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Autumn 2026

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Welcome to the Autumn issue

I hope the new school year has started well for you after a record-breaking hot summer. By the time this issue lands, preparations for the ISBA/AGBIS merger will be further developed. I share some more details about that on page 92.

None of you need to hear about the continuing challenges of the economic climate. I've taken note of how wearing it is to hear constant doom and gloom! Our post-merger approach will recognise that while the situation is unlikely to significantly change anytime soon, schools need to continue to adapt.

We also shouldn't forget to recognise the success stories in the sector. Despite the challenges, your schools continue to deliver for pupils. I was delighted to see the GCSE and A level results in August – and that a significant percentage of pupils from independent schools continue to receive the highest grades. Schools must continue to provide this excellence for pupils. Education lies in the remit of the head, but the work of the bursar and non-academic executive is crucial in underpinning success by delivering financial resilience, shaping investment and, where necessary, implementing cutbacks, whilst ensuring that school operations continue uninterrupted.

There is a lot in this issue of The Bursar's Review about adapting to the changing times. Technological change is the focus of the special section starting on page 26. ISBA's Technology Survey showed that schools continue to see technology as a strategic priority and we also often receive queries from members about AI. The section includes considerations and practical steps for implementing both digital transformation and AI.

The changing climate has also been on schools' minds. This summer was the hottest on record for the UK. Indeed, all five of the UK's warmest summers have occurred since 2000. Some schools reached out to us about dealing with heatwaves. On page 14, there

is an article from a chartered building surveyor on how to keep schools cool, which I hope offers some helpful practical strategies.

The hot weather may also have impacted your grass sports pitches. We've sought insight from the Grounds Management Association on page 83. And if improving sports provision at your school is high on the agenda, we've also included other articles on this topic. The mini sports feature starts on page 78.

Circling back to the experiences of pupils, remember that good results and a great experience at your school can also give back – and not just in terms of reputation. On page 18, we've published an article from St Dunstan's in South London. They have been working to connect with former alumni who benefitted from the school – and have also found that some former pupils are very willing to offer philanthropic support. It's a reminder of the powerful communities that schools build.

If there's a success story you'd like to share with your peers by writing an article for this publication, then do get in touch with **stephanievine@theisba.org.uk**.

As the sector is learning how to adapt to a range of challenges, we continually develop our future membership association. Please do let us know your ideas for what more we can do to support you.

As always, don't hesitate to contact us if you need any support or guidance: **adviceatISBA@theisba.org.uk**.



Catherine Spencer
Chief Executive, ISBA

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SCHOOLS' BURSARS
ASSOCIATION

167-169 Great Portland Street, 5th Floor
London W1W 5PF

T: 01256 330369
E: office@theisba.org.uk
W: www.theisba.org.uk

in www.linkedin.com/company/independent-schools-bursars-association/

COMPANY NO: 6410037
REGISTERED CHARITY: 1121757

CHAIR:
Amanda Webb

CHIEF EXECUTIVE:
Catherine Spencer

EDITOR:
Stephanie Vine
E: stephanievine@theisba.org.uk

PUBLISHER:
Juliet Loisele

PRODUCTION EDITOR:
Nicky Rogers
T: 07824 356373
E: nickyr@warnersgroup.co.uk

DESIGN:
Ady Braddock

ADVERTISING MANAGER:
Jayne Perry
T: 07876 658498
E: jayne.perry@warnersgroup.co.uk

ADVERTISING PRODUCTION:
Julia O'Hara
E: production@warnersgroup.co.uk

PRINTING:



Warners Midlands Plc

PUBLISHING

Warners Group Publications plc
1, Lysander Drive, Northfields Industrial Estate,
Market Deeping, Lincolnshire PE6 8FB
T: 01778 392000

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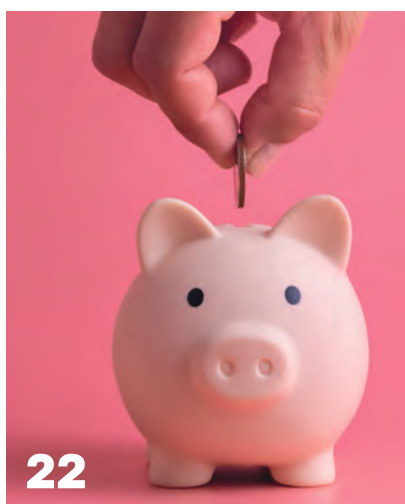


How can schools make sure their technology investments deliver measurable value? This issue's special section tackles digital transformation, AI and the important questions to ask. It's important to understand the problem you are trying to solve and exactly how the proposed technology will help – before you sign any deal.

