



## Redundancy Procedure

**RWBAT Responsibility:** Esther Newman

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### Contents

Introduction.....	2
Definition .....	2
Delegated responsibility .....	3
Conduct of meetings.....	3
Procedure for handling redundancies .....	3
Stage 1 - Measures to avoid or minimise redundancy .....	3
Stage 2 – Audit of Staffing Requirements.....	4
Stage 3 – Equalities Impact Assessment.....	4
Stage 4 - Selection Criteria.....	4
Stage 5 - Consultation.....	5
(a) First Consultation Meeting .....	5
(b) Voluntary redundancy arrangements .....	6
(c) Second Consultation Meeting .....	6
Stage 6 - Selection process for compulsory redundancy.....	7
Stage 7 - Notification of Compulsory Redundancy.....	7
Stage 8 - Right of Appeal .....	8
Redeployment .....	8
Time off to look for new work or for training.....	8
Redundancy Payments .....	8
Appendix A - Redeployment Procedure .....	10
Appendix B - Guidance for Managing Fixed Term Contracts.....	10
Appendix C - Roles and Responsibilities during the Redundancy Process .....	14
Appendix C1 - Equality Impact Assessment.....	15
Appendix D – Redundancy Business Case Example.....	17
Appendix D1 - Redundancy Consultation Timescale .....	18
Appendix E - Redundancy Selection Criteria .....	20
Appendix F – Redundancy calculations .....	30

## Introduction

The Trust Board recognises the contribution of all employees to delivering its aim of providing outstanding teaching and support services across all schools. It also recognises the need to ensure that employees feel secure and are appropriately supported throughout their employment. The Trust is committed to protecting the employment security of employees, as far as possible, by working with the Headteachers' planning effectively to meet current and future staffing needs. However, there may be occasions when curriculum or demographic changes impact on staffing requirements leading to a need for redundancies. Where they are required within each school the Trust will seek to minimise the effect of redundancies by identifying redeployment opportunities and other ways of helping staff find suitable alternative employment and by adopting a fair, consistent and sensitive approach.

This policy should be read in conjunction with the Redeployment Procedure (Appendix A), the guidance for Managing Fixed Term Contracts (Appendix B) and the guidance for Principals on conducting a review of the School staffing structure.

## Definition

A potential redundancy situation arises in the following circumstances:

- When the school has ceased or intends to cease, to carry out the work for which the employee was employed in the place where the employee was so employed, *or*
- The requirements of the school for employees to carry out work of a particular kind have ceased or diminished or are expected to cease or diminish

This could be understood to mean:

- The school has to reduce its staffing establishment for budgetary or other reasons, *or*
- The staffing at the school needs to be reorganised to respond to organisational or curricular changes.

## Who does this procedure apply to?

This procedure is based on The Trade Union and Labour Relations (Consolidation) Act 1992 (as amended by the Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 1995), the Employment Rights Act 1996, and the ACAS Code of Practice on Handling Redundancies 2009. It has been drawn up following consultation with the recognised Trade Unions and Teachers' Professional Associations. It applies to both teaching and support staff within all Schools including staff directly employed within the Trust. It does not apply to external contractors or those staff who are directly employed by Local Authorities as a bought back service to work in more than one school.

The termination procedure set out in this policy and procedure does not apply where there are matters of:

- **misconduct** where a disciplinary procedure should be used;
- **grievance** which is dealt with under a separate procedure adopted by the Governing Body;
- **competency or capability** for which there is a separate procedure adopted by the Governing Body.;
- **ill health** for which there is a separate procedure adopted by the Governing Body;

- **bullying, harassment, discrimination and/or victimisation** which are dealt with in the first instance, under the Behaviour at work Policy and Code of Conduct.
- where a required **probationary period** is not successfully completed by an employee.

### **Delegated responsibility**

The Trust has delegated the responsibility for dismissals to Headteachers (see Appendix C), the Headteacher can make the decision on which post(s) are to be declared redundant based on the agreed criteria. In the execution of this responsibility, when the selection of individuals is required, to deal with a redundancy situation the Trust Board will appoint a staffing panel to work with the Headteacher. The Headteacher and two governors/trustees will form the Redundancy Selection Panel. The Trust Board will also establish an Appeals panel comprising a minimum of three trustees/governors. No governor/trustee may be a member of both committees.

### **Conduct of meetings**

All Trust meetings, where the management of organisational change and implications for employees are considered, are formal meetings and will be conducted in an appropriate manner, with notes kept on those present and on decisions made.

The Headteacher will ensure that an appropriate venue is arranged for consultation and panel meetings and a separate waiting room is allocated for employees and representatives if required.

Care should be taken at meetings of the trust Board (or its committee or selection panel) where the dismissal of an employee at the school requires consideration. If any person present at such a meeting has a direct financial or personal interest in the matter in question s/he must withdraw from the meeting during its consideration or discussion and must not vote on any question about it. Persons will be regarded as having a direct interest if they, or their relatives (including spouses) living with them are also employees at the school and could be directly affected by a decision on such matters.

The Trust Board will be answerable before an employment tribunal for any deficiencies in complying with statutory requirements in the handling of any dismissal for redundancy.

### **Procedure for handling redundancies**

Stage 1 - Measures to avoid or minimise redundancy

Compulsory redundancy will be seen as a last resort and the Trust is committed to retaining employees wherever possible. However, where redundancies are proposed, consideration will be given to the following:

- Restrictions on recruitment
- Potential termination of short term temporary contracts (see guidance for Managing Fixed Term Contracts, Appendix B)
- Redeploying, where possible, employees to alternative posts within the Trust (see Redeployment Procedure, Appendix A)
- Provision of reasonable training or re-training of employees for alternative work
- Natural wastage, i.e. normal resignations and retirements
- Reducing the use of agency staff

- Reducing overhead costs – heating, lighting, use of contractors etc.
- Generate additional income – the letting and use of school facilities etc.

