

BRIGHTON HOVE AND SUSSEX SIXTH FORM COLLEGE
MINUTES OF THE MEETING OF THE HUMAN RESOURCES COMMITTEE HELD ON
THURSDAY 9th MARCH 2017

Present: Will Baldwin, Peter Freeman, Veronica Jinks, Neil Jones, Neil Perry (Chair), Sandra Prail, Sue Smith

In Attendance: Alison Cousens, Jutta Knapp, James Moncrieff, Chris Nagle, Louise Pennington

HR16/15 Apologies and Welcomes:

Apologies: Samantha Smith

Welcomes: Veronica Jinks (Parent Governor)

HR16/16 Minutes of the Meeting held on 15th November 2016

The minutes were approved and signed by the Chair as a correct record. **ACTION: Louise Pennington**

HR16/17 Matters Arising

The contents of the Actions' Schedule were noted by the Committee and it was noted that actions would be updated accordingly.

- Item HR15/33/HR16/03: Action Research Projects - Neil Jones confirmed that he had contacted Penny Tamkin at IES (Institute of Employment Studies) and would report any developments at the next HR Committee in the Summer Term. **ACTION: Neil Jones** Committee Members were also reminded that one of the new Governors on Q & C Committee (Gillian Hampden Thompson) with expertise in this area had also offered her assistance to the College which Alison Cousens was taking forward.

At this point Sue Smith joined the meeting.

HR16/18 Declaration of Interest

None.

HR16/19 Termly Update on HR Issues – Chris Nagle

Chris Nagle gave an oral update of current HR matters to the Committee, noting the following:

a) New Gender Pay Gap Obligations:

Regulations bringing into force the requirements of the new Gender pay gap reporting have been published and will apply to public sector organisations (including FE) in England, with a first snapshot date of 31 March 2017. The Regulations have been laid before Parliament and apply the obligation to report gender pay gap statistics annually. The obligation is introduced as part of the existing public sector equality duty. Public sector employers will now be required to produce the same gender pay gap statistics as other employers and the figures prepared on the snapshot date have to be reported within a year on the College's website in a manner accessible to all employees and the public (and must remain there for three years). The new Regulations also require public sector organisations, each year thereafter to publish annual information to demonstrate compliance with the public sector equality duty generally, and to publish equality objectives at four-yearly intervals; the required information also has to be submitted to Government via a portal (not yet launched).

Various statistics have to be calculated (14 in total), based upon the hourly rate of pay for each employee at the snapshot date and any bonuses paid over the preceding year. These include figures which show: the difference in mean and median pay between male and female employees; the difference in mean and median bonus pay between male and female employees; the proportion of male and female employees who received bonus pay; and the proportions of men and women in each pay quartile. The requirements about signing off the statistics are less stringent for public bodies, but otherwise the same obligations will now apply to all relevant employers. It was also noted that explanatory notes will be included to explain any aspects of the calculation which need clarification.

Chris Nagle explained various details regarding the calculations and confirming that some of the methodology had not yet been issued including for example the methodology for calculating teaching hours. Discussions will also be held by the SFCA in order to ensure that consistencies apply thereby enabling comparisons between Colleges to be made. The analysis may also be presented in various groupings e.g. teaching staff, managers, SMT and support staff. Following a request from the Chair, Chris Nagle agreed to bring the analysis to the next HR Committee meeting in May, subject to all aspects of the process having been finalised. It was also resolved that Chris Nagle/Jutta Knapp should liaise with Neil Perry to discuss the details of information to be brought to HR Committee including timing. **ACTION: Chris Nagle/Jutta Knapp/Neil Perry**

b) Trade Union Act 2016:

The Committee was informed that the above Act had come into force on 1st March 2017 as a result of the Government's commitment to ensure that unions had a democratic mandate before they call their members to take part in industrial action. The Act makes two significant changes to the law on when a union may call a strike lawfully - to make a strike legitimate, a union will still be required to obtain a majority in favour of strike action out of those who have voted and, in addition:

- At least 50 per cent of those entitled to vote in a ballot must have voted in all cases
- Where those involved in the dispute work in an 'important public service' (this includes education provided for under 17 year olds i.e. compulsory school age), there will be a requirement that 40 per cent of those entitled to vote in the ballot have voted 'yes' to strike action.