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- Cost reduction should not be treated as the only measure of success
- Excessive centralisation can remove local ownership and discourage innovation

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Review your **recruitment and probation** processes

Ensure **contractual documentation** is up-to-date

Equip line managers with the **training and confidence** they need to manage new staff

🗨️ Line managers should be coached to have early, honest conversations about performance, even when those conversations are uncomfortable

Managing probation periods under the Employment Rights Act

With the Employment Rights Act 2025 introducing changes to unfair dismissal law from 1 January 2027, it's time to ensure that line managers have the skills needed to manage staff effectively.

We are shortly due to see the most significant reform of unfair dismissal law in more than a decade. From January 2027, the Employment Rights Act 2025 (ERA) will reduce the qualifying period for ordinary unfair dismissal claims from two years to six months. The cap on compensatory awards in the employment tribunal will be removed and from October 2026, extended tribunal limitation periods will give employees longer to bring claims.

Taken together, these reforms fundamentally alter the risk landscape for schools as employers. The margin for error in recruitment, probation management and dismissal processes will be significantly narrower, and the financial and operational consequences of getting things wrong will increase. So, what are the key changes, and what should schools be doing between now and 1 January 2027 to prepare?

Reduced qualifying period for unfair dismissal

The new qualifying period of six months takes effect on 1 January 2027 and applies to any dismissal where the effective date of termination falls on or after that date. These rights apply irrespective of whether the employee is within a probationary period. This means that employees who have accrued six months' service by 1 January 2027 will be eligible to bring a claim if they are dismissed. Where employees are paid in lieu of notice, the law operates to extend the effective date

of termination by the length of the employee's statutory minimum notice period, so schools must consider the timing of any dismissals carefully in the run-up to 1 January 2027.

To mirror the new qualifying period, employees with at least six months' service will also have the right to request written reasons for their dismissal. In reality, these will be provided as part of a fair dismissal process, but schools should ensure that the reasons given are accurate, consistent and defensible, as they will form part of the evidential record in any subsequent tribunal claim.

Existing day-one protections against discrimination and automatically unfair dismissal (for example, dismissals connected with pregnancy, whistleblowing or trade union membership) remain unchanged. The new provisions sit alongside, rather than replace, these existing protections.

Removal of the compensatory award cap

Compensation for a successful unfair dismissal claim is made up of two elements: the basic award (calculated in the same way as a statutory redundancy payment) and the compensatory award, which is intended to compensate the employee for the financial loss suffered as a result of the dismissal. Under current rules, ➡



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the compensatory award is capped at the lower of £123,543 or 52 weeks' gross pay. The ERA removes this cap for dismissals where the effective date of termination is on or after 1 January 2027.

This is of particular significance for higher earners and longer servers who may have accrued more substantial pension benefits, as compensation may need to take account of the financial losses arising from the loss of employment and associated pension benefits. The removal of the cap means it may become harder to settle the risk of a claim by offering the maximum statutory award in contested claims, and is likely to impact on the approach to settlement negotiations.

Notwithstanding this, compensatory awards are calculated with reference to the actual losses sustained in consequence of the dismissal and claimants in the employment tribunal are subject to a duty to mitigate their loss. Awards for career-long loss will only be appropriate in exceptional cases; for example where the employee was close to retirement or their dismissal resulted in regulatory consequences barring them from obtaining another role.

Employment tribunal limitation periods

The ERA also extends the time limit for bringing employment tribunal claims from three months to six months from 1 October 2026. Separately, the ACAS Early Conciliation period was extended from six weeks to 12 weeks in December 2025. Taken together, these changes mean that an employee could potentially bring a claim significantly later than schools may be used to – potentially up to nine months after dismissal, depending on when ACAS Early Conciliation is initiated and how the relevant time limits apply.

