

FAQs Staff:

What happens to Terms and Conditions?

Rules for conversion to academy status mean that Transfer of Undertakings Protection of Employment (TUPE) regulations apply. This is a standard operation whenever companies, schools or other employers become part of a larger group or merge with one another. Under TUPE all staff transfer on existing terms and conditions to the new body – in this case the EKC Schools Trust – as the employer. However, academies are not bound by the Standard Teachers' Pay and Conditions Document, therefore, the Trust will be responsible for setting the pay and conditions of its staff.

There are no plans for any changes or re-negotiation of contracts and conditions for staff who TUPE across. The Trust will TUPE staff on the current contracts and retain their terms and conditions. However, there may, in time, be scope to harmonise terms and conditions and pay following completion of the process. If and when this happens, staff would never lose out, with posts salaries harmonised upwards if required. The Trust will also maintain full union recognition agreement and acknowledgement of union duties and reasonable time off for trade union duties.

How secure are jobs?

There are no plans for any systemic change to the schools joining the Trust. EKC Schools Trust is committed to working to enhance schools, rather than create savings – its vision is predicated on local management of the schools, and local ownership of staff structures. This means that the Governing Body would have the responsibility for the structure, and would own recruitment within the school's budget, just as it does now. The Trust is focused on enhancing education, rather than altering staff structures and will delegate this responsibility to the leadership of the school as it does now. However, should there be any changes to staff structure at any time, acting as part of the Trust would enable staff to have the opportunity to work at other locations. It also enables high performing staff, or those who aspire to progress within their careers, to have greater opportunities for promotion within the Trust, developing greater leadership and teaching, learning and assessment experience.

There are no additional risks to job security by joining the EKC Schools Trust. In fact, through the financial savings the Trust will be able to offer your school, the school budget should be in a more secure position.

What are the statutory requirements with regard to the TUPE process?

There is no statutory obligation for the Governing Body to consult unless it is planning to make changes to working conditions or staffing before the transfer. However, even if the statutory obligation does not apply, it is best practice to consult staff and their representatives and we are therefore consulting from 4th September 2019 to 2nd October 2019. We are hopeful that this will give all staff – as well as parents and other community stakeholders – sufficient time to fully respond, as it's really important to us that we hear everybody's views.

In all cases there is a statutory obligation on the current employer to inform employee representatives such as the recognised union, or if there isn't one elected representative, of

certain matters in writing. These are the fact that the transfer is to take place; the date of the transfer and the reasons for it; and the legal, economic and social implications of the transfer for any affected employees and the measures which the employer envisages it will, in connection with the transfer, take in relation to any affected employees or, if it envisages that no measures will be so taken, that fact.

What will change for staff?

In terms of contracts, pay, conditions, pensions; there are no plans for anything to change for staff at all. The changes and benefits for the school are connected to curriculum, CPD and financial benefits. Staffing arrangements are not part of the Trusts plans. During the TUPE process, staff would transfer to the Trust as the employer. However, unlike many Trusts, the staff contracts will name the school they are employed at as their place of work. There will *not be anything in the terms and conditions that require staff to work at any other academy. In the same way that KCC are your current employer but you are contracted to your school; this will remain the same within the Trust.*

There may be future opportunities for staff to work across the Trust in roles in the future and if these posts became available to be shared by the school, all current staff would be able to apply in the normal recruitment process.

Will there be a re-structure of the staff?

As previously mentioned, there are no plans for a restructure of staff by the Trust. The staffing arrangements for your school remain the responsibility of your Governors. Ensuring we are delivering the best educational experience for pupils, while enhancing the community we serve is core to the Trust's vision.

How will it work for new staff?

New staff will be employed by the Trust and will have the Trust's terms and conditions from the start of their employment. However, these are currently the same terms and conditions as teacher pay and conditions and KCC support staff contracts.