

# Report

## Cabinet Member for Organisational Transformation

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### Part 1

Date: 21 March 2024

**Subject** Leave Policy

**Purpose** For the Cabinet Member to consider an amendment to the Leave Policy for schools staff

**Author** HR & OD Manager

**Ward** All

**Summary** The Council's Leave Policy recognises employees' rights to paid time away from work in certain circumstances. It also highlights circumstances outside of an employee's control where special leave may be more appropriate.

Specifically, changes are proposed in respect of paid time for interviews for school-based employees following discussion with the Employee Partnership Forum and capturing information from schools.

If the policy amendment is adopted the Council will commend the policy to schools for adoption.

**Proposal** To amend the Council's Leave Policy to grant paid leave for interviews for school-based staff on up to 3 occasions per year, as set out below and for this policy to be commended for adoption by schools.

**Action by** Head of People, Policy and Transformation

**Timetable** Immediate

This report was prepared after consultation with:

- Head of People, Policy & Transformation
- Head of Finance
- Head of Law and Standards
- Head of Education
- Relevant Trade Unions
- Head Teachers
- Cabinet Member for Education and Skills

## Background

The Councils Leave Policy is an important aspect of the employee benefits package the Council offers outside of standard remuneration. The policy supports aspects of the Councils provision around being an employer of choice and recruitment and retention aspirations.

The Leave Policy details the Council's / school's provisions in relation to annual leave, bank holidays, time off in lieu and special leave. In addition, the policy also outlines whether special leave should be paid or unpaid, depending upon the circumstances.

The current Leave Policy does not provide any paid provision for time off work to attend interviews. For non - school employees, there is generally more flexibility with working arrangements and would be expected to utilise annual leave / flexi / time off in lieu or working flexibly as appropriate. However, school-based employees do not have flexibility to utilise leave entitlement / flexi etc. in the same way that non-school based employees can. School based staff are potentially placed at a disadvantage when it comes to looking to progress their career, whether internally within the Council or externally.

## Proposal

The proposal is to amend the Leave policy to allow a school based employee to have up to 3 occasions of paid leave for interviews (per academic year) within Local Government or within Public Service, linked to education provision. The staff member would be eligible to request release time from school for the interview including reasonable travel time which may, with approval, be up to a maximum of one day per occasion. The pro-rata provision would apply to staff whose hours are part time.

Consultation has taken place with Headteachers who were in favour of this proposal. Most schools are already exercising discretion for paid leave in such circumstances, looking to support the professional development of their employees. Feedback suggested that they would welcome clear guidance around this matter to ensure a consistent approach.

The Council's Employee Partnership Forum (Trade Union group) have also engaged and supported the proposed amendment to the Leave Policy and the amendment is seen as positive.

The amendment would further support the Councils aspiration to become an employer of choice and support recruitment and retention issues and development opportunities for our staff. These areas are clearly identified in the Councils new People Plan and support several areas under our strategic themes, such as Employee Experience and pathways for development.

The policy would be commended for adoption by NCC schools, however school Governing Bodies may adopt their own policies.

## Financial implications

Potential increase in costs for back fill arrangements if an employee is absent whilst on interview however, the reality is that a number of schools already operate such arrangements.

## Risks

<b>Risk Title / Description</b>	<b>Risk Impact score of Risk if it occurs* (H/M/L)</b>	<b>Risk Probability of risk occurring (H/M/L)</b>	<b>Risk Mitigation Action(s)</b> What is the Council doing or what has it done to avoid the risk or reduce its effect?	<b>Risk Owner</b> Officer(s) responsible for dealing with the risk?
Budget Constraints	L	L	Could present budget challenges for schools however the reality is that many schools are already exercising discretion in respect of this.	Schools Finance

Recruitment and Retention	L	L	Potential challenges around turnover however as the consultation has revealed that paid time is already being given in most instances, risk is deemed low	Headteacher
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## Benefits

School based employees to be given opportunities which provide improved long-term benefits for their employment and future career prospects, whilst this will also support staff to apply for roles across Newport and at other Local Authorities or Public Services, supporting interview release across Schools and Local Authorities is common, with some other Local Authorities also having provisions in their policies to approve release time.