Robust record-keeping will be more important than ever, as well as good contemporaneous records, particularly where a claim is brought many months after the events in question. Additionally, schools should ensure that HR systems and document retention policies support the preservation of relevant records and that key decision-makers can still access the evidence needed to explain and defend decisions after the employment relationship has ended.

Implications for recruitment and probation

The reduction in the qualifying period means that schools will have a much shorter window within which to assess the suitability of a new employee before they acquire full unfair dismissal protection. Getting recruitment right and managing probation rigorously, therefore, will be essential.

As part of the recruiting process, schools should ensure that job descriptions and person specifications are clear, accurate and up-to-date. Shortlisting and interview processes should be structured and consistently applied, with proper records of the basis for selection decisions. References should be taken up promptly, scrutinised and any concerns explored and resolved before a start date is confirmed.

Line managers will often be the first to identify performance concerns and have difficult conversations with staff. With a two-year qualifying period, detailed training on managing probation may not have been a priority, but under the new regime line managers will be the frontline of risk management. Schools should therefore invest in training so that they understand the legal framework, the importance

of contemporaneous documentation, and what is expected of them throughout the probation period. In practice, line managers should be coached to deliver the following:

- **A structured induction** with defined expectations communicated clearly from day one, including role-specific objectives and the standards required to pass probation. Ensure the employee understands their role and consider any training or mentoring that may be required.
- **Regular informal feedback** in the usual course of line management and follow up informal concerns in writing (e.g., by email), including specific examples, dates and the context in which issues arose. Vague or retrospective accounts will carry far less weight at tribunal than contemporaneous notes.
- **Documented review meetings** at defined intervals; for example, within the first month (induction), at three months (mid-probation review) and five months (end of probation review), with written records of what was discussed, any concerns raised and any support offered. These meetings should be diarised at the start of employment and treated as non-negotiable.
- **Clear objectives and success criteria** against which the employee's performance can be measured. These should be specific, measurable and linked to the requirements of the role.
- **Timely feedback.** Concerns must be raised as they arise – not stored up and delivered for the first time at the end of the probation period. Line managers should be coached to have early, honest conversations about performance, even when those conversations are uncomfortable. This way, performance concerns can be addressed early in the probation process. Where a termination is necessary, the school will also have an audit trail to refer to.
- **A clear process for extending probation** where performance is not yet satisfactory but there are reasonable grounds to believe improvement is achievable with further support. It will be important to be clear as to the reasons for extension, the required standards to pass probation and that failure to meet required standards may result in further extension or termination. Whilst dismissal outside of the first six months will still require a fair termination procedure to mitigate the risk of an unfair dismissal claim, dismissing during probation means the probationary notice period will apply.
- **Ensure decisions are made comfortably in time** before the six-month qualifying period expires. This allows time for notice to be given so the effective date of termination falls before the employee has acquired unfair dismissal rights. Line managers must understand this timeline and escalate concerns to senior leaders or HR early enough for decisions to be made.
- **Seek advice from HR** where concerns may relate to health, disability, pregnancy, safeguarding, whistleblowing or other protected matters.

Between now and 1 January 2027?

With the new regime taking effect on 1 January 2027, schools have a limited window within which to prepare. Schools should therefore prioritise the following:

- Put in place or review probation policies to ensure they reflect the new six-month qualifying period and include clear timelines, review points and decision-making processes.
- Audit recruitment processes to ensure that job descriptions, person specifications, shortlisting criteria and interview processes



References should be taken up promptly, scrutinised and any concerns explored and resolved before a start date is confirmed.

are robust and well documented. Ensure probationary periods and six months' service thresholds for staff are diarised.