### Stage 2 – Audit of Staffing Requirements

Where a staffing reduction is unavoidable the Trust will ensure that the staffing panel carries out an audit of staffing requirements. This audit should be systematic, relate to school management and development plans, and be carried out as soon as possible. The Trust and the Headteacher should be aware of the following timescales for planning purposes especially where reduction of teaching staff is likely:

<b>Reduction required by</b>	<b>Process to begin where possible</b>	<b>Selection meeting advised</b>	<b>Maximum Notice to be given to teaching staff</b>
1 September	1 January	May	End May
1 January	1 May	Sept	End September
1 May	1 September	January	End January

Appendix D provides a template to form the basis of the business case for any proposed redundancies.

### Stage 3 – Equalities Impact Assessment

Carrying out a EIA involves systematically assessing the potential (or actual) effect a policy/service/function has on people in relation to the ‘protected characteristics’ identified by equality legislation. Protected characteristics as identified by the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

### Stage 4 - Selection Criteria

In a proposed redundancy situation the school, using the insight provided from the EIA assessment (stage 3), will adopt a fair, consistent and objective set of selection criteria, which should not discriminate against employees on the grounds of sex, race, age or disability. Employees will be selected for redundancy on the basis of the skills, qualifications and experience required to meet the present and anticipated needs of the school. The criteria for selection for redundancy adopted by the staffing panel are a vital element in assessing whether redundancies have been fairly carried out. The Trust/Staffing Panel should consider the following when selecting criteria:

- a) the range of skills, competencies and experience.
- b) the qualifications and training background
- c) the wider contribution to the development of the school

Examples of a redundancy selection criteria matrix for teachers, teaching assistants and admin staff are shown in Appendix E. Also included are examples of the skills audit forms to be completed by individuals. The audit will seek to identify those employees with the knowledge and skills to meet the school’s present and anticipated needs. The criteria for selection will be made available as part of the consultation process.

Where a redundancy staffing audit identifies the need for new and significantly changed posts, it may be more appropriate to conduct a selection process, which may involve an interview. The process would take place in two stages.

Stage 1 - Anyone at risk of redundancy to be given the opportunity to apply for the posts.

Stage 2 - If no appointment is made from this group any applicants who are not at risk of redundancy will be considered.

At risk staff who are unsuccessful in securing a post following the selection exercise will be issued with notice of redundancy in accordance with the redundancy policy.

#### Stage 5 - Consultation

Where redundancies and restructures are being considered there is a legal requirement for meaningful consultation and the need to advise/involve the recognised trade unions/teacher associations and employees at the earliest opportunity. Employee representatives or individual employees may be able to suggest acceptable alternative ways of tackling the problem or, if the redundancies are inevitable, ways of minimising hardship.

The consultation should consider ways of avoiding the dismissals, reducing the number of employees to be dismissed, and mitigating the effects of dismissals. Consultation must be carried out even when it is believed that there will be volunteers. There must be a minimum consultation period of two weeks before issuing notice. Consultation must take place irrespective of whether or not employees are members of the recognised trade unions, or whether they have less than 2 years continuous service and therefore do not qualify for redundancy pay.

Headteachers should notify trade unions/teacher associations of proposed redundancies using the template letter. There should be sufficient time to allow the union to formulate constructive proposals before the consultation period starts.

Consultation would normally begin 90 days before the first dismissal is made, regardless of the number of redundancies to be made. In any event it must meet the statutory minimum periods set out below:

<b>Number of redundancies proposed within a 90 day period</b>	<b>Consultation must begin</b>
Up to 19	No statutory minimum period
Between 20 and 99	30 days before first dismissals
100 or more	90 days before first dismissals

#### (a) First Consultation Meeting

The Headteacher will arrange an initial consultation meeting for staff and invite representatives from trade unions and staff. The Headteacher must ensure that **all** staff are consulted, including any staff who are absent due to sickness or maternity leave. Where possible a minimum of 5 days' notice of the meeting should be given to all parties. An HR representative will also be present to provide advice regarding the procedure.

The purpose of the meeting is to discuss the potential redundancy situation, clarify the procedure that will be followed and the possibilities of avoiding compulsory redundancy. Consideration will be given to any representations and/or alternative proposals made at this stage including consideration of voluntary redundancy options. Information to be supplied to all staff and trade union representatives at this first meeting must include:

- The reason for the proposed redundancies – financial, numbers on roll, curriculum changes.
  - Note: If the reason is related to curriculum changes there may be a need to recruit in some subject areas while other areas are reducing.
- The numbers and description of positions that the school considers redundant.
- The total number of employees in such positions employed at the school.
- Details of the selection criteria and how they will be applied.
- How the dismissals are to be carried out, including the period over which the dismissals are to take effect.
- The method of calculating the redundancy payments, Appendix F
- The approach to be adopted to try to avoid or reduce the requirement for compulsory redundancies including .
  - Voluntary reduction of hours, including voluntary job-share or part time working
  - The process for identifying potential volunteers for redundancy Note: the mere fact that the individual volunteers does not mean that the redundancy will be granted
- Details of further steps in the redundancy process including the next stage of consultation

#### (b) Voluntary redundancy arrangements

The staffing panel and the Headteacher will consider any requests for voluntary redundancy or changes to working hours/patterns before the second consultation meeting. The Principal will then notify the employee(s) of the outcome before the second consultation meeting.

