

## **FAQ – HR**

### **What is the impact of Academy status for current staff?**

All qualifying staff would transfer from their current employer (the local authority or another academy trust) to the employment of PLT. Qualifying staff are generally those who would have been employed at the school on the date of conversion to PLT. This transfer would take place within the TUPE regulations for staff transfer, which ensures that staff retain all of their existing rights, terms and conditions and pension arrangements, including continuity of service. Pension rights would also be maintained as part of any conversion.

### **What is the effect of TUPE?**

The TUPE Regulations provide that the current employer's "rights, powers, duties and responsibilities" under the contract of employment of any transferring member of staff would be transferred automatically to the new employer, in this case the PLT.

### **Do academies have to recognise Trade Unions?**

Yes. Where TUPE applies all trade unions are recognised before the transfer and continue to be recognised by the new employer.

### **What happens to staff such as catering and cleaners who are employed via buy back from the LA?**

These employees do not TUPE across. The PLT generally takes over all contracts in place. As part of the due diligence process (the checks we do before a school converts with us) we would look to see what types of contracts the existing school has in place.

### **What obligation does the LA have to employees who do not want their contracts to be transferred to an Academy?**

If an individual employee does not wish to transfer, the LA has no obligation to seek alternative employment for them. This is likely to mean that they will resign and seek employment elsewhere.

### **What will happen to teachers pay and conditions if my school becomes an academy – can PLT guarantee that we would not renegotiate this?**

We will adhere to the STPCD and Burgundy book. PLT would not be able to make guarantees regarding any changes they wish to make in the future, however it is in the children's interests within the Trust for us to consider the impact of less favourable conditions of employment. There is no intention to change terms and conditions for future new staff at this moment. Consultation would take place should anything arise in the future.

**Is the PLT bound by the School Teachers' Pay and Conditions document?**

No – only LA maintained Schools where the Authority is the employer, are bound by this legally.

**What will happen to my pension if my school becomes an academy?**

There is no change to pension. On transfer, the employee will have auto enrolment to the Scheme so will need to opt out if they do not wish to join. The employee will see no change to the statement they receive, only a change of employer

**Are all staff required to have new DBS checks on conversion?**

Where a maintained school is converting to become an academy, new DBS checks are not required for existing staff unless there is a concern about a particular member of staff. For new staff, the requirements set out in the Keeping Children Safe in Education guidance should be complied with.

**Will my workload increase?**

Hopefully not as we appreciate that teaching is a profession where everyone works exceptionally hard already. There will be aspects that the Trust considers to be non-negotiable e.g. marking, professional development, planning; however, all staff will be given an appropriate amount of non-contact time. The Trust's main priority is to allow teachers to teach.

**Will the existing headteacher be appointed Principal of the academy within the PLT?**

All employees will transfer to the Academy unless there are economical, technical or organisational reasons for a restructure and potential redundancies. If this were the case, the Trust would consult with the Trade Unions if there are any measures at the point of transfer, or to be considered after a transfer

**Who is now responsible for staff recruitment and in particular future recruitment of any Principal?**

The Trust would be responsible for the appointment of Principals, and individual school leaders for other appointments. For any appointments, members of local academy council hubs, and members of the executive leadership team may wish to be observers on panels or indeed be a panel member, however this practice would be more usual for senior appointments within each school.