- Train line managers on managing probation and documenting performance. This should cover the legal context, practical skills in giving feedback, record-keeping and escalation routes.
- Review template contracts and offer letters to ensure that probation periods and notice provisions reflect the changes to the qualifying period.
- Establish clear escalation routes so that line managers know when and how to raise concerns with senior leaders or HR, and that there is sufficient time for decisions to be made before the six-month point.
- Consider the timing of dismissals in relation to the 1 January 2027 effective date. Any employee dismissed with notice that carries the effective date of termination beyond 1 January 2027 will benefit from the new regime if they have the requisite service.
- Consider the use of fixed term contracts. As the non-renewal of a fixed term contract will continue to amount to a dismissal, schools

will need to ensure that fixed term contracts lasting longer than six months are terminated following a fair process. This will depend on the purpose of the fixed-term contract and reason for termination.

- Keep up-to-date with further secondary legislation and guidance. The government is expected to issue further guidance on the operation of the new provisions.

The ERA represents a fundamental shift in the balance of risk in employment law. The above changes collectively mean that schools will need to treat the early months of employment with greater care. As 1 January 2027 approaches, now is the time to review your recruitment and probation processes, ensure contractual documentation is up-to-date, and equip line managers with the training and confidence they need to manage new staff effectively from day one. ➡



Author

Ellie Boyd
Employment partner, VWV

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Preparation, training and regular updates remain the keys to **communicating professionally and efficiently** in a crisis

Schools should have reserved statements carefully prepared from an early stage – long before plans are finalised

'No comment' or ignoring the enquiry should never be the response.

Crisis communications and preparing for the expected crisis

Your school may have plans in place for an unexpected crisis, but what about an expected crisis of the school's own making? Communicating carefully with stakeholders about planned changes such as mergers makes all the difference in ensuring that it doesn't turn into a crisis that affects your reputation.

More schools than ever are facing real crises and many do not know how best to respond. The frequency with which we read news about serious incidents or issues affecting schools has increased in recent years, from lockdowns to misbehaviour by teachers, to school closures.

The media have picked this up as a trend that interests the public, so this makes them even more inclined to publish the news. Schools need to ensure they are ready to respond in case they unexpectedly find themselves pushed into the media spotlight.

Preparation, training and regular updates remain the keys to communicating professionally and efficiently in a crisis. In previous articles in *The Bursar's Review*, I've explained the need for a crisis communications plan and what should be in it, as well as the importance of preparation and 'fire drills' to ensure that everyone is clear about their roles should they need to act.

In this article, I review some newer developments that senior leadership and crisis communications teams are facing and explain how they are responding. One particular issue is a crisis that a school knows it is potentially creating for itself.

These observations are based on research, close monitoring of the news and also from our experience in helping bursars. Increasingly, bursars realise that their crisis communications plans are inadequate and need to be updated. In some cases, they don't even have one in place.

Communication around key business choices

Economic pressures are forcing schools to take measures that can be unpopular with some of their stakeholders. Schools often recognise, too late, that they need to communicate such changes

sensitively – and are also inadequately equipped to minimise the damage and disturbance.

A high-profile example of this is the failure of the proposed merger of St Lawrence College in Ramsgate with Dover College in Kent. The proposed merger between the two colleges was announced in February 2026, but then collapsed just weeks later following parent and pupil protests. St Lawrence College closed with immediate effect on 8 April, although pupils in Years 11 and 13 stayed until exams were completed.

The proposed merger may have made sense to the schools, but perhaps the reasons and benefits were not communicated clearly enough to stakeholders.

There have been many examples in the media of schools closing, being sold to other larger school groups or merging. There is often an outcry from parents and alumni, but when communications are handled sensitively, the stakeholder groups can be persuaded to understand the need for a particular course of action and accept it.

Schools need to recognise that this is a very different type of crisis from, for instance, a serious fire, and requires a very different mindset. The senior leadership or crisis communications team usually do not have to act in a great hurry and as a result, can plan their communications strategy and tactics in detail. They should look closely at each of the stakeholder groups and try to anticipate their possible responses, both positive and negative, and plan to address them in communications.

It is very important not to regard all parents and pupils as all the same. The potential views of parents and pupils of each year group should be considered one-by-one, as well as prospective parents. ➔



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In some instances, changes may affect the teaching of specific subjects or the training of sports teams, or pupils from certain parts of the catchment area. These should be considered and addressed carefully in communications.

