

HR POLICY COMPLIANCE AUDIT

Trust Name: Chelmsford County High School for Girls
Date of Audit: June 2024
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1. EXECUTIVE SUMMARY

1.1 SCOPE OF WORK

The scope of work was agreed with Melissa Mulgrew, Business Manager as follows.

To assess whether:

- Required and recommended policies are in place and legally compliant;
- the Scheme of Delegation and authority to act is clear;

1.2 METHODOLOGY

- A review of documentation – policies and procedures, scheme of delegation.

1.3 KEY FINDINGS

Overall, the School's practice in relation to HR Policies is effective.

All statutory and recommended HR policies are in place and formally adopted by the Governing Board.





Most policies are based on models from the School's HR provider which are legally and ACAS compliant. Where the School has developed its own additional policies, these are effective.

There is a programme of review in place, although not consistently in line with recommended timescales or updates provided by the School's HR Provider. In some instances this means that legislative changes are not incorporated in a timely manner.

Roles and responsibilities for HR matters are clear, with some minor clarifications being required between policies and the Scheme of Delegation.



1.4 ASSESSMENT MEASURES


The level of compliance is defined as follows:

	Nil	Procedures and operations are non-compliant, inadequate or not fit for purpose. Significant risk.
	Limited	Weaknesses identified in procedures and operations. Moderate risk
	Substantial	Overall procedures and operations meet regulatory and best practice requirements. Some weaknesses identified.
	Full	Procedures and operations meet regulatory and best practice requirements.

2. ASSESSMENT OF COMPLIANCE

Compliance Standard	Findings	Recommendations	Compliance Level
<p>2.1 Relevant policies/procedures are in place – those required in law and as best practice</p> <p>Statutory HR Policies/Procedures – those that the Academy must have in place are:</p> <ul style="list-style-type: none"> • Capability • Code of Conduct • Dealing with Safeguarding Allegations against Adults • Early Career Teacher (ECT) Induction (if operating Statutory Induction)) • Discipline/Misconduct • Employment of ex-offenders • Grievance • Local Government Pension Scheme Discretions • Whistleblowing 	<p>All statutory HR policies/procedures are in place.</p> <p>All recommended best practice HR policies/procedures are also in place.</p> <ul style="list-style-type: none"> • Equality, Diversity and Inclusion • Flexible working • Menopause Policy • Mental Health & Wellbeing (Commitment to Staff) • Pay Policy • Performance Management • Recruitment (including employment of ex-offenders) • Redundancy/Re-structuring • Probation • Sickness Absence • Teachers' Severance Policy <p>The following additional local policies are in place.</p> <ul style="list-style-type: none"> • Bereavement • Consultation & Communications • Sabbaticals • Smoking at Work • Staff Development • Staff Expenses • Toil 	<p>All policies are in place as recommended.</p>	<p style="text-align: center;">○</p>

<p>2.2 Policies are legally compliant and in line with best practice.</p>	<p>The HR Policies are largely based on the Juniper HR model policies which are legally and ACAS Code (where relevant) compliant.</p> <p>Some CCHSG Policies have not been updated following Juniper Model Policy updates. In most cases these are not significant changes but, in a few cases, there are legislative changes which should be incorporated in a timely way. These are detailed at Appendix A.</p> <p>There are some additional internal policies which have been developed by the academy and these are sound in their content.</p>	<p>Review and update Policies as detailed in Appendix A. In particular</p> <ul style="list-style-type: none"> • Code of Conduct • Discipline & Dismissals • Leave of Absence <p>to incorporate statutory guidance/legislative requirements.</p>	
<p>2.3 There is a clear schedule of review for Policies in line with DfE and best practice guidance and they are formally adopted.</p>	<p>All Policies clearly state the date on which they were approved by the Board. In most cases there is a table showing the previous version, current version, and review dates.</p> <p>This table is omitted from some policies and has not been updated in some cases when the Policy was reviewed. See Appendix B.</p> <p>While all HR policies appear to have been reviewed in line with the academy's stated review cycle, the review periods are not all consistent with the recommended periods – see Appendix B.</p> <p>As reported in 2.2, some Policies have not been reviewed in line with Juniper Model updates where these fell outside of CCHGS's normal review cycle. See Appendices A & B.</p> <p>While not required, it can be useful to have a "version control table" – which records the previous version date and changes made at each update.</p>	<p>Consider adjusting the review periods for all HR policies. As a minimum we would recommend following the DfE recommendations for annual reviews of specific Policies (see Appendix B) although these are recommended not mandatory.</p> <p>Other Policies could be reviewed every 3/4 years if preferred on a staggered basis, although it is important that policies are reviewed outside of these timescales if there:</p> <ul style="list-style-type: none"> • is internal feedback that elements are not operating effectively; • legislative or best practice updates are provided. <p>Ensure the dates of updates are recorded consistently.</p> <p>Consider adding a "version control" table to the end of each policy going forward.</p>	