Where the employee volunteering for redundancy is not within the group due to be reduced then it may be possible to effect a transfer from within that group, subject to them having the necessary transferable skills. If no offers of voluntary redundancy, early retirement or alternative proposals to avoid or minimise compulsory redundancy are forthcoming at this stage, employees and trade unions will be notified at this second meeting that a compulsory redundancy situation has arisen. Where possible a minimum of 5 days' notice of the meeting should be given to all parties.

#### (c) Second Consultation Meeting

The Headteacher will update on the current financial situation or any changes since the previous meeting.

If, as a result of the first consultation meeting, any alternative proposals to avoid compulsory redundancy have been received, they will have been considered by the Staffing Panel. The Headteacher will inform the meeting of the outcome of that consideration.

Further proposals to avoid compulsory redundancies or applications for voluntary redundancy, early retirement etc will still be considered at this stage. A third consultation meeting may then be appropriate

within 5 working days or a written response to specific proposals may be agreed (eg to respond to voluntary redundancy applications).

If staff would like individual consultation meetings at this stage, these can be arranged with the Headteacher and/or HR team. Staff will have the right to be accompanied by a work colleague or trade union representative at these meetings.

#### Stage 6 - Selection process for compulsory redundancy

Where a compulsory redundancy situation has been confirmed, individuals who are in the pool of staff within the area(s) of work potentially affected should be invited to complete a skills audit form (Appendix E) detailing their experience, skills and training. A senior member of staff who is not included in the selection pool should be available to give assistance to employees where necessary by providing them with any relevant information, e.g. training records to enable them to complete the form as fully as possible.

The Staffing Panel with the Headteacher will undertake the redundancy selection with HR support, where appropriate, and will apply the agreed redundancy selection criteria with reference to the completed staff skills audit forms. The criteria should be considered in order, narrowing down the selected employees by application. The panel will make a formal written record of the basis on which decisions are taken.

Any potential redundancy involving employees who are pregnant, absent on maternity/adoption leave, or newly returned to work from maternity/adoption leave, must always be considered and appropriate legal advice taken before any selection process commences.

Part time workers - care needs to be taken during the selection process not to treat part time workers less favourably than their full time colleagues.

Fixed term/Temporary contracts – with the introduction of the Fixed Term Regulations it is unfair to select a temporary contracted member of staff just because they are temporary.

#### Stage 7 - Notification of Compulsory Redundancy

The Headteacher will meet with the employee(s) selected to notify them of their selection. Staff will have the right to be accompanied by a work colleague or trade union representative at this meeting.

The employee must be given a minimum of five days' notice of the Representation meeting and the employee should be provided with a copy of the notes taken at the redundancy selection meeting detailing the reasons for their selection. They have the right to be accompanied at the meeting by a trade union representative or work colleague. A formal written record will be made of the meeting. No additional information can be introduced at the Representation Hearing.

Following this meeting, the Headteacher should notify the member of staff of the decision by the selection panel in writing within 5 working days. Employees confirmed as selected for redundancy will be given formal notice and told of their right of appeal. If the appeal recommends that the selection for redundancy has not been fair, the Headteacher/or staffing panel will need to return to Stage 6 of the process.

Appropriate support should be put in place for staff selected for redundancy. They should be advised to seek support from their professional association/trade union and be made aware of the services of Mindful Employer, the counselling service which is available to employees of the Trust.

## Stage 8 - Right of Appeal

If the individual exercises their right of appeal against the decision, they should write to the Chair of the selection panel within 5 working days outlining their reasons for appeal and making it clear whether their appeal is in relation to:

- the process used
- the application of the selection criteria
- some other factor

No additional information can be introduced at the appeal stage.

The appeal must be heard by the Appeals Panel of Trustees, none of whom should be members of staff or have had previous involvement in the selection process.

The employee must be given ten days' notice of the Appeal Hearing. The employee has the right to be accompanied at the meeting by a trade union representative or friend. A formal written record will be made of the decision. Following the Appeal Hearing the Chair of the panel should notify the member of staff of the decision in writing within 5 working days.

Where possible, it is advisable to arrange the appeal hearing before the end of the notice period. If no appeal is lodged or the original decision to select for redundancy is upheld, formal notice will be issued.

## **Redeployment**

When an individual is selected as a possible candidate for redundancy until his/her dismissal takes effect (or they obtain another post) they will continue to be subject to the redeployment provisions (see Redeployment Procedure – Appendix A).

## **Time off to look for new work or for training**

Employees who are under notice of redundancy will be entitled to a reasonable amount of paid time off to look for work or to arrange training with the agreement of their Principal.

## **Redundancy Payments**

Employees who are made redundant following 2 or more years' continuous service as at the date of dismissal will be eligible for a redundancy payment.

Employees who have at least two years continuous service with one or more local authorities or any organisation that is covered by the Redundancy Payments (Continuity of Employment in Local Government etc (Modification) Order 1999 will normally be entitled to a redundancy payment. This entitlement will be lost if they return to work for the same employer or one within the Modification order, within four clear weeks (plus one day) of departure. This will include all schools and Foundation Schools.

Redundancy payment due to an employee depends on their age, length of service (subject to a maximum service limit of 20 years) and weekly pay.

The redundancy payments are based on the following formula:

- 0.5 week's pay for each full year of service where age is less than 22
- 1 week's pay for each full year of service where age during year is 22 or above, but less than 41
- 1.5 weeks' pay for each full year or service where age during the year is 41 or above

A redundancy calculator is available in Appendix F.

