



Organisational Change Policy

The Children's Endeavour Trust comprises:

- Abbot's Hall Community Primary School
- Bosmere Community Primary School
- Broke Hall Community Primary School
- Chilton Community Primary School
- Combs Ford Primary School
- Freeman Community Primary School
- Springfield Junior School
- Whitehouse Community Primary School

Document Control

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1. Introduction

Managing organisational change is one of the most difficult employment processes a school may have to carry out. Organisational change can lead to changes to job roles, redeployment and redundancies. At every stage it requires professional HR advice and support and the full involvement of appropriate Board of Trustees.

This policy provides guidance to leaders on their obligations when implementing change within an education setting. It also provides information to employees, and their representatives, who find themselves affected by such changes.

It offers general guidance on restructuring exercises, and making staff reductions, including guidance on the costs of redundancy and the extent to which those costs may be met from outside the school's delegated budget, the requirements of employment law and good practice, including consultation with staff and trade unions.

The Children's Endeavour Trust will seek to ensure that the effects of organisational change on employees are minimised and are handled as sensitively as possible.

It is important that organisational change is managed in accordance with the Trust's commitment to diversity and inclusion. In particular, not tolerate discrimination on the grounds of age, caring responsibilities, disability, gender, gender reassignment, marriage or civil partnership, pregnancy or maternity, race (including colour, nationality and ethnic origin), religion or belief, sexual orientation, socio-economic status and trade union membership or non-membership.

When considering changes to employees' terms and conditions of employment, that school leaders believe may fall within the remit of this policy, advice **must** always be sought from your HR consultant.

2. Status of this policy

The purpose of the policy is to provide guidance and information. It sets out the principles the Trust believes are important when managing organisational change in Trust schools; it is neither a full statement of the law nor a rulebook.

3. When does the policy apply?

This policy applies whenever Children's Endeavour Trust Schools implement change which may significantly affect staffing structures. This may be as follows:

- **Changes to the way the work is done**
It may be necessary to introduce new ways of working. This may result in changes to working times/patterns, reporting lines or the method by which the work is performed. Employees may, on occasion, be required to develop new skills. Whilst this can be disruptive and unsettling, only rarely will this type of change result in the termination of an employee's employment by reason of redundancy.
- **Reductions in the number of employees**
This may be necessary in order to implement cost savings, improve efficiency or respond to new priorities. This can result in redundancies from existing roles and redeployment into new roles. In some situations, it will also result in termination of employment by reason of redundancy.

4. When does redundancy occur?

Not all organisational change will result in redundancy. Employees are only dismissed as redundant if their dismissal is entirely or mainly because:

- The need for employees carrying out work of a particular kind has or will cease or diminish; or
- The need for employees to carry out work of a particular kind in the place where they are employed has or will cease or diminish.

Redundancy may also occur when a fixed term contract, or a series of temporary contracts, expires without renewal.

5. Minimising the impact of organisational change

Whilst change is often essential, and can benefit all stakeholders, it is disruptive. It can be a difficult time for all involved – managers, affected employees, their families and their representatives. The schools, in tandem with the Trust, should endeavour to minimise the disruption and difficulties that organisational change can cause. This can be achieved by:

- A best practice approach to organisation planning.
- Adequate information.
- Effective consultation.
- Support.

5.1 Planning for Change: Anticipating Future Staffing Levels

Staffing levels should be planned at least two years ahead, so as to anticipate any changes and identify where circumstances may lead to staffing reductions, especially those created by foreseeable reductions in pupil numbers. This enables the Trust Schools to take advantage of normal staff movement and adjust its staffing complement accordingly - including the distribution of promoted posts, (i.e. those within the Leadership Group or attracting Teaching and Learning Responsibility payments).

If there is concern that the budget is insufficient to cover predicted costs, the school, in tandem with the Trust, should first carefully consider all alternatives to reducing staffing:

- Transferring any available funds from other budget headings
- Utilising funds from the previous year's budget to meet any temporary shortfall
- Impact of long-term pupil and budget expectations
- Generation of cash into the budget from other sources
- Restricting recruitment
- Reductions by natural wastage, e.g. resignations and retirements
- Reviewing the employment of agency and supply staff (first seeking HR advice to check if they have any employment protection rights)
- Volunteers for job share, part-time or other flexible working arrangements (first seeking HR advice)

- Retraining of staff or transfer to suitable alternative work within the school (first seeking HR advice).

