

**TUPE Consultation Meeting
Bidston Avenue Primary School
TUPE transfer to The People's Learning Trust
Meeting with Trade Unions (3:00pm) & Staff
(3:45pm) on 19th September 2024**



1. Welcome & Introductions

Stuart Brady	Headteacher
Cllr George Davies	Chair of Governors
Steve Baker	CEO The People's Learning Trust
Linda McMullen	CFOO The People's Learning Trust
Sue Blevins	Senior HR Manager, Wirral Council
Angels Santaularia	Senior HR Officer, Wirral Council
Michael Mellin	NAHT
Kate Williams	Unison
Ian Harris	NEU
John Cook	Cook Lawyers (Employment Law and HR)

Kathy Hackett Deputy Headteacher / Minute Taker

Apologies:

Anne Rycroft	NASUWT
Jonny Atherton	UNITE

- Thanks for attending.
- This meeting is the start of the consultation process.
- We want to engage with you in a meaningful and open dialogue on the proposed changes.
- We will explain the proposals to you in more detail today and consider any representations that you wish to make on the proposed measures. There can be continuing dialogue following the briefing this afternoon.
- Any staff who wish to have an individual discussion following this are welcome to do so, and to be accompanied at such meetings by their trade union representative or a work colleague if they so wish.

2. Background - Representatives of current and new employer

- SGB, Headteacher, gave the background and context to school's interest in joining TPLT. SGB highlighted 'ethical inclusivity' is important to the school and the trust. See presentation. Responses to questions posed by the unions are included in the presentation (see attached copy).
- SGB introduced the CEO, Steve Baker OBE and Linda McMullen (CFOO) and they explained how the values of the trust aligns with the values of Bidston

Avenue Primary School. Relationships and research are key for both. Everton Free School is the best in the country and results are excellent. There is the desire to grow something bigger than a single academy and help the local area. Steve Baker was one of the people instrumental in the Cradle to Career initiative (Bidston Avenue is part of this) and wants to replicate that type of model. The schools have already been working together, meeting monthly for the last year. The focus on research will work well within the Trust. Steve highlighted that funding does not come from Everton Football Club and the two businesses, although close, are separate.

- Steve Baker (CEO of TPLT) provided an introduction to the Trust and our vision for staff and other professionals in the room.
- Sue Blevins (HR) asked how many other schools will be involved. Steve answered that during phase 1 there will be up to 15 schools. There is interest to involve other football clubs in the future. There is also funding from other organisations. For example, £1million has been invested from Spirit Foundation. The trust is looking at improving literacy and are working with the National Literacy Trust.
- Ian Harris (NEU) asked if there was a recognition agreement. There is one in place. Steve Baker will send this to SGB to share with the minutes.
- Stuart Brady and Steve Baker confirmed that all school (Wirral) policies are transferring over with the staff. Sue Blevins (HR) add that this includes new Wirral HR policies to be approved in the next few weeks.
- Pay date will become 23rd of the month with a new payroll provider. With a change of pay date, the new employer will not let anyone be disadvantaged.
- SGB confirmed that both Teachers Pensions & Merseyside Pension Fund have been contacted. The MPF pension surplus will follow school to the new scheme.
- Kate Williams (Unison) asked about the latest numbers for staffing involved in TUPE.
 - There are 49 staff -19 wider support staff, 9 Teaching Assistants and 20 teachers (including the leadership).
- Kate Williams (Unison) asked about catering and caretaking teams.
 - The Catering Team is external to school and remains with Edsential.
 - The Cleaning Team are part of this TUPE as school employees.
- Michael Mellin (NAHT) asked about future liability for incidents . What would happen with future claims on previous accidents. This would be shared with the Trust. Any risks would be highlighted. There is 6 years claim time scale for personal injury claims. The insurer will stay the same across the transfer as school has already moved to RPA Insurance.

- All continuous service of employees is protected.
- There is no plan to change the staffing structure or any job roles.

3. Date of transfer 1st January 2025

- It is currently proposed that the transfer takes place with effect 1/01/2025, subject to due diligence / legal processes being completed by this date.
- Should it not be possible to meet this date, it would be necessary to push the transfer back. We will keep colleagues informed if this happens.

4. What does this mean for staff?

- It will mean that all staff employed by the school at the date of transfer will be employed by The People's Learning Trust
- Staff are covered by TUPE legislation, which protects contractual terms and conditions at the point of transfer, and they will transfer into The People's Learning Trust on their current terms & conditions.
- Ian Harris (NEU) explained to staff that if TPLT want to change any terms and conditions in the future, they will have to consult.
- Staff were advised, by Sue Blevins (HR) to download their P60 for this and past financial years and any payslips. Teachers should also check with their pension provider to ensure all service is recorded. Staff should make sure all their details are up to date on Self-Serve.

5. Any Proposed Measures post transfer

i) **Change of payroll provider?** Yes, McLintock's in Liverpool

ii) **Pay date change?** Yes, proposed 23rd of the month. School Staff are 18th and 24th of the month, so there will be provisions in place if some staff need support with this.

iii) **Trade union recognition?** Yes.

iv) **HR policies?** All taken over with employees and, in the future, it is planned that the most favourable policy will be taken by the trust across the Local Authorities.

The only proposed measures are the change of payroll provider and pay date.

6. Questions (Some union/PA questions answered within the minutes above)

Staff Questions

What is your [Steve Baker's] experience in the primary sector as a lot of what you've done is in the PRU area?

- Steve Baker (CEO TPLT) stated that he had wider experience of primary schools (primary special) when he was executive headteacher over Gilbrook and Kilgarth. This helped him to better understand the sector.

Will our holiday dates change in the future as the trust has schools in differing LAs?

- The Trust will not be involved in changing any term dates as it is a school decision.

Will staff be required to work at another school if they are in difficulty or have absences?

- Staff would not be expected to work across the Trust unless there was a developmental opportunity that would wish to take part in.

Will the Headteacher be able to decisions around who he support financially for trips and visits as this is a big thing at our school?

- The headteacher decides on those matters and the trust will support this. There is the possibility that the Trust will be able to support the school in filling some of those trip funding gaps.

Is the Trust committed to union time?

- The trust is committed to facilities time and has an agreement with the unions. This will be shared with the minutes.

What will happen with any late payroll payments i.e. for any uplift of pay or agreements made late by support staff unions?

- The trust will pay what is due and claim previous backdated months from Wirral, if needed.

7. Close

Trade unions: Sue Blevins thanked the trade unions and professional associations for attending. She explained that notes will be circulated along with a date by which further representations should be made.

We can meet again if necessary or conclude matters by email. Once we have closed formal collective consultation, the door remains open to deal with any further questions that may arise.

Staff: Sue Blevins thanked all the staff for attending.

They were reminded to raise any further questions either with the Headteacher or via their trade union representative.

TUPE Consultation will close on Monday 21st October 2024.
 +32 days after the consultation formally opened. The 30th day was a Saturday, so we have extended it to the next working day.