that this issue only affects teachers who are members of the **final salary** Teachers' Pension Scheme, not those in the Career Average or CARE Scheme, and who are **close to retirement age/actively considering retiring**. Therefore, a small proportion of your workforce.

Since the previous Newsletter, there has been some progress in national discussions, but fundamentally the position of DfE and Teachers Pensions has not altered and is unlikely to do so in the foreseeable future. What we do know is that if any action is to be taken, it needs to be done by **31 August 2022** and any agreed increase, regardless of how nominal, needs to occur **before** any individual teacher, subject to the factors described above, applies for retirement and access to their pension benefits. Once an application is made, it cannot be reversed and any further change to salary will have no indexation effect.

We are in the process of proactively liaising with other LAs, Teachers' Pensions and other agencies on this issue.

In this issue

TPS Indexation – Update on this important query for schools to note

NJC Staff pay 2021-2022

– Settlement of the 2021/22 pay negotiations for support staff

Advice on setting business mileage

allowance rates – Time to consider a change?

COVID 19 latest – The latest employment advice and guidance is available

NYES Human Resources
North Yorkshire County Council
County Hall, Northallerton
North Yorkshire, DL7 8AD
01609 798343
NYHR@Northyorks.gov.uk
[Welcome to CYPInfo |](#)
[CYPInfo \(northyorks.gov.uk\)](http://CYPInfo(northyorks.gov.uk))

NYES HR News

There needs to be careful consideration of how to advise schools given the complexities of the scheme. As such, we will be undertaking a review of options over the coming weeks and expect to give an indication of our advice in the time period following the Easter school break.

For maintained schools you should check with your own Local Authority to make sure that they are not implementing something different.

For academies and MATs [and any independent schools who pay into Teacher's Pension scheme], NYES HR may be able to further assist with any relevant papers necessary for Trustee's approval.

In the meantime, if you are approached by any individual members of teaching staff who are due to retire imminently and need to consider this matter in advance of the publication of our advice, please contact NYES HR.

Local government pay settlement and implications for school based NJC staff

In the previous edition of the NYES HR Newsletter [Feb 2022], we told you about the latest developments in the 2021/2022 pay claim for NJC staff, including those based in schools.

Nationally, the situation has now been settled and there was no further change to the negotiating position of either side. Therefore, academies and multi academy trusts [MATs] and other non-maintained schools, which follow and have adopted the national NJC pay spine, can now officially implement the 2021/22 pay award [if not already done so] - 1.75% for all points except the very first pay point which will attract a 2.75% increase. Any award made, should be backdated to 01 April 2021. Contact your specific payroll provider in order to implement the changes.

NYES HR are not aware of negotiations on the next pay round for 2022-2023, having started, however, in the normal course of events, the award would be due from the 01 April 2022. Therefore, it is highly likely that any settlement will come much later in 2022 or even into 2023. There will be more on this in future NYES HR Newsletters.

Increase to business mileage allowance with effect from 01 April 2022

Obviously personal finances are under pressure at the moment due to the increased costs of living, including the price of fuel. In response, NYES HR have recently revised its guidance to Academies and MATs regarding the payment of any business mileage rate allowances.

The HMRC tax threshold is currently 45p per mile for the first 10,000 miles, with a rate of 25p per mile thereafter.

There maybe relatively few situations in schools where teachers and support staff need to claim for business miles, so any increase made to match the HMRC threshold would perhaps not be expected to have a dramatic effect on school budgets. The raising to or matching the HMRC rate could demonstrate to staff an acknowledgment of the current economic climate and help to improve staff engagement.

If schools are contemplating a change in any rate they currently have or use, they should use existing methods to agree and implement changes with staff and or their representatives.

NYES HR News

COVID 19 latest developments

The situation with COVID-19 remains fluid and it looks like government and society will have to manage the effects of the pandemic for months and years to come. As we know, national and local guidance is being amended to reflect a transition to managing COVID-19 'like any other respiratory disease'. Initial changes in terms of NYES HR COVID-19 guidance is outlined below.

Schools should note that in March 2022, the travel rules for ALL those returning and entering into the UK changed so that there is now NO requirement to test prior to or after coming back into the UK. This will be relevant for any staff returning from holidays abroad over Easter, May half term and into the summer period.

In line with the Government's relaxing of COVID-19 guidelines with effect 01 April 2022, we recommend that Academies / schools revert to their normal policies. NYES HR is adapting its guidance and frequently asked questions on COVID-19 in some fundamental ways, to reflect the national/governmental position and policy. School Leaders, are advised of both national and NYES HR guidance alterations, as follows:

- Where academies/schools adopted a temporary policy of 'discounting' initial COVID-19 related sickness absence for the purposes of sickness triggers, NYES HR are recommending that this should now cease and a return to your normal attendance management policy should occur. NYES HR would recommend this change is effective from 01 April 2022.
- Equally, if your school has a pay increment policy and you again adopted a temporary 'discounting' policy towards COVID-19 related sickness absence, NYES HR is recommending that this ceases as per 31 March 2022 and you revert back to your normal methods for reviewing and applying incremental pay progression from the 01 April 2022. In essence NYES HR are recommending that schools treat COVID-19 sickness absence like any other absence and should be appropriately managed as such.
- Also after 01 April 2022, NYES HR will recommend schools continue to follow national health advice and messaging in relation to their staff. This means self-isolating for at least 5 full days where symptoms are experienced and/or LFD tests are positive [where staff have opted to continue to test]. Academies/schools should maintain existing attendance management practices to do with COVID-19, in relation to their staff. NYES HR recommends that where Academies/schools have adopted a policy of paying staff their normal pay for periods of isolation, which is NOT sickness absence and where it is not possible for schools to allocate work to be undertaken at home, this continues. If, in order to help manage this situation, school leaders prefer proof of COVID-19 infection, they could consider asking for something reasonable, which may mean a photo of the positive LFD test result for example.

The updating of advice in managing COVID-19 absence described here refers to school employees and schools should continue to follow DfE guidance which relates to the management of COVID-19 for the rest of school, including classrooms, pupils etc. Schools should note that NYES HR advice and guidance remains up to date including published FAQs, however, these do change on a regular basis to reflect the changing national situation.

ACTION : Schools to note the FAQs as a source of advice for when workforce COVID- 19 queries arise.