<p>2.4 The Scheme of delegation and authority to act under HR policies are clear, appropriate and aligned.</p>	<p>The Scheme of Delegation is clear on responsibilities for approving HR Policies.</p> <p>The Scheme of Delegation covers all relevant HR decisions, other than appeals, in relation to HR Policies/Procedures.</p> <p>Policies/Procedures set out roles and responsibilities, including for appeals.</p> <p>The Board Structure sets out the sub committees of the Staff & Student Management Committee (S&SMC), namely Pay Committee and Pay Appeals Committees and Discipline/Dismissal Committee and Appeals Committee.</p> <p>There are minor inconsistencies in references to who deals with appeals outside of those that could lead to dismissal. The Leave of Absence Policy indicates appeals will be heard by members of the S&SMC, whereas the Flexible Working Policy says that appeals will be heard by a Governor or “appropriate committee.”</p> <p>The Terms of Reference for the Pay Appeals Committee says that the Chair of the Pay Committee will appoint the Chair of the Appeals Committee. This could be seen as a conflict as the Appeal is reviewing the decision of the Pay Committee.</p> <p>There is a minor inconsistency in relation to authority to recruit. The Scheme of Delegation says that the Governing Board appoint the Panel for all SLT positions but the Recruitment Policy says this only for Head and Deputy Head appointments. The Policy says the Headteacher can appoint Assistant Heads and any other roles, including support staff, even if they are part of SLT.</p>	<p>Consider adding to the Scheme of Delegation in the Staffing & HR section responsibility for appeals against matters covered by HR policies and procedures.</p> <p>Other than in cases involving the head, appeals are/should be heard by members of the S&SMC, or a sub-committee therefore, so long as those hearing appeals were not involved in the original decision.</p> <p>Wherever possible, those hearing appeals should have more “seniority” than the original decision makers. While seniority is not appropriate terminology in the context of governing boards, this principle is satisfied where a governing board committee hears an appeal against a decision made by the headteacher. In cases where the original decision is made by a governing board committee, it might be demonstrated by the Chair of a Committee sitting on the appeal and the Vice Chair being involved in the original decision making.</p> <p>Consider reviewing the Terms of Reference for the Pay Appeals Committee to remove reference to the Chair of Pay Committee appointing the Chair of the Pay Appeals Committee.</p> <p>Address inconsistency in relation to the appointment of SLT positions between the Scheme of Delegation and the Recruitment Policy.</p>	
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APPENDIX A - RECOMMENDED REVISIONS TO POLICIES

Policy/Procedure	Comments
Bereavement Policy	This is a whole school policy about how to manage death in the school community (critical incidents) as opposed to an HR policy. Note the Policy still contains "Additions for school closure during Covid-19".
Capability (all staff) Procedure	Up to date. Juniper Review due Sept 2024, pending revised DfE guidance on removal of performance related pay requirements.
Code of Conduct	CCHSG version was not updated in line with the Juniper Model in September 2023. It was an important update to ensure that a Low-Level Concerns <u>Policy</u> was included in the Code of Conduct
Communication & Consultation Policy	This is not an HR policy in the true sense - but sets out how the school communicates and consults with staff and communicates with parents. The overall content is good. Recommended amendments to content: <ul style="list-style-type: none"> • Staff Voice – the list of unions should include all recognised unions e.g. GMB; • If the school uses exit questionnaires this would be useful to add as another mechanism for gathering feedback; • It would be useful to add how staff are consulted on HR policies and/or can provide feedback on them and how updates are communicated to staff; • It is recommended that the Policy clearly sets out which of the meetings listed in paragraph 2 staff are expected to attend and how information is cascaded where applicable to those who cannot attend.
Dealing with Safeguarding Allegations against Adults	Up to date.
Discipline & Dismissal Procedure	CCHSG version is June 2021. Juniper issued an update in November 2022 with a legislative change to the list of disciplinary offences as follows: "Engaging in secondary employment without the employer's express permission <i>where this is required.</i> " New Regulations from 5 December 2022 prevent those whose average weekly earnings are at or below the lower earnings limit from being required to seek permission to engage in secondary employment. A further review was done in December 2023 in line with our timetable, but there were no changes at this point.
ECT Induction	Up to date.
Employee Expenses Policy	The content is sound.
Equality & Diversity in Employment	Up to date. The HR elements covered by Juniper's Equality, Diversity and Inclusion in Employment Policy are incorporated into the Academy's general whole school policy.
Flexible Working Policy	Up to date in line with the Juniper model reflecting legislative changes wef April 2024.
Grievance Procedure	Up to date.
Leave of Absence Policy	CCHSG version is June 2022. Juniper issued updates in January 2024 and April 2024. January changes were largely clarifications but April 2024 changes reflected changes in legislation around holiday pay, Paternity Leave and Carers Leave.

