

# HNC FURTHER EDUCATION CORPORATION

## Remuneration & Personnel Committee meeting held on 12th June 2023 from 5pm via Teams



### Confirmed open Minutes.

Present: Ms L Summers, Mr K Webb, Mr J Dawson, Ms C Watterston and Ms R Drury  
(attendance: 100%)

In attendance: Mr M Smith-Connor, Ms L Paddon and Ms M Dean

Clerk: Mrs C Coupland

### 1. Apologies for Absence/ Declaration of Interest

There were no apologies for absence.

There were no declarations of interest from Committee Members.

Ms Watterston was welcomed to her first committee meeting; time was taken for introductions to be made.

### 2. Minutes from Meeting on 28<sup>th</sup> March 2023

#### Resolved:

- That these be accepted as a true record of the meeting.

### 3. Matters Arising

#### *National Joint Council (NJC) Teachers' Pay 2022/23 – Joint Pay Statement*

It was noted that the Corporation had approved and implemented the recommended interim pay award and that Mr Flynn had advised the Corporation that the interim award equated to 5.25%.

#### *Gender Pay Gap Report*

The committee was advised that Mr Flynn was leading on the re-formatting of the report, little progress had however been made at this stage but more information will be presented to the committee at its next meeting. Once the new format is agreed, the report will be formally presented to the committee at its meeting in the spring term. It was confirmed by Ms Paddon that the staff numbers at the time of the snap shot date will again not exceed the 250 threshold.

The committee reiterated that they remain keen to better understand each of the different quartiles referred to in the report and in particular the roles within each quartile. The committee, knowing that the report needs not be published again, asked for the spring term meeting to be pushed back as far as possible to allow for comparative data to be garnered from others' submissions that had been published.

The benchmarking of the gender pay gap will, in the committee's opinion, allow for a better understanding of the possible measures that could be introduced at different levels of pay to address any findings post analysis. The committee also raised that there may be merit in using GFEs as more suited comparators rather than MATS.

*Equality, Diversity and Inclusion Annual Report 2022: Update*

Ms Paddon advised the committee that the new HR database will be live from the end of summer. There is a period of training and transition embedded within the timeline.

#### *Policy Reviews*

Attendance Policy – Ms Paddon advised the committee that the decision had now been taken to remove the proposed material change to the policy, as raised at the last committee meeting, in relation to reducing the absence triggers and targets for staff in first 12 months of employment. As permitted at the corporation meeting, additional time has now been taken by SLT to further explore the rationale for introducing this change. The decision has since been made that this change is now not necessary due to the low staff numbers it would impact on. No further changes are now being sought to the policy. It remains as approved by the corporation at its last meeting in April 2023.

*Curriculum Faculty Leadership and Management:*

Verbal update to be received under agenda item 4.

## **4. Staff Framework and Pay Awards: Update**

Mr Smith-Connor confirmed to the committee that the restructure of curriculum faculty leadership and management had now finished. All appointments had been made and accepted. The Senior Leadership Team are of the view that the proposed curriculum faculty leadership and management structure will create a tier of middle-managers who have the time and resources to proactively supportively challenge teaching staff so that they are empowered to dispense their professional responsibilities to the fullest extent possible. It will also further support the College's shift in emphasis to a clear focus on the quality of education and the students' daily, lived College experience.

Mr Smith-Connor advised the Committee that no further information has been released to date on the outcome of any other NJC discussions in relation to ongoing teacher pay disputes. Further strike action may however take place during the remainder of the summer term.

Mr Smith-Connor informed members that it is understood from the SFCA that the pay settlement sought from the School Teachers Review Board (STRB) is from 6% - 8.7%. This could serve as a guiding settlement figure for the post 16 sector. The SFCA are aware however that Colleges have already stressed that this level is not achievable for many within the sector. Mr Smith-Connor confirmed that any settlement above 6% will prompt cuts to be made to the budget here at HNC – the further the recommendation is over 6% - the more challenging the cuts will become. The committee asked to be kept updated.