If, having considered these measures, the school and Trust remain concerned about the ability to cover planned staff costs from the budget, the school should prepare a detailed analysis of staffing arrangements and costs, together with proposals (giving options where appropriate) to assist in a rigorous review.

5.2 Adequate information

Information facilitates the consultation process. Good communication can reassure staff during periods of change and uncertainty. Written communication is particularly important because it allows employees to reflect on proposals and seek advice from others before responding. The method and frequency of communication that school leaders choose will depend on circumstances. Team meetings, newsletters and e-mails may all be appropriate.

When organisational change is proposed, the school should provide as much information as it can, as early as it can. Recognised unions should be provided with the information that they need to respond to employees' questions. Further details are provided in paragraph 6.2 'Writing to Trade unions and staff'.

5.3 Effective Consultation with Employees and Trade Unions

Full and meaningful consultation with recognised unions and staff affected by planned changes will be undertaken at the earliest opportunity. It is essential that information be given to staff and trade unions at an early stage. On occasions, some business decisions will necessarily be taken prior to consultation. However, even in such circumstances there will remain many opportunities for dialogue as regards process and approach.

Best practice is that the consultation occurs as early in the process as possible. There are additional requirements for collective consultation whenever 20 or more employees at one establishment are at risk of redundancy, or where the Transfer of Undertakings Regulations apply.

In these circumstances the law requires that consultation with unions will be undertaken with a view to reaching agreement over ways of:

- Avoiding the dismissals;
- Reducing the numbers of redundancies; and
- Mitigating the consequences of the dismissal.

The Trust HR advice service will provide appropriate processes for the circumstances.

The Schools (and Trust where appropriate) will also engage with employees individually by having individual consultation meetings. Making sure that employees have an adequate opportunity to comment upon the proposals is vital to ensuring that the right decision is taken and then implemented.

5.4 Support

In redundancy situations, there must be individual interviews with staff whose employment is at risk (see above under “Consultation”).

If available, employees should be reminded of the school’s Employee Assistance Programme and of the availability of support from trade union representatives, where appropriate.

6. The Consultation Process when there is a risk that employees will be made redundant

In cases where it is necessary to select which employees are to be made redundant, schools will take the steps set out below. Not all the steps will be applied in every case. This will depend upon the most appropriate application according to the circumstances of the redundancy situation.

6.1 Timescale for Consultation

If a reduction in staffing appears to be unavoidable, the schools must declare this to employees at the school in sufficient time to allow full consultation with school staff and representative trade unions. This is required by employment law.

Schools are also expected to freeze recruitment (other than to temporary or strictly time-limited posts) as soon as it is apparent that staff reductions may be necessary.

Where a potential redundancy situation is identified, it is important to take account of the length of time necessary to complete the process fairly. The requirement for full consultation with employees and their representative trade unions in these situations, combined with the requirement to give appropriate notice where dismissal by reason of redundancy is an outcome, will normally necessitate starting the procedure at least one and a half school terms before the staff reduction needs to take effect.

An illustrative timescale, showing the main stages of the procedure is set out at [Appendix A](#).

6.2 Writing to Trade Unions and Staff

Consultation must start at the earliest practicable opportunity. The schools will normally become aware of a need to make staffing reductions which might involve redundancy through their budget planning process. The school is not obligated to see the procedure through to its conclusion once it is started, and it is simple to retract the notification if it turns out that redundancy was avoidable or unnecessary later on.

Formal consultation should not be pre-empted by informal discussions with staff. There should be a clear start to the consultation process. The first stage is to write a letter to the appropriate trade unions (i.e. if teachers are affected all teaching unions and, if support staff are affected, to UNISON), and to the appropriate school staff (i.e. teachers and/or support staff). Names and addresses of trade unions will be supplied by your named HR Consultant. The letter should contain the below information:

- the reason for the proposals,
- the extent of the staff reduction,
- the description of employees concerned and the number of such employees at the school,
- the proposed method of selecting those for redundancy,

- the proposed method of implementing any staffing changes
- the proposed method of calculating any redundancy payments (other than those payments required by law)
- and the proposed timing of any dismissals (with due regard to employees' contractual notice periods).

The school's HR Consultant will provide a suitable draft, and a sample consultation letter is set out in [Appendix B](#). Trade unions have right to request relevant information and a list of supporting documents which trade unions normally require access to in a redundancy situation is given within the sample letter. These documents should, where possible, be sent out with the letter.