In essence, the changes will make it more difficult for a union to call its members out to take part in industrial action and easier for an employer to challenge proposed strikes in the courts. However there remains some uncertainty for SFCs who provide education for those students aged 17 and above. Furthermore the revisions only relate to new strike action, otherwise the previous rules will apply.

The Committee was reminded that SMT do not know which staff are Union members, which means that the onus is upon the Unions to demonstrate that the new rules have been met.

At this point the Committee was advised about an awaited Supreme Court ruling which was due in the next few weeks, in respect of the calculation of pay for strike days and depending upon the outcome the College may be liable to calculate and reimburse staff.

HR 16/20 Policies

a) Pay Policy

Jutta Knapp introduced the revised policy and explained that the revisions were mainly in relation to the adoption of the new teaching staff pay spine, along with a few minor housekeeping amendments. It was noted that SMT had agreed the changes, but that the policy had not yet been considered by JUMCoG, although it was confirmed that there were unlikely to be any disagreement. Once JUMCoG have considered the policy at its next meeting, should there be any significant further change, the policy would be brought back to the HR Committee for approval.

In response to a question from the Committee, Jutta Knapp confirmed that the transition to the new pay spine had gone smoothly and that all relevant staff had now signed their new contracts. Explanations were also provided to Committee members regarding clarification of the calculation within clause 5.3.2. Holiday Pay calculations for term time only Support Staff. Neil Perry raised a comment

submitted by Samantha Smith regarding clause 8.3 "Acting Up" and the Committee noted an alternative method adopted within the private sector. Jutta Knapp reported that the process was different for teaching staff and support staff and explained the various scenarios which generally arose at BHASVIC including the fact that often a role may be split between more than one member of staff which would then be reflected in the associated remuneration calculated for support staff via a formal job evaluation process. However in respect of teaching staff, experience is taken into account when a staff member "acts up", which would mean that the pay band allotted would reflect this aspect.

Following a request from the Chair, it was resolved that a pre-Committee training session should be arranged prior to the next Meeting in May on the subject of the job evaluation process/equal pay implications etc. and Jutta Knapp agreed to liaise with Neil Perry prior to the meeting to finalise the details.. **ACTION: Jutta Knapp/Chris Nagle**

The following further changes were agreed by the Committee:

- Clause 2.3 – delete "other than senior post holders" – at the end of the first line.
- Clause 6.6 – add reference to probation, in the last line regarding the standards required to qualify for SSSP (Support Staff Standards Payment) for those who have not yet completed a PDR (Professional Development Review).

ACTION: Jutta Knapp/Chris Nagle

b) PDR Policy

James Moncrieff presented the paper to the Committee, reporting that the policy had been revised to reflect the standard College format and to incorporate the new teachers' pay framework reflecting the link between PDR and pay progression. Furthermore revisions were also required to reflect the appropriate connections between the PDR process, probation and capability. The Members were also advised that like the Pay Policy above, this policy had not yet been endorsed by JUMCoG and should there be any additional significant amendments, the policy would be brought back to HR Committee for agreement. The Committee discussed the various issues which may affect pay progression in particular disciplinary matters, noting that this would only be affected at the written disciplinary stage.

Reference was made to clause 5.2 and the statement that "Reports to Governors on outcomes of note from the PDR process, when appropriate" and the Committee sought clarification on the nature of this reporting mechanism. In response James Moncrieff explained that a report would be made to Governors by exception, if there were any significant PDR issues or unsatisfactory individual PDRs. However Members agreed that the Committee should be informed that the PDR process is working well or otherwise, rather than an exception report. In conclusion it was resolved that clause 5.2 should be enhanced by reference to some additional wording with the Roles and Responsibilities' section with a new paragraph to reflect that governors approve the Policy and receive assurances, via the relevant SARAP, SAR and College Development Plan process. Also revise section 5.2 to improve clarity.

ACTION: James Moncrieff

The Committee also discussed section 4 regarding the relationship between PDRs and pay, probation, disciplinary and capability and it was resolved that an additional paragraph should be included in this section to clarify reporting to Governors in respect of formal capability matters, but that informal capability issues would not be reported as a matter of course. **ACTION: James Moncrieff**

Neil Perry reported on the additional issues raised by Samantha Smith regarding how HR Department monitors completion of PDRs/development plans and Chris Nagle summarised the process which appeared to work effectively. Regarding probation and Samantha's query and her comments in respect of the process in another organisation, Will Baldwin advised that BHASVIC's process seemed to be particularly robust and explained the lesson observation process during a new staff member's

probation period, which the College prefers compared to a learning walk observation process suggested.