Local Government Pension Discretions Policy	CCHSG version is June 2022. Juniper issued updates in May 2023 and February 2024. These were not statutory changes but points of clarification only.
Mental Health & Wellbeing	CCHSG does not have a Policy but has a "Commitment to staff" statement which covers key expected elements of such a policy such as health and wellbeing support, mental health first aiders and workload management.
Menopause	CCHSG version is November 2022. Juniper issued an update in December 2023. These were not statutory changes but points of clarification only.
Pay Policy	Up to date.
Performance Management Procedure	Up to date. Juniper Review due Sept 2024, pending revised DfE guidance on removal of performance related pay requirements.
Probation Procedure	Up to date.
Recruitment Procedure	CCHSG version is June 2022. Juniper issued an update in September 2022. These were not statutory changes but points of clarification only.
Redundancy & Restructuring Procedure	CCHSG version is June 2022. Juniper issued updates in April and May 2024. Most were minor clarifications but one minor change was to reflect the Protection from Redundancy (Pregnancy and Family Leave) Act which came into force on 6 April 2024.
Sabbaticals	Up to date.
Sickness Absence Management Procedure	CCHSG version is June 2021. Juniper issued an update in September 2022. These were not statutory changes but points of clarification only.
Staff Development	This is an internal policy. There is overlap between this and the Performance Management Policy and in terms of Induction, with the Recruitment Policy. The DfE is due to issue new guidance on Performance Management in the light of the removal of performance related pay for teachers. When considering this updated guidance, consider reviewing the Staff Development Policy, and combining with Performance Management.
Smoking @ Work	Whole school policy – the content is sound
Teachers' Severance Policy	CCHSG version is June 2022. Juniper issued an update February 2024. These were not statutory changes but points of clarification only.
TOIL	This is an internal policy. The overall content is good. Recommended amendment: <ul style="list-style-type: none"> Para 7.6. Compassionate Leave is not statutory and therefore consider whether TOIL could be taken rather than unpaid leave for compassionate leave where applicable.
Whistleblowing Policy	Up to date.

APPENDIX B - POLICY REVIEW SCHEDULE

Policy/Procedure	Juniper Current Model	CCHSG Current version date	Recommended Review Period	CCHSG Review Period
Bereavement Policy	N/A	3/22	2/3 years	4 years
Capability (all staff) Procedure	3/23	6/23	Annual	2 years
Code of Conduct	9/23	3/23	Annual – DfE	2 years
Communication & Consultation Policy	N/A	7/23	2/3 years	3 years
Dealing with Safeguarding Allegations against Adults	9/23	3/24	Annual	Annual
Discipline & Dismissal Procedure	12/23	6/21	Annual – DfE	3 years
ECT Induction	9/23	3/24	Annual	3 years
Employee Expenses Policy	N/A	No date	2/3 years	Not specified
Equality, Diversity & Inclusion in Employment	1/24	11/23	4 years - DfE	Not specified
Flexible Working Policy	4/24	4/24	2 years	3 years
Grievance Procedure	10/23	11/23	Annual – DfE	3 years
Leave of Absence Policy	4/24	3/22	3 years	4 years
Local Government Pension Discretions Policy	2/24	6/22 – Table not updated	2 years	Not specified
Menopause	12/23	11/22 – Table not updated	2 years	1 year
Pay Policy	9/23	9/23	Annual	Annual
Performance Management Procedure	3/23	11/23	Annual	3 years
Probation Procedure	10/23	11/23	2 years	3 years
Recruitment Procedure	9/22	3/22	2 years	4 years
Redundancy & Restructuring Procedure	5/24	6/22	2 years	4 years
Sabbaticals	10/22	6/23	2 years	3 years
Sickness Absence Management Procedure	9/22	6/21	2 years	2 years
Staff Development	N/A	3/22	2/3 years	4 years
Smoking @ Work	N/A	3/24	2/3 years	4 years
Teachers' Severance Policy	2/24	6/22	2 years	4 years
TOIL	N/A	6/23	2/3 years	2 years
Whistleblowing Policy	3/24	3/24	Annual	Annual ?