

HR NEWSLETTER

For all NYC maintained education settings

December 2023



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Contact Us

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W: [Website](#)

The contact details above will take you through to our office-based HR Adviser (Advisory) team and all initial queries should be made via this contact. It may be necessary to escalate your query to your nominated HR Adviser. We are open all year between 8:30 am and 5 pm Monday to Thursday and 8:30 am to 4:30 pm Friday.

NYES HR Policy Updates - For Information and Action

INDUCTION POLICY AND PROCEDURE UPDATE PLUS NEW CHECKLIST

Induction is a structured and systematic process for integrating a new employee into their role. Induction is at the heart of performance management, supporting the school to fulfil its duty of care towards employees. When managed effectively, it can have a direct effect on the long-term success of the appointment. We have recently updated our NYES HR template **Induction Policy and Procedure**, including the introduction of a new, comprehensive, **Induction Checklist**. The new documents are specifically designed for a school setting and will help you to plan and implement effective induction for new employees. The documents, along with a summary of the changes, can be found on our induction page of the website [here](#).

It is hoped that, with effective and robust recruitment methods in place plus a detailed induction programme, employees will be appointed with the right skill, competence, and motivation to undertake their duties in line with their job descriptions, relevant professional standards, and the code of conduct. However, within NYC, support staff new to the authority (including those in maintained schools) are subject to a contractual probationary period, which is a fixed period of time at the beginning of an individual's employment with the organisation, which acts as a trial and enables the employer to end the employment of an employee, where they are found to not meet the required standards of performance, conduct or attendance during this period.

PROBATION POLICY AND PROCEDURE UPDATE

We have also updated our NYES HR template **Probation Policy and Procedure**, (for support staff) along with all associated template letters and forms. The documents, along with a summary of the changes, can be found on our induction page of the CYPInfo website [here](#).

RECRUITMENT AND SELECTION POLICY UPDATE

NYES Resourcing Solutions have updated the **Recruitment and Selection Policy**, in light of changes to KCSIE 2023. The updated policy, associated forms, are available on the recruitment section of the NYES HR site [here](#), along with a summary of the changes.

Actions for school leaders



- To adopt the policies through your usual delegated approval process, and access the new, associated template documents as required. You may wish to refer to our policy review schedule, which details any required delegations in respect of policy adoption, [here](#).



Managing Allegations Against Staff 2023 – For Information and Action

GUIDANCE UPDATE

We have recently updated the NYES HR Managing Allegations Against Staff Guidance, which supports the NYSCP procedure for Managing Allegations Against Those Who Work or Volunteer with Children. The updated guidance should be read in conjunction with this and, where the case warrants it, the School's Disciplinary Policy. The updated document, along with a summary of changes made are summarised on the NYES HR portal [here](#).

Actions for school leaders



- Schools are required to have procedures in place for managing safeguarding allegations against staff, and clients are advised therefore to adopt the guidance through your usual delegated approval process. You may wish to refer to our [policy review schedule](#) which details any required delegations in respect of policy adoption.



Holiday Pay Reforms

OUTCOME TO CONSULTATION FOLLOWING BRAZEL CASE

The government have published the outcome to its consultation (available [here](#)), undertaken earlier this year, into calculating holiday entitlement for part-year and irregular hours workers. This consultation followed the Supreme Court's decision in the Harpur Trust v Brazel case, and you may recall from our [January 2023 newsletter](#) that this case resulted in part-year workers being entitled to a greater annual leave entitlement than part-time workers who work the same number of hours across the year. The Employment Rights (Amendment, Revocation and Transitional Provision) Regulations 2023 are due to come into effect 1st January 2024, and make significant changes to holiday pay derived from Working Time Regulations.

NYC will be progressing discussions with UNISON on this matter in coming weeks, and the outcome of this will be communicated to schools in due course.

NMW Increase

1st APRIL NATIONAL LIVING WAGE INCREASE

You will likely have heard that, as part of the Autumn statement, the government announced an increase to the National Living Wage (NLW) which will take effect 1st April 2024. The NLW for those 21 and over, will increase to £11.44. The NJC national employers have consistently stated their intention over the years that Local Government is not intended to be a minimum wage employer, and the bottom of the NJC pay spine (SCP2) is currently approximately 11% higher than the national living wage.

Whilst no details of the 2024/25 NJC pay negotiations have been announced as yet, we can expect to continue to see 'bottom loading' of the pay spine, and it is likely that pay negotiations may again be protracted in light of the circumstances.



Minimum Service Levels – Government Consultation

GOVERNMENT PROPOSES STRIKE CHANGES

The government is consulting on proposals for new minimum service level (MSL) laws in schools when staff are on strike, with the consultation running to 30th January 2024 (<https://www.gov.uk/government/consultations/minimum-service-levels-msls-in-education#full-publication-update-history>). The proposals would mean that, whilst the minimum service levels would be set by ministers, schools would be required determine the required staff levels needed in their setting to meet the requirements of the minimum service levels. It's not clear at present whether, under the proposed laws, schools would have a duty to meet the MSL and whether this would be enforced by the government. It is expected that any 'work notices' issued to employees under the new proposals would prioritise delivery of education to those students due to be sitting exams or national assessments.

We will continue to monitor developments in respect of the proposed changes to the law in respect of industrial action and will keep clients and our guidance updated.