## **5. Policy Reviews**

Disciplinary Policy:

Ms Paddon explained to the committee that she had revisited the policy to further explore the points raised at Corporation with regards to building in an opportunity for hearing panels rather than single hearing managers. A proposed amendment was considered to the policy to provide opportunity for a hearing panel for disciplinary hearings against Senior Leaders. It was agreed by the committee that ideally the option for hearing panels should extend to disciplinaries for all staff not just those against senior leaders. Consideration would also need to be given as to whether provision for appeal panels should also be created. After deliberation it was recognised that the desire to create hearing panels (and appeal panels) for all, would be too difficult to resource given the context of the college. It was also noted that the policy has been tested with very high profile investigations recently and it had served well.

Improvements to the policy therefore need to be proportionate and achievable, and for this reason the decision was taken by the committee to leave the policy as it currently is which is for single hearing managers only.

A further point of interest was raised with the policy in relation to the Suspension Arrangements. It was recognised and accepted by the committee that Suspension is a neutral act and does not signify guilt, nor is it considered a formal sanction, it therefore raised questions as to why an appeal may be made in writing to the Corporation (unless delegated by them under the Articles) against the suspension. The committee was of the view that challenges being made against unfair suspension should be raised as a grievance and therefore would be best dealt with by the college's grievance policy. Ms Paddon explained that this was historic practice of the college however to date any decisions taken to suspend have not created any difficulties for she confirmed that suspensions are as brief as possible and always reviewed on a regular basis. Ms Paddon however agreed to consider this further with the professional associations. An update would be provided to the committee at its next meeting.

**Resolved:**

- **No further changes to be made to the disciplinary policy in relation to hearing arrangements.**
- **For Ms Paddon to raise with the PA the possibility of removing reference to appeals against suspensions (given that it is not a formal sanction) within the disciplinary policy – signposting staff to the grievance policy instead. For Ms Paddon to update the committee at its next meeting.**

**Equal Opportunities Policy :**

The committee was asked to note post review only one change was required to the existing policy namely for the policy to be reformatted with the new HNC logo.

**Resolved:**

- **That the Equal Opportunities Policy be approved.**

**Anti-Bullying and Harassment Policy:**

Ms Paddon explained that the only minor changes required to the existing policy were for the policy to be reformatted with new HNC logo; for the Vision, Mission, curriculum intent and values to be updated and reference to department names required updating.

The committee explored the need for difficult and honest conversations to be had by Line Managers with staff on performance matters. It was agreed that this dialogue is not malicious treatment or bullying, provided that the manager has acted appropriately, even if this is uncomfortable and upsetting for staff to hear such views. The committee was therefore of the opinion that it would be beneficial to make it clear within the policy that managers are entitled to make reasonable and constructive criticisms of an employee's work performance or behaviour, including initiating disciplinary procedures or performance improvement procedures.

The committee also agreed it worthwhile to make clearer that suppliers and stakeholders not employed by the College still remain responsible for their behaviour and that concerns for disrespectful behaviour should be escalated.

**Resolved:**

- **That the Anti-Bullying and Harassment Policy be approved subject to the changes agreed.**

**6. Strategic Overview of CPD Review**

Ms Dean advised the committee that the College IP system continues to identify and link staffs' requests for training to strategic business priorities or individual training plans as well as maintaining ongoing records of the impact of learning outcomes on skill sets. Internal audit had also just completed an assurance review of the college's performance management systems. It was a positive experience, the findings report has not yet been received but will be shared with the committee when available.

Ms Dean reminded Governors that when this report was last presented to the Committee in May 2022 members were satisfied that all different staff groups had access to and budget allocated for ongoing CPD and training; however governors were of the view that future editions of this report should be colour coded to provide easier visual assurance of this being the case. The committee noted that this request had been actioned in the current draft. The committee agreed that the new report format provided good assurance that fair and equitable access to training was open to all operational and teaching staff. The committee was of the view that the report also clearly demonstrates the commitment to and investment in all staff training for all levels. The committee also noted that CPD continues to be built into the college day rather than expecting staff to complete in own time or at twilight sessions.

**Resolved:**

- **That the report be received.**
- 7. BAF assurance review : Poor professional development of staff including leadership and management development and succession planning**

The Committee considered the assurance review presented for this individual risk.

From discussions had, members were of the opinion that the risk continues to be managed well by the college as captured within the comprehensive updates to the report.

Members agreed that an overall green assurance level shall be assigned to the risk.

