

Support for School Based EIS & HR Investigations

Purpose of the Report

1. This report seeks the approval of Schools Forum to agree the creation of a £50,000 fund to be allocated to the Education Improvement Service to support specialist advice and support required during complex school based investigations. Normally investigations are conducted by individual schools with advisory support to the head teacher or other senior leader provided by the HR Service. In some recent complex cases the HR Service has been commissioned by the school to undertake the investigation on behalf of the school. The reasons could be varied and have included serious parental and or governor complaints; staff or governor conduct or grievance complaints and issues arising from concerns raised by STA. The fund will support situations where the matter under investigation includes significant education concerns which require specialist EIS input to secure resolution. This does not replace the provision of support available to schools through the HR sold offer, which all schools are strongly advised to purchase. This fund is to be managed by EIS and used only where the circumstances are such that the governing body requests that the HR Service undertakes the investigation on behalf of the school and where the HR Service requires the specialist input of an EIA or governor services

Information and Advice

2. Maintained schools are increasingly faced with the challenges of undertaking formal investigations as a result of complaints from parents, governors or external statutory agencies. Whilst most maintained schools ensure that support and advice is bought back from HR at an appropriate level, it is nonetheless the case, that schools can be faced with unexpectedly high costs as a result of undertaking investigations in line with their own complaints procedures.
3. In the past, EIAs have provided expertise to both HR and schools to undertake joint investigations with the actual costs 'subsumed' into relevant Education Improvement Service budgets. However, such is the situation currently, it is no longer possible for EIAs to be released to support HR or schools with such investigations.
4. This proposal is to ensure that smaller primary schools in particular, but all maintained schools can access the support of an EIA at the discretion of HR and CFCSLT when it is clear that the actual cost to the school, in addition to the HR package already purchased, will exceed £2,000 of EIA time.

Proposed qualification criteria for receiving funding

5. Schools are advised to ensure that they have purchased the advice and support package from HR at the appropriate level. This fund will be monitored by Schools Forum, through the Education Improvement Service. Access to the fund will be prioritised to those schools who purchase the county council's HR advice and support package and it is important to note that the fund does not replace the consultancy available through the HR service which covers a broader range of employment investigations. EIS will make use of this fund, under the following circumstances:
- HR requests the expertise of an EIA during an investigations about the headteacher, chair of governors, or other senior staff member
 - HR requests the expertise of EIA during an investigation that has resulted from allegations of maladministration by the Standards Testing Agency or other external body
 - HR requests the expertise of an EIA to address a serious complaint from a parent or carer
 - It is the view of senior officers that such are the concerns raised by the compliant and or incident that immediate investigation is required to support the Governing Body to fulfil its statutory duties.
6. During 2014-2015, headteachers and chairs of governors have faced increased challenge as a result of complaints from parents, members of staff, or maladministration of statutory tests. Total number of HR investigations carried out during this period is 17 of which EIS has supported 5.
7. The following grid summarises anonymised examples of some schools that during 2014-2015 incurred significant and additional costs as a result of an EIA having to support an investigations. It should be noted that these case studies do not include additional HR costs which schools will continue to incur as a result of an investigation.

Case Study 1	
Nature of Allegation	Complex complaints from ex-governors against Chair of Governors and decisions made by the Governing Body
The level of package, school buys into	Enhanced
Cost of EIS support required for the investigation	£3724
Case Study 2	
Nature of Allegation	Attendance and conduct issues in relation to 4 staff members
The level of package, school buys into	Enhanced
Cost of EIS support required for the investigation	£10,000

Case Study 3	
Nature of Allegation	SATS Maladministration
The level of package, school buys into	Standard
Cost of EIS support required for the investigation	£3175
Case Study 4	
Nature of Allegation	Misconduct of head teacher
The level of package, school buys into	Standard Package
Cost of EIS support required for the investigation	£12,600

Basis of financial support

8. The following allocations will apply:

- £50,000 to be allocated annually from the DSG underspend to be used by EIS to provide expertise to a HR investigation or school based investigation.

Report of expenditure to the Schools Forum

9. A report detailing the schools that have received payments from this new fund would be presented the Schools Forum on a yearly basis.

RECOMMENDATION/S

That the Schools Forum:

- 1) Note the contents of the report.
- 2) Agree to make an allocation, from the DSG underspend, of £50,000 per annum with effect from the current financial year to support maintained schools with the costs of providing an EIA during a school based investigation.
- 3) Monitors the fund on a yearly basis to ensure funds are allocated in line with the agreed criteria

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