## Links to Council Policies and Priorities

The amendment would further support the Councils aspiration to become an employer of choice and support recruitment and retention issues and development opportunities for our staff. These areas are clearly identified in the Councils new People Plan and support several areas under our strategic themes, such as Employee Experience and pathways for development.

## Options Available

The options available are as follows:

1. For the Cabinet Member to approve the proposed addition of paid leave for interviews for school-based staff and for the policy to be commended for adoption by schools.
2. For the Cabinet Member to not approve the proposal

## Preferred Option and Why

For the Cabinet Member to approve the proposal to recommend that school-based employees have access to paid provision for interviews.

## Comments of Chief Financial Officer

Whilst the report identifies that there could be a cost to a school if they are required to provide cover arrangements for the employee whilst they are at an interview, it is anticipated this would be of minimal impact as many schools are already following this process with cover costs being met from within the school's available budget. Therefore, any financial implications arising will be managed from within existing resources and will not place an additional pressure on the Council's medium term financial plan.

## Comments of Monitoring Officer

There are no legal implications arising from this report. It is open to the Council to make the changes proposed by this report but it is not obliged to do so. However, given that the type of leave described is already being granted by many schools on an informal basis, the changes proposed are likely to be beneficial in order to ensure that staff across different sites are treated equally.

## Comments of Head of People, Policy and Transformation

The comments of the Head of People, Policy and Transformation are considered in the overall body of the report.

## Comments of Non-Executive Members

Councillor Drewett:

I wish to express my support for this proposed change to Leave Policy.

### Councillor Fouweather:

1. If a member of teaching staff is taking time off for an interview, then that teachers time would have to be covered by another member of staff or an agency member of staff. This would incur extra costs . Who is responsible for picking up these additional costs?

#### Response:

Schools are responsible for all staff costs. The revised policy would be commended to Schools for adoption. The School Governing Body will consider whether its appropriate to adopt the policy. The feedback from schools during consultation with them is that many schools already operate release for attendance at interviews, therefore, for most this is formalising what they have in place.

2. Who will pick up the expenses for travel that the member of staff going for the interview will incur?

#### Response:

The staff member would be responsible for travelling costs, as they are now.

3. Is this policy also in place throughout all other departments in the council as this could be seen as an equal opportunities issue if it is not ?

#### Response:

Other departments in the Council have opportunities to use various other forms of leave, including those noted in the report such as – leave, flexi time and flexible working. School staff don't have the ability to book leave and flexi in the same way as non-school staff and so by providing a small element of leave to use for interviews in schools this does allow a school employee more flexibility in these circumstances. More widely, the Council is currently undertaking a review of all its staff benefits, schools and non-schools, as part of its new People Plan.

### **Fairness and Equality Impact Assessment:**

- **Well-being of Future Generation (Wales) Act**
- **Equality Act 2010**
- **Socio-economic Duty**
- **Welsh Language (Wales) Measure 2011**

There is no requirement for a Fairness & Equality Impact Assessment because of these changes, as there is no adverse impact.

From a Well-being of Future Generations Act perspective:

School based employees to be given opportunities which provide significantly improved **long-term** benefits for their employment and future career prospects. This should help to **prevent** financial poverty and poor well-being in later life. The proposal takes a **collaborative** approach and will support the Council's well-being objectives, as well as supporting one of the seven well-being goals, "A prosperous Wales", whilst not adversely affect the other goals.

### **Consultation**

Consultation with headteachers as outlined in the main body of the report. Trade Unions consulted via Employee Partnership Form. The Cabinet Member for Education has been consulted and is supportive of the proposal.

### **Background Papers**

Minutes of EPF October 2023

NCC People Plan

**Dated: 7 March 2024**