Any circulation of information for the purposes of consultation should also include staff who are away from the school on long term sickness, maternity leave, secondment, or any other similar temporary absence.

6.3 Holding a Meeting with Staff and Trade Unions

The initial letter should be followed up as soon as is reasonably possible by convening a staff meeting to explain the situation more fully, what has led to it and how the school is proposing to resolve it. If both teaching and support staff may be dismissed, all school staff should be invited to attend. If the situation affects only teachers or only support staff, it may be appropriate to convene a meeting of the group affected only.

Representatives of recognised trade unions representing the groups of staff invited to the meeting are entitled to attend, whether or not they have members in the school, and should be invited.

The headteacher will normally be the appropriate person to conduct the meeting, and they should take advice in planning it. A representative from the school's HR provider will normally attend to provide both support to the headteacher and information to staff and their representatives - including information about compensatory benefits available to employees. Employees may be invited to express an interest (without any obligation) in voluntary redundancy.

6.4 Individual meetings with affected employees

Individual meetings (often described as 1:1s) with affected employees will usually be offered where the employee may be dismissed, whether by reason of redundancy or otherwise. Affected employees may find it helpful to be accompanied by a trade union official or colleague and schools should endeavour to accommodate such requests. The meeting will usually deal with the following:

- The reasons why the employee may be affected by any planned change (including, where appropriate, information about selection for redundancy);
- The employee's aspirations, and how these may be affected by the proposed change;
- Any alternatives that the employee can see to the proposed change;
- Any opportunities for redeployment, including information for and about the redeployment process;
- Queries relating to work or domestic situations;
- Possible retraining opportunities;
- Arrangements that will apply if their employment is terminated (financial arrangements, appeals, time-off work, references etc);

- Employees should be reminded of the school's Employee Assistance Programme and of the availability of support from trade union representatives, where appropriate.

Subsequently, if an employee is selected for redundancy, it is essential that they are asked to attend a formal meeting at which they may make representations and will have the right to be accompanied by a colleague or trade union representative (see section 7.2). If an employee is dismissed, they will have the right of appeal against the decision (for more details see section 7.3).

It is accepted that there may be occasional sensitive business or operational needs where it is inappropriate that employees being dismissed for redundancy are expected to work the period of notice to which they are entitled. This is known as a period of "gardening leave".

Any situation of potential gardening leave must be determined before staff are made aware of their selection for redundancy, and the decision to apply gardening leave must be discussed with the schools HR provider and with the recognised trade union(s) before staff are placed under notice of redundancy. The dignity of staff is at all times of the highest priority in such circumstances, and a protocol governing the process will need to be in place where staff are required to leave the workplace immediately.

6.5 Respond to Representations from Trade Unions and Staff

After writing a letter to staff and trade union representatives, providing relevant information and holding a staff meeting, the schools must allow time for employees and their representatives to respond to the proposals. The Children's Endeavour Trust may find that trade unions wish to explore the school's staffing situation in relation to its budget, challenge proposals, put forward their own proposals to avoid redundancy or reduce the number of dismissals, or seek further clarification. Amendments to the school's original proposals might include voluntary reductions in hours, discontinuing the use of contractors, etc. The Governing Body has a duty to consider any counter proposals, or modifications to its original proposals. It should arrange for a response to be made in writing to the trade union(s) concerned, giving reasons for accepting or not accepting any amendments. Schools should be prepared for further meetings with trade union representatives if the process of consultation requires this.

6.6 Voluntary Redundancy

Employees may be invited to express an interest (without any obligation) in voluntary redundancy before starting a process to select for compulsory redundancy. Volunteers do not have to be accepted (their continuing employment may be essential to the school) but must always be carefully considered. If there are more volunteers than required, selection between volunteers may be required, utilising a fair process. It may be possible to accommodate a suitable volunteer by some reorganisation of the remaining staff and their duties.

6.7 Consultation about selection criteria and the process of selection

If it is clear that the required staffing reductions cannot be achieved by voluntary means (including where appropriate voluntary redundancy) further consultation must take place with the trade unions in respect of the proposed criteria for the selection of those to be dismissed and how the criteria will be applied.

