Guidance on School Staffing Organisation in Collaborations, Federations and Amalgamations

FAQs

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1. **When can the Governors and Executive Headteacher start to think about staffing changes in a federation?**

   This should be considered as soon as discussions begin on whether the schools wish to enter into a strategic partnership or a federation.

   Initially, this may centre around the structure of the leadership teams in the schools involved (this may include the SBM role in some cases).

   The school can then consider where both schools can work together more collaboratively in other areas to achieve the following including the sharing of good practice and resources and to achieve economies of scales and savings or efficiencies.

   Not all changes in roles where staff are working across both school will lead to an increase in the grade for that post, this would depend on the duties of the role and job evaluation.

2. **Which roles are most likely to be affected as a result of federating?**

   In terms of changes in duties and the remit of the role, The Headteacher and Deputy Headteacher are most likely to be affected through the creation of the Executive Head and Head of School post. Dependent on the staffing structure of the schools, this could also impact on the School Business Manager.

   As indicated above, initially, the roles of the Headteacher, Deputy and Assistant Headteacher would need to be reviewed (duties undertaken and remuneration) and established prior to the effective date the federation. The impact on roles of middle leaders (TLR holders) may also need to be considered dependent on the existing roles, how duties are distributed as part of the federations and the size and needs of the school.

3. **What is the recruitment process when appointing an executive head in a federation or strategic partnership?**

   The role of Executive Headteacher in a Federation should be advertised in the same way as the posts for headteacher and deputy headteacher, in a manner they consider appropriate and in line with the school procedure.

   However, it is recognised that the formation of a Federation may involve a reorganisation and this can mean that headteacher(s) and deputy headteachers may have to compete for jobs. Therefore, in the interests of limiting unnecessary redundancies, the governing body – in consultation with the Local Authority and subject to the conditions for selecting staff - may apply ‘ringfencing’ arrangements to cover those headteachers of the schools directly affected.

   Where a federation is formed and there are two or more substantive headteachers already in place it may be necessary to follow the School’s Organisational Change Policy in order to objectively determine selection for posts and any redundancy/redeployment arrangements. In such instances it is strongly advised that HR advice is sought.

   Section 4.4.1 of the ‘Guidance on School Staffing Organisation in Collaborations, Federations and Amalgamations’ provides further information.
4. **What could be the impact on the pay structure?**

In most cases, the changes to the pay structure will relate to the posts of Executive Headteacher and the Head of School (dependent on the staffing structure). The STPCD and the school pay policy will be followed in determining the pay structure.

The purpose is not to redistribute the salary costs that the school would have incurred by recruiting a headteacher (as opposed to having an executive headteacher) but to review duties and responsibilities of new roles undertaken and make pay decision in line with this. Federating should generate a saving due to the unfilled Headteacher post in one (or more) schools.

5. **Can staff be asked to work across all schools in the federation? What action can be taken if the staff member refuses?**

There could be opportunities for staff to work in more than one school by agreement. It may not be necessary to alter contracts of employment in the short term if staff are in agreement, but a variation letter is likely to be issued.

If staff are required to work across all schools and do not wish to, appropriate consultation will take place prior to any potential change to their contracts of employment.

Governors should consider if new appointments should be to the federation rather than individual schools and then individual employees deployed across the schools as appropriate.

6. **Can permanent changes be made to the staffing structure to work across both schools in a strategic partnership or a soft federation?**

Yes. Where the schools have agreed to work collaboratively (but there is no Hard Federation), the governors and school can decide to appoint to permanent positions working across both schools.

The way in which the work is organised will need to be considered and taking into account how the schools will work together collaboratively once the strategic partnership or soft federation ends. This ensures the school and the staff member are clear on how the role and expectations may change.

Depending on the nature of the employment contract and the changes it may be necessary to follow the School’s Organisational Change Policy. In such instances it is strongly advised that HR advice is sought.

7. **If a support staff member is deployed to work in the same role across the federation does this mean the grade will automatically go up?**

If the only change is that the staff member is working across two sites, this may not necessarily change the grade. Our advice is that the job description should be reviewed / updated to reflect any changes and sent to Schools HR for evaluation before the grade can be confirmed.
8. **Will there need to be two separate organisational change consultations as we have two governing bodies?**

Where the school is in a strategic partnership or soft federation with an Executive Headteacher with delegated powers across both schools, potentially, one organisational change process can be undertaken. Consideration would need to be given to the nature of the change.

Where the governing body remain separate, the Executive Headteacher will need the relevant approvals from both governing bodies / relevant committees before beginning consultation and any relevant approvals once consultation is complete.

Where one governing body has been established, approval in line with the school policy and terms of reference for the FGB / committees should be sought.

Where the schools are *not in a strategic partnership or soft federation* and wish to work collaboratively and share elements of their staffing structure, two separate organisational change processes will need to be undertaken by the headteacher (or other relevant manager) for their respective schools.

9. **If the change involves potential redundancies, who would issue the redundancy notice?**

For LA Schools, notice is issued by the Local Authority as the employer.

For non-LA schools, the governing body for the school that appointed that staff member would be responsible for issuing the notice; this responsibility is usually delegated to the Executive Headteacher / Headteacher.

10. **Who will the contract of employment be with?**

In community and voluntary controlled schools, staff are employed by the local authority, in foundation and voluntary aided schools by the governing body. In a federation containing different types of school, the nature of employment is determined by the school to which the staff member is contracted. Alternatively, if a staff member is working across the federation, s/he may have separate contracts for different types of school or can be contracted to a single school on terms specifying that s/he will work across the federation. New staff may be appointed to one or all of the schools.

It is advised that HR Advice is sought at an early point.

11. **Will the contract detail the arrangements for the Executive Headteacher, and other post working across the federations, if the federation should end?**

The Statement of Particulars / variation letter should refer to the arrangements for the Executive Headteacher, and other relevant staff, should the federation be terminated at some point in the future.

If you are currently employed by one school and start to work at an additional school within the federation, you would revert to your substantive post at your current school.
Please also see question 6.
For more information, please contact:

SIS Primary Lead: Anthony Doudle  t: 020 7527 3387  e: anthony.doudle@islington.gov.uk
SIS Secondary Lead: Jeff Cole  t: 020 7527 7668  e: jeffrey.co@islington.gov.uk