### **Support Staff**

There are two redundancy pay arrangements (this follows ex LA procedures) for support staff, one for those employees who volunteer, and are accepted for voluntary redundancy and one for those who are made compulsorily redundant. However, the Trust must ensure full financial information is considered.

## Appendix A - Redeployment Procedure

### Introduction

It is recognised that in accordance with the Schools Staffing Regulations the Trust Board and Headteachers are responsible for the appointment of staff within their School. The Trust will give full consideration to the redeployment of staff across all schools within the Trust into any suitable vacancies within it. It can demonstrate its support by:

- Offering an interview to such employees alongside other shortlisted candidates after the vacancy has been advertised where the employee meets the essential criteria.

Redundancy and premature retirement packages, particularly for those with lengthy continuous Local Authority service are very costly. By reducing the number of these financial packages through redeployment, there will be less pressure on the Trust financially.

Headteachers and the Trust Board have responsibility for the financial management of the Service, in particular for ensuring that funds are used efficiently and effectively.

If a support member of staff is successful in finding an alternative post at a lower grade, their salary will be protected in accordance with the Trust Salary Protection Policy.

Where a potentially redundant teacher is redeployed to another teaching post they will be entitled to have their salary protected in accordance with the School Teachers Pay and Conditions Document.

### Principles

Staff facing redundancy or who have volunteered for redeployment will;

- Meet with a member of the HR Team to discuss specific support required and the appropriate agency to provide this support – eg skills audit, interview skills training
- They will be given the opportunity to visit Schools or other Council workplaces where there are potential vacancies which they may be interested in to familiarise themselves with possible jobs available and find out more.
- Offered a trial period of 4 weeks and during this time a thorough induction will take place with regular monitoring and review of the progress. If an employee wishes to terminate a trial period then consideration will be given as to the reasonableness of this request and whether it constitutes a refusal of suitable alternative work. The employee will be informed of the implications of this.

Employment will be continuous as long as there is no break in service regardless of the temporary nature of the contract.

Employees on maternity leave who have been selected for redundancy must be considered for any **suitable** alternative vacancy that arises within the Trust.

## Appendix B - Guidance for Managing Fixed Term Contracts

### Guiding Principles

Under Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002, employees have the following rights:

- Not to be treated less favourably than comparable permanent employees.

- To have their contract made permanent if it is successively renewed for more than 4 years.
- To qualify for statutory redundancy payment if they have been employed for the necessary period.
- To receive information on permanent vacancies within the organisation.
- To receive a written statement from the employer with reasons for the dismissal.
- To receive Statutory Sick Pay.
- To receive notice of the intention to terminate the contract.
- To have access to occupational pension schemes.

### **Continuation of Fixed Term Contracts**

Employees on a fixed term contract who accrue 4 years continuous service are entitled to a permanent contract under the provision of the Fixed Term Employees (Prevention of less favourable treatment Regulations 2002)

### **Procedure for Ending Fixed Term Contracts**

This standard procedure should be followed in the case of all staff employed on fixed term contracts that are about to end. Failure to do so could make the dismissal unfair and lead to complaints being made through an employment tribunal.

Fixed term contracts are set up for a genuine reason, and the employee needs to be aware of the contract and the reason for it being fixed (e.g. funding). At the expiry of the contract the employer needs to demonstrate that the reason for it being fixed cannot be extended (e.g., funding has expired).

At least two months prior to the expiry of the contract, the Headteacher should advise employees whose contract cannot or is unlikely to be extended why termination of their contract is being considered. If it is unsure at this time whether the extension will be agreed, this process should still be followed.

The Headteacher should invite the employee to a meeting to discuss these matters further. The meeting should consider any steps that could be taken to extend the current contract or to seek alternative employment. The expiry date of the current contract is also to be confirmed. The employee has the right to be accompanied at this meeting.

Notes should be taken, with a copy kept on the employee's personal file. A follow up letter will include a summary of the discussion and any decisions reached at the meeting and confirm the end date of the contract. It will also include the right Representation and Staffing Panel regarding the ending of a fixed term contract. Template letter is provided below

After this meeting The Headteacher/HR are to continue to offer assistance with redeployment, including issuing the Internal Vacancy Bulletin right up to the date of expiry of the contract.

### **Appealing against a decision**

An employee can appeal against a decision not to re-engage at the end of fixed term contract. The appeal must be made in writing to the Headteacher within 10 days of the written notice of the decision.

An appeal hearing, involving the Trust Panel/CEO (supported by HR) will be held as soon as practicable following receipt of the appeal notice. Employees can be accompanied at this meeting.