Broad selection criteria (usually referring to the school's curricular and pastoral requirements) should already have been set out in the original consultative letter. It will now be necessary to establish in

practice precisely how these will be interpreted and applied in the context of the school's future staffing needs (e.g. for experience and/or expertise in particular curricular areas). Schools should take professional HR advice in carrying out this process to ensure that precise and objective criteria are developed and applied in a fair, reasonable, and acceptable manner within the framework of discrimination legislation and the Trust's commitment to equality and diversity. The selection process should be based on objective information. Schools are recommended to use a pro forma (examples for teaching and for support staff are included as [Appendix C](#)) to gather this information. In some circumstances (e.g. senior leadership posts) it may also be appropriate to consider using interviews or other assessment techniques. In the rare circumstance of a tie-break existing and after discussion with HR, consideration may be given to using an additional selection process, such as an interview or test designed to assess the individuals against key criteria for the post. Selection should not be made based on any non-contractual extra-curricular activities carried out by an employee.

On occasion, in some settings, it may be appropriate to consider using a skills audit – identifying the subject specialist expertise required for jobs in the new structure and assessing the expertise of staff within the current structure. In some cases, it may be appropriate to use a matrix, scoring employees over a variety of factors, such as those set out above and in Appendix C. Clear records of the decisions made by the selection committee panel should be kept.

6.8 Further information about specific selection criteria

It is expected that the school will use selection criteria based on the skills, knowledge and experience required for the role, as set out in the example template at Appendix C. If, in exceptional circumstances, other selection criteria are being considered, the school must take into account the following points:

- **LIFO (Last in, First out)**
Use of the principle of “last in, first out” (LIFO) is not appropriate.
- **Attendance Records**
This selection criteria will not normally be utilised in a school setting. Exceptionally, should there be a case for this criteria to be utilised, current levels of attendance may be assessed when selection for redundancy is necessary.

The Absence Management Policy in operation in the school at the time of redundancies will form the basis for assessing levels of attendance.

Attendance records will normally be taken into account on the basis of patterns over the 12 months preceding the notification to the recognised trade unions of the possible redundancies, unless a longer period is agreed to be fairer to all parties.

Absence that has been covered by medical certification will not be taken into account for the purposes of selection for redundancy, but absences which are uncertified or self-certified will count. Care must be taken to ensure that no discrimination under the Equality Act 2010 occurs: for example, sickness absence linked to pregnancy, gender reassignment and disability should not be taken into account in selection processes, and that authorised absence is excluded from the calculation, including antenatal appointments, pregnancy, maternity, paternity, adoption and parental leave.

Attendance records must not be used where all the employees within the group at risk of redundancy have very low absence records. Other selection criteria would be applied and hold greater weight in such circumstances.

- **Disciplinary records**

Again, it will not usually be necessary to use disciplinary records as a means of selection. Exceptionally, should this criteria be utilised, only live disciplinary warnings will be used. An assessment of the level of disciplinary action against the employee will be made to assist in determining redundancy selection alongside the other selection procedures.

- **Use of Appraisal records or Performance Development Reviews**

It is essential that a balance of skills, qualification or competencies remain within the workforce to satisfy future business needs. As regards selection criteria for redundancy, it is not feasible to use Performance Development Review outcomes for this purpose. There is an element of subjectivity and possible inconsistency between different managers' assessments that make it difficult to rely on Performance Development Review scores.

6.9 Employees who are pregnant or on maternity or family leave.

Pregnant employees and those on maternity, adoption or shared parental leave must be notified of the redundancy process, invited to redundancy consultation meetings and considered for redeployment in the same way as any other employee. Pregnancy or absence on maternity or family leave must not be used as a selection criterion and if absence is used as a criteria, absences that relate directly to pregnancy or time off for dependents must be disregarded.

Employees who are selected for redundancy whilst on Statutory Maternity, Adoption or Shared Parental Leave have special rights in law, known as "primacy". For the duration of any coinciding Maternity, Adoption or Shared Parental Leave and notice periods (i.e., not during redundancy consultation, unless selection processes are occurring during the consultation), they have the right to be offered any "suitable alternative employment" in the organisation without having to go through a selection process or interview. This is even if there are other employees that might be more suitable for the job.

Primacy does not constitute unlawful discrimination and is a legislative requirement.

6.10 "Red-circling" and "ring-fencing" of jobs

If appropriate, consider establishing a transition plan, from the existing to the new structure.

This should be clear and transparent. It may provide for the following:

- "Red-circling" jobs that are effectively the same in the proposed structure as in the existing structure. Here a "match" may be taken as a job that is broadly the same in terms of grade and remit.
- Consideration may also be given to "ring fenced" selection processes, where staff may be invited to express preferences for jobs in the new structure, subject to the ring fence criteria; such applications must be assessed in an objective manner, which may include an interview process.

