

HAMPSHIRE COUNTY COUNCIL**Decision Report**

Decision Maker:	Executive Lead Member for Children's Services
Date:	17 July 2012
Title:	Recognition of Teacher service within Academy Schools
Reference:	4022
Report From:	Director of Children's Services

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1. Executive Summary

- 1.1. This paper seeks the approval from the Executive Lead Member for Children's Services to recognise the service of teachers in academy schools should they return to the direct employment of the local authority.
- 1.2. This recognition would allow such service to be taken into account for the purposes of aggregated or continuous service calculations which impact on sickness or maternity entitlements.
- 1.3. It would provide parity of entitlement for academy teachers with academy support staff whose service is subject to recognition through provisions in their Green Book terms and conditions.
- 1.4. It would facilitate recruitment of staff into the authority from the academy sector.

2. Contextual information

- 2.1. For conditions of service other than redundancy, support staff in maintained schools and local authorities are bound by the terms and conditions of the Green Book. Under paragraph 14, support staff are able to count their period of academy service when joining or re-joining a local authority or maintained school for the purposes of calculating aggregated or continuous service entitlements.
- 2.2. For conditions of service other than redundancy, teaching staff in maintained schools and local authorities are bound by the terms and conditions of the Burgundy Book. The terms of which are limited, for the purpose of the calculation of aggregated or continuous service, to that accrued in local authorities.
- 2.3. Most local authorities, including Hampshire, have extended their interpretation of the Burgundy Book to also include service with maintained

schools where the authority is not the employer (voluntary aided, foundation and trust schools).

- 2.4. Local authorities therefore need to determine whether they wish to further extend the provisions to include the recognition of service in academy schools.

3. Financial implications

- 3.1. The liabilities for staffing costs will be consistent with those that would be incurred were staff to be recruited from other local authorities or maintained schools.

4. Other key issues

- 4.1. At present there are 28 academy schools in the Hampshire Local Authority area the teacher headcount of which represents approximately 20% of the total teaching workforce in Hampshire.
- 4.2. On 9 July, schools forum are also being asked to recognise academy service for the purpose of calculating entitlements in Hampshire schools.
- 4.3. Headteachers on the Personnel Standing Committee and professional associations and trade unions are supportive of the proposal.

5. Recommendation

- 5.1. That for the purposes of sickness and maternity entitlements, where teachers return to the direct employment of the local authority, the Executive Lead Member for Children's Services agrees to recognise the service of teachers in academy schools as if it were service in a local authority.

CORPORATE OR LEGAL INFORMATION:**Links to the Corporate Strategy**

Hampshire safer and more secure for all:	yes/no
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	yes/no
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	yes/no
Corporate Improvement plan link number (if appropriate):	
OR	
This proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because:	
Clarity is needed about whether Hampshire is to include any academy service of teachers in determining benefits due upon return to direct local authority employment.	

NB: If the 'Other significant links' section below is not applicable, please delete it.

Other Significant Links

Links to previous Member decisions:		
<u>Title</u>	<u>Reference</u>	<u>Date</u>
Direct links to specific legislation or Government Directives		
<u>Title</u>	<u>Date</u>	

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

IMPACT ASSESSMENTS:

1. Equalities Impact Assessment:

1.1. Equalities were considered when developing the proposal for recognition of academy service. As service has been historically recognised when the academy schools were part of the maintained sector with no equalities concerns arising, the assessment concluded that there would be no adverse impact.

2. Impact on Crime and Disorder:

2.1. No impact anticipated.

3. Climate Change:

a) How does what is being proposed impact on our carbon footprint / energy consumption?

No additional impact anticipated.

b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

No specific measures have been identified.