



Redundancy Policy

1. Introduction

In a continually changing environment, schools need to adapt and manage change. Changes in curriculum, budgets, student numbers, and organisational or academic developments, may lead to a requirement for a reduction in staffing levels, in order to maintain effective provision to meet the needs of the students of Churchdown School Academy (the "School").

The School is committed to maximising security of employment for its employees and will always try to avoid the need for compulsory redundancies wherever possible. However, it recognises that there may be circumstances when it is necessary to make compulsory redundancies.

The School will ensure that redundancies are managed effectively, in a fair, sensitive and non-discriminatory manner. This policy emphasises the importance of effective consultation and communication with employees, as part of this process.

This policy applies to all employees of the School, including teaching and support staff. It does not apply to agency workers, consultants or self-employed contractors.

This document is a policy only. It represents the intentions of the School in the event of redundancy but does not form part of any employee's contract of employment and we may amend it at any time..

This policy will be reviewed from time to time to ensure that it reflects our legal obligations and the needs of the School.

2. Aims of the Policy

The purpose of this policy is to ensure that, whenever a reduction in employee numbers may become necessary the School will:

- (a) communicate clearly with all affected employees and ensure that they are treated fairly;
- (b) try to find ways of avoiding compulsory redundancies;
- (c) consult with employees, via employee representatives (where appropriate); and
- (d) ensure that any selection for compulsory redundancy is undertaken fairly, reasonably and without discrimination.

3. Principles

This policy is underpinned by the following principles.

- To fulfil the requirements of the School and maintain operational efficiency while minimising and, wherever appropriate, avoiding compulsory redundancies.
- To enable the efficient management of change which maintains and improves curriculum, education and support service standards, while remaining sensitive and sympathetic to the staff involved.
- To share information and consult with employees on proposed changes, providing them with the opportunity to express their views and for those views to be considered before any decision is made.
- To act reasonably, ensuring fairness and objectivity.
- To comply with the requirements of employment legislation at all times.

4. Avoiding Compulsory Redundancy

The School will always try to avoid the need for compulsory redundancies wherever possible. Where a reduction in the number of employees is unavoidable, every effort will be made to minimise the number of redundancies.

In the first instance, the Governing Body will consider the steps that it may be possible to take, depending on the circumstances and the needs of the School, to avoid the need for compulsory redundancies. This may include some or all of the following steps:

- considering natural turnover and staff resignations;
- restricting recruitment in those areas into which affected employees might be redeployed;
- voluntary redeployment of staff into other suitable posts within the School;
- consider voluntary transfers to part time working, reduced hours or job-sharing arrangements;
- offer early retirement or voluntary redundancy (the acceptance of a volunteer for redundancy will be a matter for the School's discretion and we reserve the right not to offer voluntary redundancy terms or to refuse an application where it is not in the interests of the School to do so);
- reviewing the use of agency supply workers, self-employed contractors and consultants in order to reduce costs;
- reducing staffing cost pressures resulting from overtime working;
- freezing salaries for a specified period;
- retraining staff or identifying suitable alternative work which may be offered to potentially redundant staff;
- reorganisation of staff or job descriptions

Any measures adopted must not adversely affect the School and its provision to effectively meet the needs of its students.

5. Redundancy process

When it is not possible to avoid making compulsory redundancies, we will advise all affected employees that compulsory redundancies cannot be avoided.

In carrying out any redundancy exercise we will not discriminate directly or indirectly on grounds of gender, sexual orientation, marital or civil partner status, gender reassignment, race, colour, nationality, ethnic or national origin, religion or belief, disability or age. Part-time employees and those working under fixed-term contracts will not be treated differently to permanent, full-time employees.

We will consult with those employees who have been provisionally selected for redundancy, whether individually, or where appropriate, through appropriate representatives.

A summary of the process to be followed is set out at Appendix 1.

Where the obligation to collectively consult is triggered, the School will follow the statutory consultation process set out within the Trade Union and Labour Relations (Consolidation) Act 1992.

6. Selection Criteria

Where it is necessary to select a pool of employees ("Selection Pool") who may be at risk of redundancy, it will be necessary to identify objective selection criteria which can be used to score staff. The criteria used will be objective, transparent, and fair. The School will consider the balance of skills and experience required to meet its current and future operational requirements and needs. In choosing selection criteria, the following points will be taken into account:

- Curricular and pastoral needs of the School;
- Managerial and organisational requirements;
- The School improvement plan.

Examples of selection criteria which may be used include: qualifications, experience, positions of responsibility held, commitment to Continuing Professional Development, attendance record (excluding any sickness absence relating to a disability) and/or disciplinary record.

We will then consult individually with those employees who have been provisionally selected for redundancy.

7. Suitable Alternative Employment

As part of the consultation process, the School will give consideration to whether there are any suitable alternative vacancies that may be available to those at risk of redundancy and these will be made known to all affected employees.

The School will continue to look for suitable alternative employment for redundant employees and inform them of any relevant vacancies that are available until their termination date. The manner in which redundant employees will be invited to apply for and be interviewed for vacancies will be organised depending on the circumstances existing at the time. Alternative employment may be offered subject to a trial period where appropriate.

8. Notification of Dismissal

Where selection for redundancy is confirmed, employees selected for redundancy will be given notice of termination of employment in accordance with their contracts and written confirmation of the payments that they will receive. The notification will specify when the employment shall terminate, and what redundancy payment (if any) the employee is entitled to. The notification will also include details on the right of appeal against the dismissal and the procedure which must be followed.

The School may, at its absolute discretion, make a payment in lieu of notice for all or part of an employee's notice period.