6.11 Aiming to reach agreement

Schools should aim to reach agreement with trade union representatives on the application of the criteria. If any disagreement cannot be resolved after consultation with trade unions, the **[Board of trustees/ Scheme of delegation]** should be in a position to explain the rationale for the way in which it proposes to apply selection criteria.

7. The Process of Selection for Dismissal

7.1 The Selection Process

The selection process should be based on objective information. The school is recommended to use a pro forma (examples for teaching and for support staff are included as [Appendix C](#)) to gather this information. Completed forms, with names removed, should be assessed by a selection committee panel, which should, so far as is possible, consist of delegates who are not employees of the school and who do not have a significant personal relationship with any of the individuals under consideration. The panel should judge each form submitted in the light of the pre-determined selection criteria and agree which employee(s) meet least well the school's future requirements. At this stage the role of the Headteacher should be to advise the selection panel about the school's future requirements and in that role they should refrain from linking the anonymous forms with identified employees.

7.2 Communicating the Decision to Dismiss

The Selection Committee Panel should have the delegated power to determine that an employee shall cease to work at the school. The panel should ensure that arrangements are made to communicate that decision and the reasons for it, sensitively, to any employees who are selected. A formal meeting should be convened with the employee for that purpose. The employee has the right to be accompanied at this meeting by a colleague or Trade Union representative. The meeting should be conducted by the headteacher and/or the chair of the selection panel, who should be in a position to describe to the employee selected, and answer questions about, the selection process and the rationale for the employee's selection. The employee should be allowed to make representations about their selection. Unless, as a result of this meeting, the panel agrees to reconsider its selection decision, the school should dismiss any employee who is selected to be dismissed.

7.3 Appeal Against Dismissal

All employees who are selected for dismissal must be offered the opportunity to appeal against the decision of the selection committee panel to the Trust HR and People Committee. Employees should be notified that they are required to lodge an appeal within 14 calendar days of the date of written notification of dismissal. In practice volunteers will not wish to appeal but should still be offered the option. The panel should be conducted in the same manner as an appeal against a dismissal on the grounds of conduct or capability.

7.4 Redeployment and "Suitable Alternative Employment"

Responsibilities do not end with a determination which results in dismissal. There is a continuing responsibility to attempt to redeploy the employee selected. In the first instance the school must

consider any vacancy created by normal staff turnover, if necessary, with suitable training for the employee.

There is no strict definition as to what is or is not suitable alternative employment. However, there will be a presumption that a job is suitable where the alternative post:

- Requires broadly similar skills and knowledge as those required of the redundant post, even if some degree of training or familiarisation is required.
- Is based at the same location as the redundant post, or where there is little or no disruption to the individual caused by additional travel to and from work.
- Is the same or similar grade to the redundant post. For this purpose, for support staff are regarded as “similar” when being one grade above or one grade below the redundant post.

Salary protection will apply to staff that are declared redundant and who are redeployed into a post at a lower salary (for support staff this will be a post one grade lower). It may also apply in some re-organisations where formal redundancies do not arise. Each case will be the subject of discussion with the employee affected. Salary protection will not usually apply in the case of redeployments for other reasons (e.g. as a result of injury or ill health). Where other significant terms and conditions other than salary may be lost because of redeployment, protection will be determined on a case-by-case basis.

Where an employee is redeployed into a lower graded job in circumstances in which salary protection would apply, immediate (enhanced) pension benefits will not be paid.

Support staff salary protection: Support staff eligible to receive salary protection, will have their basic pay frozen, for no longer than three years. Staff whose salaries are reduced (or whose increases to pay are restricted) because of redeployment, and who are members of the Local Government Pension Scheme, may qualify for a protection of pension benefits, which can remain in force for 10 years from the date of change. Usually, pension entitlement is based on the level of pay during the last year of service, or on one of the two previous years’ pay if that amount is higher. However, staff who qualify for this protection may elect to base their final pay on any of the last 13 years of their service or on the annual average of any three consecutive years falling within the last 13 years (ending on a 31 March).

For protection purposes the mid-point of the salary range that is available for the redeployment post (or, if the range is an even number of points, the higher of the 2 mid-points) will be considered the official redeployment grade maximum for calculating protection costs.

Teachers’ salary protection: Teachers’ salary will be protected for 3 years, unless otherwise specified in the current provisions of the School Teachers’ Pay and Conditions Document.