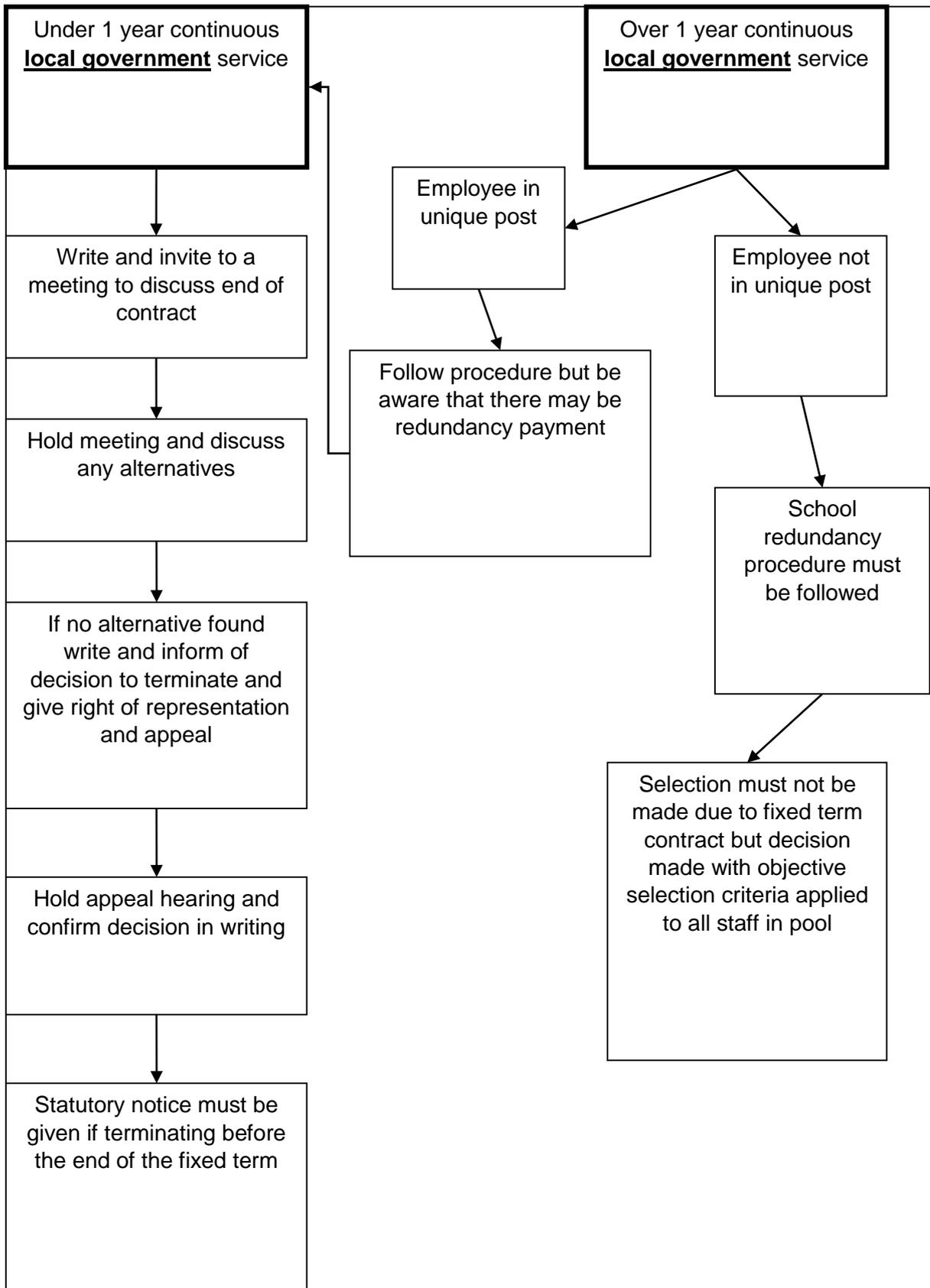
The appeal hearing will involve the school's case, the employee's case and summing up. The result of the appeal hearing must be notified in writing within 5 working days of the meeting.

## **Redundancy**

Employees with two years continuous employment can claim a statutory redundancy payment upon the ending of their employment if the reason for the termination is the expiry of their fixed term contract due to reduction or ceasing of work and they do not secure alternative employment/redeployment.

Employees on a fixed term contract should not be selected for redundancy purely because they are on a fixed-term contract. Redundancy must be objectively justified at the end of the specific task for which the contract was initiated. If there is more than one member of staff undertaking the type of work that is to be reduced/ceased then all of these staff should be placed in a selection pool and the school redundancy procedure applied.

## Ending Fixed Term Contracts



### **Regulations**

The School Staffing (England) Regulations 2003 and Amendment in 2009, permit and encourage Governing Bodies to delegate initial decisions on dismissal of employees to the Headteacher (except in relation to school leadership team posts). The Trust may, therefore, wish to enable the initial decision on selection of employees for redundancy to be delegated to the Headteacher rather than to a Staffing Panel.

It is the responsibility of the Trust Board and the Headteacher to determine the school structure and to appoint and dismiss employees. RWBAT is the employer and therefore responsible for all redundancy decisions and notification.

### **Trust**

All organisational change proposals should be shared with the Trustees and local Governing Board. This should include the broad outline of the plan but must not include any proposals or decisions regarding any individual employee. The Trust Board is responsible for setting redundancy criteria and it is recommended that this task be delegated to a Staffing Panel, which will include the Headteacher and two Trustees/ CEO/LGB. It is recommended that the selection of employees by use of those criteria is the responsibility of the Staffing Panel, who may be supported by HR. A separate Appeals Panel of the Trust Board will hear formal appeals against dismissal by reason of redundancy. Staff Governors should not be appointed to either the Staffing Panel or Appeal Panel in this instance.

### **Headteacher**

It is the responsibility of the Headteacher to facilitate the redundancy process, to organise necessary meetings including employee and trade union consultation meetings and to advise the Staffing Panel as appropriate. It is important that the process is thoroughly planned in a timely manner and that any timescales are adhered to, especially in terms of advising employees of hearing dates etc.

### **HR team**

It is the responsibility of the HR Manager to guide the Headteacher and the Staffing Panel through the redundancy process in accordance with the Redundancy Procedure, attend panel meetings, provide standard letters to use throughout the process, seek formal agreement to fund any severance packages, provide assistance to seek suitable redeployment where possible and issue formal notice or redundancy or retirement as appropriate.