DfE Grant Funding – Senior Mental Health Lead Training

FURTHER GRANT FOR ELIGIBLE SCHOOLS

Between October 2021 and July 2023, more than 13,900 schools and colleges had claimed a training grant, as part of the government's commitment to offer training for senior mental health leads to all eligible schools and colleges by 2025 as part of their promotion of a whole school approach to supporting mental health.

In November, further to the publication of the [NYES HR Annual Update , Health and Wellbeing theme](#), the DfE have announced a further grant for eligible schools in the event that any existing trained senior mental health leads had left their setting before embedding a whole school approach to mental health and wellbeing.

Further information is available on the DfE site [here](#)

Single Central Record: Preparing for an Ofsted Inspection

KEY THEMES FROM SCR HEALTH CHECKS

The Single Central Record and Safer Recruitment Pre-employment checks are embedded within the statutory duty to safeguard and promote the welfare of children and is an essential part of safeguarding. Schools must have robust recruitment procedures that deter and prevent people who are unsuitable to work with children from applying for and securing employment or volunteering opportunities in schools. The Ofsted inspection of the SCR falls under the category of 'Leadership and Management' – Inspectors will always report on whether or not arrangements for safeguarding children are effective.

During last academic year, NYES HR completed over 100 Single Central Record Health Checks. On analysing the reports produced, the NYES HR team found 5 key themes which repeatedly appeared in approximately a third or more of our recommendations. These included:

1. To record the **date** of all statutory checks **accurately and consistently** on the SCR, adding and removing individuals who have joined/left.
2. To retrospectively complete **identity** checks of name, date of birth and address and retain documents on personal files.
3. To retrospectively complete **right to work in the UK** checks and retain appropriate documents on personal files.
4. To determine whether **further overseas checks are appropriate** and should be retrospectively completed e.g. request certificate of good conduct for employees who have lived or worked outside of the UK, perhaps using a risk assessed approach.
5. Although not a statutory requirement, from September 2022, KCSiE recommended completing **Online Searches** as part of safer recruitment pre-employment checks for new recruits.

For the full article on 'The Single Central Record: Preparing for an Ofsted Inspection', see CYPInfo [here](#). Watch out also for updated NYES HR SCR guidance and template SCR documents in the Spring Term.

SINGLE CENTRAL RECORD HEALTH CHECK

ENSURE YOUR SCR COMPLIES WITH STATUTORY REQUIREMENTS AND BEST PRACTICES WITH A TAILORED ASSESSMENT BY OUR EXPERIENCED HR PROFESSIONALS



Gain Confidence In Your SCR With NYES HR

Bolster your safeguarding compliance with a Single Central Record (SCR) Health Check from NYES HR. Verify your SCR not only adheres to statutory requirements but also embodies the best practices in safer recruitment.

Have peace of mind knowing your SCR is in full compliance with all statutory requirements for your setting.

Key Features

Our comprehensive SCR Health Check Includes:



Extensive SCR Audit

Our SCR check involves a site visit by a trained member of the NYES HR team. They will meticulously assess your school's SCR against statutory requirements



Sample File Check

NYES HR conduct a minimum 10% sample file check, covering different staff groups as well as volunteers and agency/third party staff



Guidance & Recommendations

We go beyond mere statutory compliance, offering valuable advice on safer recruitment practices



Thorough Feedback

Gain real-time advice during the visit, followed by a robust written report complete with actionable recommendations

Have someone new or want to increase confidence in the management of your SCR? Why not sign up to the NYES HR SCR Guidance on-demand webinar via www.nyes.info

Policy Update Timetable

CHANGE TO POLICY REVIEW TIMELINE

Further to our [September newsletter](#), and after discussion with the NY recognised Trade Unions, there has been a slight change to the list of policies scheduled to be reviewed in the Spring Term.

The updated policy review schedule, which is a working guide but is subject to regular review, is available on our website [here](#).

North Yorkshire Pension Fund Website - Local Government Pension Scheme

WEBSITE REFRESH

For information for clients using the North Yorkshire Pension Fund; The North Yorkshire Pension Fund (NYPF) website has had a makeover! The look new website will be available from 4th December 2023. The website address hasn't changed - www.nypf.org.uk, but the look and feel has and the content has been refreshed.

Actions for school leaders



- Please share the following ['member flyer'](#) with support staff (those eligible for Local Government Pension Scheme).

Upcoming Training

HR Toolkit for Senior Leaders This webinar provides practical guidance to equip senior leaders with the knowledge to effectively manage contractual arrangements, and other related HR issues.	17/01/24 https://nyes.info/Event/203171
Managing attendance & related HR issues The course will guide you to manage staff absence in a timely and effective way. We will also address a range of frequently asked questions to support you in the day-to-day management of staff.	25/01/24 https://nyes.info/Event/196248
Managing Stress in Schools (Staff Absence Scheme members only) This webinar will review how to use the stress risk assessment & HSE talking toolkit as both a pre-emptive support measure and part of the absence management process for staff	07/02/24 https://www.nyes.info/Event/220175
Successful Appraisal in Schools This webinar will develop the knowledge and confidence to prepare and deliver effective appraisals in line with policy.	21/02/24 https://nyes.info/Event/218099