Provisions for teachers and support staff: The school should release employees under notice of dismissal to attend job interviews and consider in appropriate cases the re-imbursment of reasonable expenses incurred in visiting any school (or other place of work) to which a transfer is possible. The schools and Trust will also use its best endeavours to bring the employee to the notice of other schools which have suitable vacancies.

8. Trial periods

An employee who accepts an offer of alternative employment will be given a minimum trial period of four weeks, (or such longer period as may be agreed with the related schools to give them an opportunity to assess its suitability. Before the trial commences, objectives for this period and any training or support that is required, should be identified in discussion with the employee.

If, at the end of that trial period, the employee decides that they do not wish to accept the position permanently then they will not lose any entitlement to redundancy payments or early retirement unless, in the opinion of the Trust HR and People Committee, the employee has unreasonably refused to continue with that job.

The trial period may also be terminated by the schools if it believes that the employee's performance in that role is inadequate. The employee will not be entitled to redundancy payments or early retirement unless it is satisfied that the job was unsuitable for them, taking into account the skills and experience that they possess and after considering the availability of training.

9. Financial Arrangements

Employees will be provided with an estimate of their redundancy pay and any other severance payments, on request.

An employee who unreasonably refuses an offer of suitable alternative employment will not be entitled to the redundancy benefits outlined below.

9.1 Early retirement

On the grounds of redundancy

If there is a compulsory redundancy situation of an employee who is under a permanent contract and aged 55 (and the employee is a member of the Local Government Pension Scheme or the Teachers' Pension Scheme) then early retirement will be granted.

Employees will be eligible to receive pension benefits under the appropriate pension scheme. Any payments will be made in accordance with the regulations of the appropriate pension scheme, as they are currently in force.

A teacher who has reached Normal Pension Age at the time of dismissal by reason of redundancy will be entitled to receive a redundancy severance payment and the pension benefits due on normal retirement from the Teachers' Pension Scheme.

9.2 Statutory Redundancy Pay

The amount of statutory redundancy pay to which an employee is entitled depends on their age, length of service and pay. The entitlement is:

- Half a week's pay for each complete year of service up to age 21;
- One week's pay for each complete year of service between ages 22 and 40;
- One and a half weeks' pay for each complete year of service after age 41.

The maximum length of service taken into account to calculate a redundancy payment is 20 continuous years. An employee must have at least 2 continuous years of service to be entitled to a redundancy payment.

For the **statutory** redundancy payment, a week's pay is capped at the statutory maximum, which is increased in April each year. (current rates are published on www.gov.uk)

9.3 Compensatory Award for Support Staff

In addition to the statutory redundancy payment calculated as above there are enhanced payments to employees on Support staff ('Green Book') terms and conditions by:

- Basing the payment on an actual weeks' pay and not limiting it to the statutory maximum, and
- Multiplying the amount calculated using the actual weeks' pay by 1.5 times.

In the majority of cases redundancy payments can be paid without deduction of tax or National Insurance Contributions.

When calculating redundancy payments, professional advice and guidance from HR must be sought.

9.4 Redundancy Pay for Teachers

The Teachers (Compensation for Redundancy and Premature Retirement) Regulations allow a severance payment (which includes any statutory entitlement to a redundancy payment) to be calculated on the basis of an actual week's pay, where this is greater than the maximum allowed for statutory redundancy pay.

Appendix A

Illustrative timescales for August 31 staff reduction

| | Action | Last practicable date |
|-----|---|---|
| 1. | Initial letter of consultation | Before February half term |
| 2. | Freeze recruitment to vacancies (if not already done) | Before February half term |
| 3. | Staff meeting – invite expressions of interest in voluntary redundancy | Before end February |
| 4. | Consideration of responses to the initial letter of consultation – provide more information where required and respond in writing to substantive counter proposals. Modify proposals if appropriate | End of March |
| 5. | Deadline for voluntary applications to be submitted | End of March |
| 6. | Assess voluntary applications and respond with offers if appropriate. Review whether the requirements to reduce staff can be met by voluntary means | First week in April |
| 7. | If insufficient firm volunteers, send (precise) selection criteria to trade unions | First week in April (depending on timing of the Easter break) |
| 8. | Respond to observations/representation from trade unions about selection criteria. Finalize criteria. Issue pro forma to all staff who need to complete it | Third week of April (Allow time for response which accommodates the Easter break) |
| 9. | Return of completed selection forms – selection committee meets to make its decision | First week in May |
| 10. | Selection made and communicated – meeting with any employee selected – County Council instructed to dismiss (latest date for giving notice of dismissal 31 May) | Second week in May |
| 11. | Monitor school staffing situation and look for alternatives for redeployment in the light of late staff changes | Ongoing to end of Summer Term |
| 12. | Appeal committee hears any appeals | ASAP after half term break |
| 13. | Dismissals take effect | 31 August |

Appendix B

Sample letter of consultation

Addressees: county secretaries of all teachers' trade unions and UNISON (names and addresses available from HR).