### **Trade Unions**

It is the responsibility of the trade unions to support their members through the process as required, including attending consultation/representation/appeal meetings.

## Appendix C1 - Equality Impact Assessment

The questions outlined are designed to assist schools in carrying out an effective Equality Impact Assessment (EIA).

An EIA should highlight any potential areas of unfairness any new proposals, policies / services or functions and to identify action which can be taken to redress discrimination if it occurs across any of the nine protected characteristics (1. Age, 2. Disability, 3. Gender Reassignment, 4. Marriage and Civil Partnership, 5. Pregnancy and Maternity, 6. Race, 7. Religion or Belief, 8. Sex, 9. Sexual Orientation). An EIA should also positively promote equal opportunities, improved access, participation in public life and good relations.

<b>NAME OF SCHOOL:</b>	
<b>DATE:</b>	

### **1. The aims and objectives of the equality impact assessment**

The Headteacher and Trust Board are committed, both as an employer and as a service provider to ensure that it offers equal access to jobs to all. The purpose of this EIA is to identify equalities implications of the proposal to reduce staff numbers/hours due to ..... (financial, reduction of numbers on roll and/or curriculum changes).

### **2. Assessment of impact (with regards to Age, Disability, Gender Reassignment, Marriage and Civil partnership, Pregnancy and Maternity, Race, Religion or belief, Sex, Sexual Orientation).**

Attached are the redundancy selection criteria to be used.

Implications for current and prospective pupils

Impact on the Local Community

Implications for Staff

<b>3. Consultation</b>

<b>4. Decision</b>

<b>5. Monitoring and Review</b>

**When will you review this impact assessment? Who will be responsible?**

<b>6. Publication of the results of the impact assessment</b>
Results of the impact assessment should be published and monitored with the results presented in an accessible way so that there is a public record of the process undertaken.

**2. Numbers on Roll**

Confirm forecast pupil numbers; if the figures are different to the LA projected figures please explain the reason for this.

Have you discussed the forecast pupil numbers with the school place planning or admissions team?

Officer consulted .....Date .....

**3. Curriculum Changes**

Provide detailed evidence of pupil choices, the impact and reasons for the changes.

Have you discussed the potential redundancy with the Trust HR team and sought advice on the process?

HR Manager consulted .....Date .....

Check list of attachments to support the proposal	Attached (please tick)
Minutes of Governors Meetings recording budgetary concerns	
Staffing Audits	
Minutes of any decisions to consider redundancies	
Latest school balances survey	
Current 3 year financial plan	

Appendix D1 - Redundancy Consultation Timescale  
**template consultation timetable**

Stage	Action	Dates
<b>3</b>	Notification of potential redundancy and initial consultation with unions  Redundancy Review Group meeting to discuss possible redundancies	January to March  (date)
<b>5a &amp; 5b</b>	Formal consultation meeting regarding potential redundancy. Information provided regarding numbers of staff affected and processes to be used. Selection criteria shared. Applications sought for voluntary reduction of hours etc. and any applications considered	Meeting held during March
<b>5b</b>	If necessary, further consultation meeting with staff and unions to declare potential compulsory redundancy and confirm to staff the selection criteria. Potentially affected staff issued with skills form.	Meeting held during March/April
<b>5b</b>	Skills form to be returned to .....	By April
<b>6</b>	Staffing Panel meeting to consider selection criteria and employee skills information for redundancy of staff.	Meeting held (date)  To be completed by 1 May
<b>7</b>	Inform selected individuals and invite them to attend meeting for representations.	
<b>7</b>	Meeting to consider staff representations regarding selection for redundancy – 5 days notice of meeting to be given	Meeting held (date)  (to be completed by 10 May)
<b>8</b>	Appeals against dismissal -10 days from representation meeting	Appeal hearing to be completed by 31 May if possible)
<b>8</b>	Maintained schools <b>must</b> notify their HR providers by 29 <sup>th</sup> May of redundant staff.  Notice to terminate by redundancy issued to selected staff. Assistance given to seek redeployment during notice period	Notice letter issued  Teachers by 31 May  Support staff - up to 12 weeks' notice subject to service.
	End of Employment for redundant staff	31 <sup>st</sup> August 2013



## Appendix E - Redundancy Selection Criteria

### **Guidance notes for selection criteria and scoring**

The following pages contain recommended example selection criteria for use in relation to proposed redundancy procedures for Teachers, Teaching Assistants and Administration staff.

Following the staffing audit, the Staffing Panel will agree the selection criteria that they consider are most appropriate to allow the retention of vital skills and knowledge needed.

Please ensure that when completing the skills and qualification form that you include all relevant skills and experience, as this information will be used to make the redundancy selection.

Each criterion has a scoring range of 0 – 3 and allocated as follows:

- 0      no evidence of knowledge and/or skill  
        current disciplinary/capability warnings on file  
        eight or more separate instances of sickness absence in last 2 years
- 1      little evidence of knowledge and/or skill  
        six – seven separate instances of sickness absence in last 2 years
- 2      evidence of satisfactory level of knowledge and/or skill  
        four – five separate instances of sickness absence in last 2 years
- 3      evidence of high level of knowledge and/or skill  
        no current disciplinary/capability warning on file

less than four separate instances of sickness absence in last 2 years

### **Weighting**

Specific selection criteria may be weighted to allow for high priority skills/knowledge identified in the School improvement plan to be scored appropriately. For example, literacy and numeracy may have been identified by the school as a high priority then the scores given to teachers having skills in this area will be multiplied by the appropriate weighting factor.

### **Equality issues**

Disability and maternity related absences should be disregarded for the purposes of redundancy selection.