HR16/21 JUMCoG Report

Will Baldwin brought the Committee up to date on progress since last term and explained that he had had two formal meetings with JUMCoG to date. Will Baldwin advised that he also meets Union representatives fortnightly in workshop style sessions and has discussed the following matters: transition for teachers to the new pay spine, teaching staff directed time process, College calendar and holiday dates, tutorial lesson observations to include Guidance Managers, Social Media Policy. At the next JUMCoG Meeting at the end of March, it is intended to discuss Pay process and PDR, Probation Policy, the teaching of shared groups.

HR16/22 SFCA Pay Settlement

Jutta Knapp presented the paper to Committee noting that the 1% pay increase was in line with the approved College budget for 2016/2017. She also added that discussions had been held with both the Chairs of HR Committee and Finance and General Purposes Committee to enable to payments to be implemented in line with the budget.

The Committee recommended to Corporation the nationally agreed pay settlement for 2016/2017 in respect of both Support Staff (1% from 1st September) and Teaching Staff (1% from 1st January 2017), subject to endorsement from the Finance and General Purposes Committee. **ACTION: Jutta Knapp**

HR16/23 Staff Development Plan

The Committee noted the contents of the Plan for the current academic year, presented by Jutta Knapp and Chris Nagle. In particular attention was drawn to the Safeguarding element for both Staff and Governors and the following points were recorded:

- The Designated Safeguarding Lead Governor, Lynn O'Meara, had requested that the Safeguarding training details should be brought to Governors annually for assurance purposes, following a meeting she had had with Alison Cousens (Designated Safeguarding Lead – Staff).
- Governors' training records are presented to the Corporation's Governance Committee annually in the Autumn Term.
- Page 7 of the Plan (page 35 of the papers) details the Safeguarding training timeframe in respect of Staff and Governors which complies with the requirements of the Local Safeguarding Children Board and statutory duties outlined in the Working Together to Safeguarding Children, Keeping Children Safe in Education (KCSiE) and Prevent Duty guidelines etc.
- Staff Training is also reported via the HR SARAP (Self-Assessment Report and Action Plan).
- The Committee was reminded that it was intended to draft a Governor Training policy for the Governance Committee to consider in the Autumn Term. **ACTION: Louise Pennington**
- Samantha Smith had submitted comments regarding this agenda item to the Chair and Neil Perry summarised this for the Committee. In particular, the Committee considered the regular Safeguarding training for Governors and agreed with the recommendations made by SMT that every three years was adequate and in line with the current requirements. However it was also noted that Safeguarding training was also given to new Governors during the induction process (with Alison Cousens) and that additional information was provided within the Governors' Induction pack (on line) via the KCSiE document and the College's Safeguarding Policy, combined with further information presented to Governors via the Annual Safeguarding Report. However it was agreed that if required, more frequent Safeguarding training would be provided to Governors. The Committee was also reminded that the Designated Safeguarding Lead Governor, Lynn O'Meara met regularly with the SMT Member responsible for Safeguarding, usually on a termly basis.

In conclusion it was resolved that in order for Governors to receive adequate assurance, the annual report on Safeguarding (presented to Corporation via the Q & C Committee in the Autumn Term), should include a new section on the Safeguarding Training completed during the year. **ACTION: Alison Cousens/Chris Nagle/Jutta Knapp**

HR16/24 Risk Assurance

Jutta Knapp presented the Risk Assurance paper to the Committee, noting that there had not been any changes to the key risks since last reported and reminding Governors that SMT reviewed the full risk register termly. It was reiterated that there was only one risk scoring 6 or 9 which had been assigned to the HR Committee – Inability to recruit staff of the required experience and expertise at all levels. The Committee confirmed that there had been no change in the adequacy of the assurance given and Jutta Knapp agreed to report back to the Audit Committee accordingly. **ACTION: Jutta Knapp.**

HR16/25 Any Other Business

There was no other business.

HR16/26 Date of Next Meeting

Wednesday 24th May 2017

HR16/27 Confidential or Reserved Business

None

Louise Pennington

Clerk to the Corporation

.....

CHAIR

.....

DATE