Dear

Proposal to carry out dismissals of [teaching and/or support] staff by reason of redundancy

I regret to inform you that the Governing Body of [name] School has resolved to reduce the number of [teaching/support] posts at the school with effect from [date e.g. 1 September 200-]. I am writing to provide you with information in order to start the process of consultation on this proposal.

The reason for this proposal is [set out the changes e.g. in pupil roll, budget etc which give rise to the proposal – give as much detail as you reasonably can]. I enclose copies of:

[The trade unions normally ask for the following information:

Current year's budget, carry forward, reserves, renewals (Table 4 additional income, virements);

Next year's proposed budget (as available);

Pupil numbers in each year group for the last two years and projected numbers in each year group for next three years;

Group/class sizes;

Curriculum audit (current and projected);

Average salary (with on-costs) for relevant staff in current year and projections for next year if all existing staff are retained;

Details of vacancies;

Budget effect of discretionary pay rises recent years.]

There is still a possibility that the situation described may be alleviated by normal staff movement or by other means, but if that does not happen, the Governing Body will be obliged to carry out the proposal.

It is proposed to dismiss up to [x teachers/support staff] out of a total of [y teachers/support staff] employed at the school.

Selection of the [teachers/support staff] to be dismissed will be made with due regard to the requirements of the school to maintain a balanced and effective [teaching/work] force capable of carrying out the management and organisation of the school's activities, and fulfilling the curricular and pastoral

requirements of the school. The Governing Body will assess how best the school's objectives can be met with a reduced [teaching/support] staff. It will assess the school's need to retain experienced senior staff to manage the school, direct its activities and develop its curriculum. It will also assess the school's need to retain a proper balance of qualified and experienced [teachers/support staff] to deliver the curriculum across the age range and subject specialisms within the school. Volunteers may be invited to offer themselves for selection and will be considered in the light of whether or not their leaving would meet the school's needs, either directly or indirectly, in conjunction with the redeployment of other staff within the school. If selection is necessary, the Governing Body will send you more detailed proposals for selection criteria during the period of consultation. Both in considering volunteers and in selecting for dismissal, the Governing Body should consider the qualifications and experience of [teachers/support staff] and select for dismissal those whose qualifications and experience correspond least well with the school's future requirements. In the event that insufficient distinction between staff can be made on these criteria, the Governing Body will conduct a further selection process, offering an interview or test relevant to the skills required for the post.

For staff with more than two years' service, redundancy payments (and where applicable, pension benefits) will be made to staff dismissed. Redundancy payments will be calculated according to the statutory formula but a week's pay will be calculated by reference to an actual week's pay, where this exceeds the statutory maximum. In addition, the Governing Body will enhance payments to employees on Support Staff ('Green Book') terms and conditions by multiplying the amount calculated using the actual weeks' pay by 1.5 times.

Any staff chosen to be dismissed will have a right of appeal to the Appeal Committee.

We would like to meet with you to discuss these proposals. The consultation meeting will take place at [TIME] on [DATE] at [LOCATION] and you are invited to send a representative to this meeting. There will be the opportunity for you to meet with your members immediately following this meeting.

Yours sincerely

Name

Position

Appendix C

Example Selection Criteria - Teaching Staff

When completing this form please:

- Give as much information as possible for the Personnel Committee to consider, continuing on a separate sheet if necessary.
- Ensure the answers provided are relevant to the Job and Person Specification(s) you are being considered for.
- Remember that this form will be made anonymous before it is considered by the Personnel Committee. This means that they will not have any personal information about you, other than what is contained in this form.

The following are example, generic criteria, and are not meant as an exhaustive list. In addition to those listed below, schools may want to set more definitive criteria that are appropriate to their school and/or in line with specific Job and person specifications.