In cases where performance management reviews have not taken place over the last two years due to maternity or disability reasons, it is possible to consider 2 reviews that have taken place over the last 5 years.

## **EXAMPLE TEACHER REDUNDANCY SELECTION CRITERIA**

*Amend the requirements as appropriate*

*Scores 0 – 3 (3 being the highest)*

<b>Organisational and Managerial Requirements</b>	<b>Weighting</b>
Senior Leadership/Management Team	
Year Leader	
Subject Co-ordinator	
Cross Curricular Co-ordinator	
Key Stage Co-ordinator	
SEN Co-ordinator	
Nursery Unit Leader	
Early Years Liaison	
Form Tutor	
Department/Faculty Head	
Head of Year	
Other	
<b>Specialist Requirements</b>	<b>Weighting</b>
Teaching Expertise	
Foundation	
Reception	
KS1	
KS2	
KS3	
KS4	
KS5	
Designated Special Needs Teacher	
Specific subjects taught	
Training & Development	
Completed/attended a short course or conference which related to a curriculum subject in the last 2 years.	

Completed a relevant degree or diploma (after entering the teaching profession)	
Relevant higher professional qualification	
Attended a relevant extended course	
Attended more than 1 extended courses	
Inset undertaken which brought positive benefits to the School	
Training & development undertaken not directly related to the School but related to teaching	
<b>Specialist Relevant Skills</b>	
E.g. Maths or science Teacher	
Music skills	
<b>General Requirements</b>	<b>Weighting</b>
Evidence of teaching across the whole of the primary range	
Evidence of teaching more than 1 subject	
Evidence of teaching mixed age ranges	
Evidence of wider contribution to School life	
Evidence of satisfactory performance in last 2 reviews (in last 5 years in cases of maternity or disability absence)	
Attendance – number of separate absences in last 2 years	
Disciplinary – current warnings	
Capability – formal procedures in last 2 years	

**EXAMPLE SUPPORT STAFF (ADMINISTRATION) - REDUNDANCY SELECTION CRITERIA** *Amend the requirements as appropriate*

*Scores 0 – 3*

*3 being the highest*

<b>Core &amp; Specialist Requirements</b>	<b>Weighting</b>
Professional Qualification in Finance	
Certificate or Diploma in School Business Management	
Managerial Experience	
Leadership Skills	
Formal qualification in Computer literacy	

Formal qualification in computer network management	
Supporting change management programmes	
Up to date knowledge of Health and Safety Legislation	
Computer literate in Word	
Computer literate in Excel	
Computer literate in Email	
Computer literate in SIMS	
Computer literate in Access	
Computer literate in using the internet	
Familiar with accounting software	
Awareness of employment law and Human Resource issues	

**EXAMPLE SUPPORT STAFF (TEACHING ASSISTANT) - REDUNDANCY SELECTION CRITERIA***Amend the requirements as appropriate**Scores 0 – 3 3 being the highest*

<b>Core &amp; Specialist Requirements</b>	<b>Weighting</b>
Higher Level Teaching Status	
Expertise in lesson planning	
Expertise in motivating children	
Ability to control pupils with challenging behaviour	
Knowledge of the early years curriculum or national curriculum and the age-related expectations of pupils	
Knowledge of how to use ICT to advance pupils learning	
Ability to work with children with differing levels of SEN	
Excellent interpersonal skills	
Evidence of working across the whole of the primary age range	
Evidence of working across mixed age ranges	
Evidence of teaching more than 1 subject	
Evidence of working with groups of pupils	
Evidence of actively promoting social inclusion	
Evidence of supporting teachers in the evaluation of pupils learning	
Undertaken PPA cover	

## **Skills Audit - Teacher Skills and Qualification Form**

*(Example criteria - amend as necessary)*

	Please give details and examples with an indication of when you undertook this work/post.
<b>Core Organisational and Managerial Requirements</b>	
Senior Leadership /Management Team	
Year Leader/ HOY/HOKS	
Subject Co-ordinator	
Key Stage Co-ordinator	
SEN Co-ordinator	
Nursery Unit Leader	
Early Years Liaison	
Form Tutor	
Department /Faculty Head	
Other	
<b>Specialist Requirements</b>	
Foundation	
Reception	
KS1	
KS2	
KS3	
KS4	
KS5	
Designated Special Needs Teacher	
Specific subjects taught	
<b>Training &amp; Development</b>	
Provide details of any relevant training undertaken within the last 3 years. Include short courses, extended course, degree diploma's, in-house courses, inset training	

Specialist Relevant Skills
Provide details of any specific relevant skills

<b>General Requirements</b>
Describe any experience you have in relation to the general requirements identified. (School to list them in this section)

**Please ensure that when completing this form that you include all relevant skills and experience, as this information will be used to make the redundancy selection.**

**Please return this form to:**

## **Skills Audit - Support Staff (Administration) Skills and Qualification Form**

(Example criteria - School to amend as necessary)

	Please give details and examples with an indication of when you undertook this work/post.
<b>Core &amp; Specialist Requirements</b>	
Professional Qualification in Finance	
Certificate or Diploma in School Business Management	
Managerial skills	
Leadership skills	
Formal qualification in computer literacy	
Formal qualification in computer network management	
Supporting change management programmes	
Up to date knowledge of Health and Safety Legislation	
Computer literate in Word	
Computer literate in Excel	
Computer literate in Email	
Computer literate in SIMS	
Computer literate in Access	
Computer literate in using the internet	
Familiar with accounting software	
Awareness of employment law and Human Resource issues	

