

Briefing note

To: Schools Forum **Author:** Christina Ponting, ENGIE

Date: 11th January 2023

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 on the above since April 2018 to support Schools Forum members to better understand the cost / number of claims as they progress through the financial year. Schools Forum agreed (in their meeting in January 2022) to continue to provide a provision for the 22/23 Financial Year.

In January 2020 Schools Forum agreed that each year they would review the costs of the SLA to ensure the pupil rate considered inflation/ employment cost pressures including annual salary awards/ review as well as pay awards and other employment costs.

In January 2022 Schools Forum agreed to hold the rate at the existing per pupil rate of £27 combined (£21.97 for Part 1 and £5.03 for Part 2).

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, (MAPS-J) where those employers chose to be part of this SLA, to be reimbursed to employer. Maternity remained by far the bulk of claims and whilst claims were variable in volume, cost and duration (resulting in predictions and budget planning requiring a wider number of assumptions) the vast majority of individuals consistently claimed the entire paid leave element.
- Part 2 – the costs associated with the absence related to reimbursement to the home/ host employer. The SLA applied equally to all schools whose employers chose to be part of the SLA – including teaching, leadership and support staffs and was operated within an annual agreement. The profile of use had always had an element of variance for each year the SLA had been in operation. Recently use profile had further varied due to increased membership levels, changes in the value of unit cost and the national pandemic changing how some areas of support and wider communication were conducted.

The SLA value per pupil was reviewed and it was agreed that it would be held at this value for 22/23 Financial Year was held at £27 overall and pupil reference points remained inclusive of Reception to Year 11. Schools Forum established the SLA to ensure that it operated within budget allocations and therefore claims are paid retrospectively, the value of claims are reviewed on an ongoing basis, options/ further considerations are discussed within Schools Forum meetings including how the SLA operates, if it needs to be in place, the potential reimbursement rates for claim, etc.

Current Position:

- Part 1 – MAPS-J: Maternity leave claims updates have been presented directly to Schools Forum members and as discussed previously the value of claims for this year to date is in excess of claims values at the same point in previous years. The part of the SLA continues to be difficult to predict as Schools are eligible to claim for each application that meets the criteria. Paternity, Adoption and Shared Parental leave have also seen an increase.
- Part 2 – TUFT: claims remain line with expectations but again the value per claim has increased.
- Schools Forum have asked for consideration to be provided to what an inflationary increase would mean for the value of the SLA charge per pupil. Information has been provided separately to Schools Forum members on this.

In considering the continuation of the SLA for 23/24 (April 23 to March 24), an inflation increase to ensure the SLA keeps in pace with changes to basis salaries and employer costs – ensuring the value of the refunded claims is beneficial to schools. A % increase ranging from 4-7% could be considered. In considering this Schools Forum are asked to consider the following:

- a. refund values inclusive of claims for April 2022 to March 2023 are to be paid as per the agreement reached within the 2018/19 Financial Year - namely that Part 2 (TUFT) claims are paid at 100% and Part 1 (MAPS-J) claims are reimbursed at a value lesser than 100% but which ensures that the funds within the combined SLA are used/ distributed to Schools who are part of the SLA.
- b. Schools who have made claims will be provided the refund value for their individual School ASAP to the 31st March 2023 as possible.
- c. Schools who are not part of the de-delegation arrangements continue to be offered to join the SLA at the de-delegated value, e.g., Academies, Nursery, Special Schools, PRU.
- d. If Schools Forum wish the SLA to operate as it does currently for 23/24 via an SLA overseen by the Authority or if they wish to look to the market to see if there is an alternative provision in place for Special Leave Part 1 only (MAPS-J). If this was the case 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.
- e. determine if they wish to increase the value of the SLA for 23/24 taking into account the additional information that has been presented.

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. Confirm that they wish the SLA to operate on the points as noted above item a-c.
3. Decide if they wish the SLA to operate as it does currently with the Authority overseeing the SLA on behalf of Schools Forum or if they wish to look at alternative options – and to identify if this is what they wish to do establish a sub-group of school's forum members (with a chair) to lead on this on behalf of Schools Forum, as noted above item d
4. Decide if they wish to review the per pupil rate for the 23/24 SLA – operating from 1st April 2023 to 31st March 2024 and if they wish to review the rate and if so at what % increase, as noted above item e.