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# Briefing note

**To:** Schools Forum

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**Date:** 12<sup>th</sup> March 2020

**Purpose of the Paper:**

Information	√
Consultation	
Decision	

**Title of Briefing:** Special Leave - Part 1 & 2 Service Level Agreement (SLA) – Update

## Background:

Several reports have been presented to Schools Forum since April 2018 to further support Schools Forum to better understand the cost / number of claims over the financial year. Schools Forum agreed (in their meeting in January 2020) to continue to provide a funding provision for the 2020/21 Financial Year and agreed to the overall charge per pupil to increase by inflation from April 2021 and each year thereafter.

As noted previously the SLA provides for:

- Part 1 - the costs associated with the absence for teaching staff on Maternity, Adoption, Paternity, Shared Parental Leave and Jury Service, where those employers chose to be part of this SLA, to be reimbursed to employer.

Maternity remains by far the bulk of claims and whilst claims remain variable in volume, duration with most claims being for the entire paid leave element and the unit cost value for each claim increasing/ changing. Additionally, this SLA utilisation remains difficult to predict and budget planning therefore requires a wider number of assumptions.

- Part 2 – the costs associated with this absence for reimbursement to the home/ host employer for release of their member of staff to undertake a Trade Union/ Professional Association (TU/PA) role outside of the home School.

The profile of use has always had an element of variance each year due to time being allocated but not always used, or variable costing reference points dependent upon the TU/PA, we have also seen the use profile further vary due to increased membership levels.

Both SLA Parts 1 and 2 apply equally to all schools which are part of the SLA and we have seen the actual price per claim increase due to changes to base salary and employer costs.

The SLA value per pupil for the 2019/20 Financial Year was set at £24.73 and pupil reference points remain inclusive of Reception to Year 11. The SLA is required to operate within budget allocations and therefore claims are paid retrospectively, with the value of claims being reviewed on an ongoing basis and options being discussed within Schools Forum meetings.

## Current Position:

Schools Forum have stated that they will consider in March 2020:

- 1) how the SLA will operate in 20/2021, and
- 2) potential reimbursement rates for claims for the financial year ending 31<sup>st</sup> March 2020.

To support this consideration Schools Forum have been provided with direct updates on year to date spending/ predictions. For Part 1 as discussed previously the value of claims in is excess of previous years claims values and the SLA continues to be difficult to predict as Schools are eligible to claim for each application that meets the criteria. Paternity and Shared Parental leave have also seen an increase. For Part 2 claims remain in line with expectations, but the overall value per claim has increased.

Schools Forum have agreed:

- a. refund values for claims for April 2019 to March 2020 are to be paid as per the agreement reached within the 2018/19 Financial Year - namely that Special Leave 2 claims are paid at 100% and Special Leave 1 claims are to be reimbursed at a value lesser than 100% to ensure that the remaining funds are used/ distributed to Schools.
- b. Schools who have made claims will be advised following the 31<sup>st</sup> March 2020 of the claims value for their individual School.
- c. Schools Forum to be provided directly a further update / allocation report following year end.
- d. Schools who are not part of the de-delegation arrangements are to be offered to join the SLA at the de-delegated value, e.g. Academies, Nursery, Special Schools, PRU.

Schools Forum are also being asked to consider if they wish:

- e. the SLA to operate as it does now via an SLA overseen by NTC/ENGIE, or
- f. to look to the market to see if there is an alternative provision in place for Special Leave 1 only.

If Option F is to be explored, a group of Schools Forum members would need to take this action forward as the LA whilst offering support would not enter into any purchase/ contractual arrangements with a third party should this be a recommendation.

### **Recommendations:**

Schools Forum having read this report, clearly understanding the information provided and having asked sufficient questions to ensure clarity:

1. note the contents of this report.
2. determine if they wish option implement e. or f., and
3. if they choose option f. – How they would go about achieving this?