**Please ensure that when completing this form that you include all relevant skills and experience, as this information will be used to make the redundancy selection.**

## **Skills Audit - Teaching Assistant Skills and Qualification Form**

*(Example criteria - School to amend as necessary)*

	Please give details and examples with an indication of when you undertook this work/post.
<b>Core &amp; Specialist Requirements</b>	
Higher Level Teaching Status	
Expertise in lesson planning	
Expertise in motivating children	
Ability to control pupils with challenging behaviour	
knowledge of the early years curriculum or national curriculum and the age-related expectations of pupils	
knowledge of how to use ICT to advance pupils learning	
Ability to work with children with differing levels of SEN	
Excellent interpersonal skills	
Evidence of working across the whole of the primary age range	
Evidence of working across mixed age ranges	
Evidence of teaching more than 1 subject	
Evidence of working with groups of pupils	
Evidence of actively promoting social inclusion	
Evidence of supporting teachers in the evaluation of pupils learning	
Undertaken PPA cover	

**Please ensure that when completing this form that you include all relevant skills and experience, as this information will be used to make the redundancy selection.**

### Example Redundancy Selection Matrix

No	Organisational and managerial Skills required by the School	Score	Specialist requirements and skills	Score	Training	Score	Attendance	Score	Conduct	Score	Capability	Score	Total score
1	Qualified teacher. Curriculum co-ordinator with TLR	3	Literacy and Numeracy specialist	3	Relevant higher level qualification	3	Little or no absence (1 day in last 2 years)	3	No issues	3	No issues	3	18
2	Qualified teacher. Outreach role with feeder early years setting	3	Special needs teacher	3	Attended short course in curriculum	2	5 separate instances in last 2 years	2	Final Written warning on file	0	No issues	3	<b>13</b>
3	Newly Qualified teacher	1	Foundation and key stage 1 initial teacher training	2	Inset undertaken which has positive benefits for the School	2	No absence in last 2 years	3	No issues	3	No issues	3	14

Each criteria has a scoring range of 0 – 3 and allocated as follows:

0 no evidence of knowledge and/or skill  
current disciplinary/capability warnings on file  
eight or more separate instances of sickness absence in last 2 years

1 little evidence of knowledge and/or skill  
six – seven separate instances of sickness absence in last 2 years

2 evidence of satisfactory level of knowledge and/or skill  
four – six separate instances of sickness absence in last 2 years

3 evidence of high level of knowledge and/or skill  
no current disciplinary/capability warning on file  
less than four separate instances of sickness absence in last 2 years

**Outcome - In this instance, teacher number 2 is selected for redundancy.**

Appendix F – Redundancy calculations

**Compensation under the Employment Rights Act 1996 as updated by the Employment Equality (Age) Regulations 2006.**

Expressed in Number of Weeks pay.

Service (Years)																			
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Age																			
18	1																		
19	1	1½																	
20	1	1½	2																
21	1	1½	2	2½															
22	1	1½	2	2½	3														
23	1½	2	2½	3	3½	4													
24	2	2½	3	3½	4	4½	5												
25	2	3	3½	4	4½	5	5½	6											
26	2	3	4	4½	5	5½	6	6½	7										
27	2	3	4	5	5½	6	6½	7	7½	8									
28	2	3	4	5	6	6½	7	7½	8	8½	9								
29	2	3	4	5	6	7	7½	8	8½	9	9½	10							
30	2	3	4	5	6	7	8	8½	9	9½	10	10½	11						
31	2	3	4	5	6	7	8	9	9½	10	10½	11	11½	12					
32	2	3	4	5	6	7	8	9	10	10½	11	11½	12	12½	13				
33	2	3	4	5	6	7	8	9	10	11	11½	12	12½	13	13½	14			
34	2	3	4	5	6	7	8	9	10	11	12	12½	13	13½	14	14½	15		
35	2	3	4	5	6	7	8	9	10	11	12	13	13½	14	14½	15	15½	16	
36	2	3	4	5	6	7	8	9	10	11	12	13	14	14½	15	15½	16	16½	17
37	2	3	4	5	6	7	8	9	10	11	12	13	14	15	15½	16	16½	17	17½
38	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	16½	17	17½	18
39	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	17½	18	18½

40	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	18½	19
41	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	19½
42	2½	3½	4½	5½	6½	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½
43	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
44	3	4½	5½	6½	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½
45	3	4½	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
46	3	4½	6	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½
47	3	4½	6	7½	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
48	3	4½	6	7½	9	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½	23½
49	3	4½	6	7½	9	10½	12	13	14	15	16	17	18	19	20	21	22	23	24
50	3	4½	6	7½	9	10½	12	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½	23½	24½
51	3	4½	6	7½	9	10½	12	13½	15	16	17	18	19	20	21	22	23	24	25
52	3	4½	6	7½	9	10½	12	13½	15	16½	17½	18½	19½	20½	21½	22½	23½	24½	25½
53	3	4½	6	7½	9	10½	12	13½	15	16½	18	19	20	21	22	23	24	25	26
54	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	20½	21½	22½	23½	24½	25½	26½
55	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22	23	24	25	26	27
56	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	23½	24½	25½	26½	27½
57	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25	26	27	28
58	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	26½	27½	28½
59	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28	29
60	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28½	29½
61*[2]	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28½	30

18\* [1] - It is possible that an individual could start to build up continuous service before age 16, but this is likely to be rare.

61\* [2] – The same figures should be used when calculating the redundancy payment for a person aged 61 and above.

Taken from [www.Direct.gov.uk](http://www.Direct.gov.uk)