**Resolved:**

- **To assign Green overall assurance**
- **For the Clerk to update the Master BAF**

*Ms Dean left the meeting at this point.*

**8. Annual review of SPH Policy and Procedure**

The Clerk reminded the committee that good governance requires that the Corporation has in place a policy and arrangements for determining the pay of senior post holders which both ensure that such staff are appropriately remunerated in terms of their recruitment, retention and motivation, and which at the same time are seen by the college's stakeholders (both internal and external) as robust and proportionate in their use of funds. The Corporation and the Remuneration & Personnel Committee therefore has a clear role to play in protecting the college's reputation and to ensure that any pay decisions taken are, and can be seen to be, justified, fair and equitable.

The Clerk advised the committee that the current arrangements continue to satisfy the AoC Codes overall principles and provides assurance that the Remuneration & Personnel Committee demonstrates leadership and stewardship in relation to remuneration; with sound and defensible recommendations being made for fair and appropriate pay awards for all SPH's.

The Clerk also reminded the committee that the ONS on 29th November 2022 published its decision that Colleges would again be reclassified as “Central Government” or public sector bodies. A new framework for financial management therefore now applies - Managing Public Money (MPM) which now includes a senior pay controls process. The new senior pay controls for designated colleges came fully into effect from 1 May 2023. This means that:

- for new appointments with proposed remuneration at or above £150,000 or performance related pay above £17,500, approval is required from the Chief Secretary to the Treasury (CST) before the post is advertised
- for existing staff whose remuneration exceeds £150,000 and who are awarded a pay increase above 9%, approval is required from the CST before the pay increase is confirmed
- for existing staff whose current remuneration is below £150,000 but a pay award of over 9% takes it to or above that figure, approval is required from the CST before the pay increase is confirmed

The Senior Pay controls process also stipulates the following principals when setting senior pay:

- Senior appointments should be remunerated at an appropriate level providing value for money
- Senior appointments should be remunerated at an appropriate level to recruit, retain and motivate the best people
- Senior remuneration should be set at an appropriate level that is consistent across grades to ensure fairness and consider the impact across the public sector

The Clerk advised the committee that no senior pay controls currently apply and from the review she was satisfied that all the above principles are also reflected within the current framework. Therefore no changes are deemed necessary to the existing policy.

The committee agreed that the current arrangements, continues to satisfy the Codes overall principles and was in agreement that the MPM senior pay controls process also does not currently apply. This provides assurance that the Remuneration & Personnel Committee already demonstrates leadership and stewardship in relation to remuneration; with sound and defensible recommendations being made for fair and appropriate pay awards for all SPH's. The committee was of the view however that the policy should be amended to make clear reference to the procedure needed to be followed in the event of the control processes and principles ever being met.

**Resolved:**

- **To approve the outcome of the review of SPH Policy and Procedure, subject to the insertion agreed.**

## **9. Self assessment of Committee work and review of terms of reference**

The Committee reflected upon its work throughout the academic year and agreed that it is fully covering its terms of reference.

Time was taken to collectively consider how the Committee's work had impacted/ contributed to the overall work of Governing Body during this academic year. The clerk asked members to email any other additional thoughts to her to be inserted into the committee's self-assessment report which will be later distributed to all Governors.

**Resolved:**

- **That the Committee has complied with its terms of reference**

- **For members to email the Clerk with any additional impact statements by the end of term.**

#### **10. Any other Business.**

There was no other business to consider.

#### **11. Learner Impact Reflection**

**The impact of discussions and scrutiny of the College's work in improving the outcomes and experience for all learners was considered and the following agreed:**

- Assurance received that the college has an adequate and effective remuneration framework and has fulfilled its statutory responsibility for 'the effective and efficient use of resources, the solvency of the institution and the body and the safeguarding of their assets'
- Assurance that the College strives to create a transparent, fair organisation that is attractive to work and learn at
- Assurance received that the college strives to provide a supportive work environment for all staff
- Scrutiny of the College's CPD staffing report ensures Governors' focus, challenge and support in improving teaching and learning experiences for Students.
- To ensure that HNC continues to succeed and is able to continue to deliver a high quality of student outcome and experience.
- The corporation is committed to demonstrating its leadership and stewardship in relation to remuneration and in doing so helps to protect the college's reputation and provide greater assurances to key stakeholders and partners, including the student community and wider society.

#### **12. Determination of confidentiality**

It was determined that the supporting paper regarding agenda item 7 should remain confidential given the nature of its contents.

#### **13. Date of next meeting: to be confirmed.**