9. Appeals

All staff issued with formal notice of redundancy will be entitled to appeal against the decision. To raise an appeal, the following procedure should be followed:

- An appeal against redundancy must be made in writing within five working days from receipt of written confirmation of redundancy, setting out the grounds for the appeal.
- The appeal should be submitted in the first instance to the Clerk to the Governors.
- An appeal hearing will be set up as soon as possible with either the Headteacher, or if the Headteacher made the original decision, with a panel of up to three Governors.
- The employee may be accompanied by a colleague or trade union representative at the appeal hearing.
- The outcome of the appeal will be given in writing as soon as reasonably practicable after the appeal hearing has been held. The decision of the appeal will be final.

10. Redundancy Payments

Any employee made redundant who has at least two years' continuous service with the School will be entitled to a redundancy payment. The School will make redundancy payments based on the current statutory entitlements, details of which can be found at:

<https://www.gov.uk/calculate-your-redundancy-pay>

A table showing the number of weeks of redundancy pay according to age and years of service is available at:

<https://www.gov.uk/government/publications/statutory-redundancy-pay-calculation-table>

Appendix 1

Summary of Procedure

1) The full Governing Body ratifies the need to make redundancies and appoints a Selection Committee (SC) and an Appeal Committee (AC).

2) The Governing Body shall consult with affected staff or (if appropriate) representatives of the recognised trade unions and staff who may be affected by the proposed redundancies.

The consultation will include:

- potential ways of avoiding the dismissals;
- reducing the number of employees to be dismissed;
- mitigating the effects of dismissal;
- the proposed method of selection;
- the formal consultation process which begins with the issue of a letter from the School inviting the affected employees [or union officials] to a meeting at the School. The Headteacher and a Governor will attend this meeting.
- [the letter, which, if it is to be recognised by Trade Unions, should be addressed to the County Branch Secretaries (or equivalent) and may be copied to the School representatives.]

A consultation meeting with all potentially redundant employees[, and their representatives of the recognised trade unions,] shall then be held. Any employee absent from school, e.g. on maternity leave, secondment, sick or annual leave whose post may potentially be affected should still be invited to attend any consultation meetings and should be kept informed of the process throughout.

3) Voluntary Redundancy

The School will consider whether it is appropriate to request volunteers for redundancy. If the School does decide to request for volunteers for redundancy, the School reserves the right not to accept all applications for voluntary redundancy, particularly if there are more applications than the proposed number of redundancies or it considers that it is in the long-term interests of the School to retain certain employees.

If a request is subsequently made and accepted, an offer will be made to the employee in writing, including:

- a) the amount of any redundancy payment under the Employment Rights Act 1996;
- b) the amount of any premature retirement compensation in accordance with the School's policy;
- c) the date on which the redundancy would be effective;
- d) advice on accrued pension benefits, if appropriate;
- e) [advice that the employee should consult his/her trade union.]

4) Selection

Where it is necessary to select employees at risk of redundancy from a Selection Pool, all employees in the Selection Pool will be asked to complete a selection pro forma which is then assessed by the Selection Committee (SC), against the School's selection criteria.

Selection will be carried out by the Selection Committee using information about the potentially affected employees entered into a selection criteria matrix.

Any employee on leave of absence or secondment, e.g. maternity leave, who falls within the Selection Pool must be treated as though currently active in their post and be subjected to the selection criteria in the same way as other employees. The criteria used to select those employees who will potentially be made redundant will be objective, transparent, fair and based on the skills required to meet the existing and anticipated school needs.

5) Right of Representation

Any employee whose post is selected for redundancy through the above process has a right to meet with the SC. The purpose of the meeting is for the members of the SC to explain how they applied the criteria and to give the employee an opportunity to question the recommendation and provide further information they believe may be relevant.

The employee has a right to be accompanied at this meeting by either a trade union representative or a work colleague. If the employee is selected as at risk of redundancy via a Selection Pool, prior to the meeting the employee should receive a copy of their own selection details.

As soon as possible after the SC has made its selection any employee whose post is now at risk should be informed by the Headteacher and be given a letter with details of the time and date of the right of representation meeting. The letter should contain information (including matrix scores) about why their post is recommended for redundancy. This gives the employee the ability to make meaningful representations. The Headteacher should also use this opportunity to inform the employee of the support the School can provide in helping to find alternative work.

If, as a result of the right of representation meeting, the SC decides to uphold their decision, the employee should be informed orally (including reasons for the decision) as soon as possible and this should be confirmed in writing within three working days [of the date of such meeting, during term time, or as soon as reasonably practicable in school holidays].

The letter should explain that the employee will be dismissed on the grounds of redundancy and give details on how to appeal against the decision.

If after the meeting the SC decide that they need to review their decision they will assess the new information against the selection criteria. Should this result in a higher score the SC may

need to reassess all the pro formas in the light of this new information to determine which post is to be recommended for redundancy.

6) Appeal

The employee has a right of appeal against the decision to make them redundant. An employee who wishes to appeal against the decision of the SC should write to the Clerk of Governors within seven calendar days of the decision giving full details of the grounds on which they wish to appeal.

The appeal hearing will be conducted by the three members of the Appeal Committee (AC) who were not involved in the original decision, and will take place by a predetermined date which would have been included in the consultation letter. In normal circumstances this should be approximately 14 days after the decision, [during term time, or as soon as reasonably practicable in school holidays]. The employee has the right to be accompanied at the meeting by either a trade union representative or a colleague. The Headteacher and a representative of the SC should also attend the meeting.

The role of the SC member is to explain how the SC arrived at their decision and how they applied the criteria. The role of the Headteacher is to answer any questions regarding the redundancy procedure. Both the representative of the SC and the Headteacher should receive details of the grounds of appeal before the meeting allowing them reasonable time to prepare.

The decision of the AC is final. If the AC upholds the appeal, the employee's post would not be redundant.