Be prepared for rumours and leaks

Ahead of major planned changes, such as cuts or a merger, a small group of governors, staff and possibly external consultants will be actively involved in researching and considering the options. Other governors and staff may well sense that some news is in the pipeline. It is common for staff to press colleagues for even a morsel of information, or just to confirm that changes are about to be announced without giving any detail. Most challenging of all is where governors and staff are also parents.

Even with tight non-disclosure agreements and the protection of confidential information, schools should have reserved statements carefully prepared from an early stage – long before plans are finalised. These statements should be updated regularly as work progresses, particularly if some form of consultation process is carried out before a final decision is made and announced.

The reserved statement should be generic such as *future plans for the school are always being considered*, and not refer to any current topic. The statement should only be issued if there is an incoming enquiry from the media or direct questions from a significant group of parents that suggests they have specific insight. Even then it should not confirm or reference anything specific.

'No comment' or ignoring the enquiry should never be the response. A neutral statement such as *the school is always reviewing trends in the market to ensure that it is best placed for the future*, is always better. 'No comment' or just no reply appear too evasive.

There may be a temptation to prepare the audiences for news by hinting that news is coming. This should also be avoided. A single, carefully prepared announcement to all audiences, almost simultaneously, is the best approach. I say 'almost simultaneously' because governors and staff may have to know an hour or two in advance, in case they are asked questions by parents once the announcement is made public.

Frequently asked questions documents and preparation for large volumes of incoming enquiries are essential in such instances. Again, these should be prepared well in advance. Members of staff who are expected to take incoming enquiries on the day of a major announcement should also be thoroughly briefed. There should be as many office staff available as reasonably possible to answer calls.

Announcement day

The letters to stakeholders and press releases should be as comprehensive as possible to address potential questions. They should include factual information to support the rationale for decisions and reflect that the changes are only being made for the benefit of the school and its future. Stress that the impacts have been carefully considered and minimised. The tone should be sympathetic.

The public announcement should ask for questions to be sent in by email, so that the response can come from the most appropriate member of staff. However, the media and concerned parents will

still phone in with questions or may want to vent their opinions. A voicemail message and website message should also be posted just before the announcement – not too early – to apologise that all lines are engaged. Ask for questions to be sent in by email with a phone number so that the school can call back.

Switchboard staff should also have a form on which to note the details of incoming calls so that the details can be passed to the most suitable member of staff. Media and social media monitoring – especially chat on WhatsApp groups – should be in place and reviewed.

Tips for communications success

Previous issues of *The Bursar's Review* are available in the ISBA Reference Library. Chris Lewis has previously written for the following issues: Summer 2024, Autumn 2024 and Spring 2025. Here's a reminder of some of the areas he has previously covered:

1. Why you need a crisis communications plan

Is your school ready to cope with a potential PR disaster? What happens if a staff member is charged with a serious offence or if your school minibus is involved in an accident? A school can quickly be overwhelmed by calls and emails from the media and parents. Governors, heads and bursars need to ask if there is a crisis plan and manual in place. Communicating calmly and appropriately in a crisis plays a vital role in alleviating concerns, panic and misinformation. A poorly prepared crisis communications plan can seriously damage a school's reputation and credibility.

2. What should be included

A good crisis communications plan should define leadership and roles, what is defined by the school as a crisis, the potential scenarios a school might face, the audiences that will need to be communicated to, details of staff who are trained to handle the media, how to handle incoming communications and how to monitor communications on social media. Once your plan has been produced, you should ensure that the crisis team have had the opportunity to review and feedback.

3. Don't forget to update your plan

Updating a crisis communications plan may be on the to-do list, but does it ever reach the top? Once a school has a crisis communications plan and manual in place, it is often put on a shelf until it is needed. However, many plans are now far out of date, or teams no longer remember how to use them – especially under pressure or when the school is closed. Schools should ensure that all members of their crisis communications team have a copy of the manual to hand and that it is regularly updated. 



Author

Chris Lewis

Director, Crisis Communications Audits

 www.crisiscommunicationsaudits.co.uk