If you would like any assistance in completing the form, please contact [insert name / post]

This form must be returned to the Headteacher, not later than [insert date]

| To be complete by individual member of staff | Personl Comm Use |
|---|------------------------|
| Qualification and Training | |
| Qualified Teacher Status (QTS) Yes <input type="checkbox"/> No <input type="checkbox"/> (Tick as appropriate) | |
| List any further professional or formal qualifications that you hold, e.g. higher degrees or specialist teaching qualifications) | |
| Teaching age ranges | |
| What age ranges do you currently teach (indicate proportion of time devoted to each if appropriate and length of experience with this/these age ranges) | |
| Experience with other age ranges | |

| | |
|--|--|
| | |
| Do you have experience of teaching mixed age groups? If so, please provide further details and give dates where possible. | |
| Specialist subject knowledge/experience | |
| Indicate areas of the curriculum where you have specialist interest and/or recognised expertise | |
| Curriculum responsibilities | |
| Indicate areas of special responsibility and whether you receive a TLR or SEN payment | |
| Whole school responsibilities | |
| State any whole school roles / responsibilities / tasks you have undertaken, e.g. membership of the leadership team, NQT coordinator, cross-curricular coordinator (giving dates where possible) | |
| Indicate any pastoral or other whole school responsibility not covered above (giving dates where possible) | |

| | |
|--|--|
| | |
| Training, CPD and other relevant professional qualifications | |
| List recent CPD, secondments, acting up, temporary responsibilities etc, given dates where possible. | |

In the event of a tie break, the following desirable criteria will be evaluated:

| | |
|--|--|
| List any other formal qualifications that you hold, e.g SEN, EAL etc | |
|--|--|

Please return this form to [insert name]:

If a tie break situation still exists after all the above criteria have been considered, then after discussion with HR consideration will be given to conducting a further selection process, such as an interview or setting a test relevant to the job role.

All selection criteria will be applied in accordance with [School/ Trust/Academy's] commitment to diversity and inclusion and will not discriminate on the grounds of disability, gender, race, colour, ethnic origin, religion, faith, beliefs, culture, nationality, age, sexuality, family circumstances, socio-economic status and trade union membership or non-membership.

Example Selection Criteria - Support Staff

When completing this form please:

- Give as much information as possible for the Personnel Committee to consider, continuing on a separate sheet if necessary.
- Ensure the answers provided are relevant to the Job and Person Specification(s) you are being considered for.
- Remember that this form will be made anonymous before it is considered by the Personnel Committee. This means that they will not have any personal information about you, other than what is contained in this form.

The following are example, generic criteria, and are not meant as an exhaustive list. In addition to those listed below, schools may want to set more definitive criteria that are appropriate to their school and/or in line with specific Job and person specifications.

If you would like any assistance in completing the form, please contact [insert name / post].

This form must be returned to the Headteacher, not later than [date]

| To be complete by individual member of staff | Personnel Committee Use |
|---|-------------------------|
| Qualifications, Training & Experience | |
| List all relevant qualifications that you hold (these will be dependent on what's included in the job and person profile for your role) | |
| List all relevant, recent CPD, secondments, temporary responsibilities etc., giving dates where possible | |
| Give examples of how you have applied that training/experience (listed above) to your role, i.e. in the classroom | |

| | |
|--|--|
| | |
| List how your skills and experience compliment those required in the job description | |
| Mental Skills | |
| Give examples of the research and planning you have to undertake as part of your job, e.g. financial regulations, Health & safety, planning of school trips etc. | |
| Give examples of how you organise your workload and priorities, including examples of non-routine tasks and working collaboratively with others | |
| Interpersonal & Communications Skills | |
| Do you have line management responsibility? If yes, please give details | |
| Have you trained other colleagues, including informal training and coaching/mentoring? If yes, please give details | |

| | |
|--|--|
| <p>Explain what support you have provided to the school by undertaking tasks and responsibilities not directly required by your job.</p> | |
| <p>Physical Skills</p> | |
| <p>Give examples of the ICT programmes you use as part of your job, including the age groups you work with</p> | |
| <p>Give examples of the equipment/tools you use as part of your job</p> | |

Please return this form to [insert name]:

If a tie break situation exists after all the above criteria have been considered, then after discussion with HR, consideration will be given to conducting a further selection process, such as an interview or setting a test relevant to the job role.

All selection criteria will be applied in accordance with The Children’s Endeavour Trust’s commitment to diversity and inclusion and will not discriminate on the grounds of disability, gender, race, colour, ethnic origin, religion, faith, beliefs, culture, nationality, age, sexuality, family circumstances, socio-economic status and trade union membership or non-membership.