



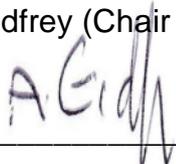
Redundancy Policy

Policy Version Control

Version history see Annex A errata for details

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1	G Mellefont	08.11.2017	September 2018

Approval: A Godfrey (Chair of Board)

 (signed) **Date authorised:** 09.11.2017

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1. Introduction

1. The aim of this document is to provide a clear and transparent approach, where redundancies are being considered. It sets out the policy and procedure the Academy will follow in relation to redundancies. It includes details such as consultation, selection and support for employees seeking alternative employment.
- 1.2 The Governing Body aims to avoid redundancy wherever possible. However, financial constraints, reductions in the number of pupils on the roll, changes in the proportion of pupils in varying age groups, changes in curriculum need or numbers, and organisational change may mean that a Governing Body is forced to reduce employee numbers.

2.0 General Principles

2.1 The Academy will ensure that:

- at the earliest opportunity, they will seek any required advice;
- at the earliest opportunity potentially affected employees, and where appropriate their representatives, are consulted in a meaningful way on any proposals and their potential implementation;
- the total number of redundancies made is kept to a minimum;
- the process is handled sensitively and fairly;
- selection for redundancy is based on clear criteria that will be objectively and fairly applied;
- support and advice is available to employees selected for redundancy to help them find suitable alternative work;
- an employee can be accompanied by a Trade Union representative or a work colleague of their choice, at formal meetings (with the exception of the recruitment and selection process); and
- where an employee has a mental impairment, consideration will be given to reasonable adjustments in respect of the appropriate person to accompany them in the formal meetings.

2.2 Employees on maternity, adoption or shared parental leave have specific rights in relation to redundancy.

3.0 Strategies for Avoiding or Minimising Redundancy

3.1 The Academy will consider fully all reasonable alternatives to minimising the numbers or avoiding redundancies, which may include:

- Restrictions on recruitment, e.g. not filling vacancies.
- Considering job share or re-allocation of duties.
- Reduction in overtime working.
- Voluntary options (e.g. voluntary early release and voluntary reduced working).
- Filling internal vacancies with existing employees by the use of redeployment where possible.
- Restriction on the use of agency or contract labour engaged on work which might be suitable for the employees concerned.
- Voluntary redundancy from employees from other areas within the Academy.

4.0 Redundancy Proposal

4.1 The Governing Body has determined that it is the responsibility of the Personnel and Staffing Committee to make decisions for staff dismissals (including redundancy).

- 4.2 The full Governing Body will determine whether reductions in staff will be necessary, the likely area to be identified (e.g. teaching and/or support staff) and the suggested method of selection.
- 4.3 It is the responsibility of the Headteacher to consult with employees and the trade unions /elected representatives within good time of the potential redundancy situation.

5.0 Consultation

- 5.1 The aim of consultation is to discuss the reason for and to explore the options for avoiding, reducing or mitigating the consequences of the proposed redundancies. Any alternative options put forward will be considered.
- 5.2 Individual employees will be consulted, and where appropriate recognised trade union(s) or, if none, the elected representatives, in respect of all proposed redundancies
- 5.3 In order to meet its statutory obligations in consulting with trade union representatives, the Governing Body may consider that it is appropriate to delegate the initial stages of the consultative process to the Headteacher.
- 5.4 The Academy is committed to consulting at the earliest opportunity to enable meaningful consultation, and will comply with any statutory requirements for collective consultation, before issuing any individual notices of redundancy. These are:
- At least 30 days collective consultation where the Academy is considering making between 20 and 99 employees redundant within 90 days.
 - At least 45 days collective consultation where the Council is considering making 100 or more employees redundant within 90 days.
- 5.5 Where there are 20 or more proposed redundancies, the Governing Body will notify the Redundancy Payments Service (RPS) as required.
- 5.6 For the purposes of consultation, where there are 20 or more proposed redundancies, the Governing Body will disclose in writing to the appropriate representatives:-
- i) The reasons for the proposal.
 - ii) The numbers and descriptions of employees whom it is proposed to dismiss as redundant.
 - iii) The total number of employees of any such description employed at the establishment.
 - iv) The proposed method of selecting the employees who may be dismissed should reflect the decision of the full Governing Body.
 - v) The proposed method of carrying out the dismissals with due regard to any procedure, including the period over which the dismissals are to take effect. (notice period and appropriate dates).
 - vi) The proposed method for calculating the redundancy payments.
 - vii) Information with respect to the number of agency workers working temporarily for and under the supervision and direction of the school, the parts of the school in which they are working and the type work they are carrying out.

- 5.7 The Governing Body will determine if any additional information is to be made available, in order to assist meaningful consultation, this may, for example, include financial information and/or the school development plan. Any requests from representatives for additional information will be considered during the consultation process.
- 5.8 It is important to ensure individual employees have been consulted with as well as Trade Unions or their elected representatives. Following the Governing Body's determination, **ALL** employees in the Academy will normally be informed in writing of the need to reduce staff and of the reasons. Volunteers for redundancy should also be sought at this stage. Employees will also be invited to make written or oral representations at this stage if they so wish.

6.0 Redundancy Selection

- 6.1 Following consultations, after due consideration of all representations received and plans modified appropriately, the Academy needs to identify the post or posts that are at risk.
- 6.2 If the number of individuals in the pool at risk exceeds the number that need to be dismissed, by reason of redundancy, the Academy will need to apply the selection criteria to identify those employees that they wish to retain i.e. those who are most able to meet the needs of the school.
- 6.3 Volunteers for redundancy should always be considered as an alternative to compulsory redundancies. However, it is not always possible or appropriate to accept volunteers for redundancy. Choosing an actual post, or posts for redundancy will take account of the school priorities and plans.
- 6.4 Should compulsory redundancies be necessary, objective criteria will be used and applied fairly and consistently to enable the Personnel Committee/Headteacher in making the selection. The proposed criteria will be the subject of consultation with trade union representatives.
- 6.5 The following factual criteria may be used in the selection of **teaching employees** in line with the school's priorities and plans
- i) Current main areas of responsibility (leadership/TLR/and or subject specific coordination as determined by the formal job description.
 - ii) Main curriculum priorities for the school (outcome focused) for example in relation to the School Development Plan, SEF, OFSTED Action Plan.
 - iii) Age ranges taught for at least one full academic year within no more than the last five years.
 - iv) Previous and relevant experience (e.g. subject/curriculum management/co-ordination) within no more than the last five years.
 - v) Experience to teach other subject specialist areas within no more than the last five years.
- 6.6 The following factual criteria may be used in the selection of **support employees**:
- ii) Current main areas of responsibility as defined by the formal job description.
 - iii) Main priorities for example in relation to School Development Plan, SEF, OFSTED Action Plan.

iv) Previous relevant experience.

v) Qualifications/skills.

6.7 In addition the Governing Body/ Headteacher may use other factual criteria following consultation with staff and trade union representatives. In some circumstances, selection by agreed criteria may not be deemed the most appropriate method of selection and an interview process may be adopted.

6.8 The Academy will ensure that selection is made fairly, in accordance with the agreed criteria and process, and relevant advice will be sought as required.

6.9 Following a selection meeting the individual members of staff provisionally selected for redundancy should be informed in writing as soon as possible.

6.10 The employee can request the opportunity to consult and make representation in relation to this selection, by attending a meeting with the Headteacher and/or Chair of the Personnel Committee, as appropriate.

7.0 Dismissal

7.1 Once the consultation process has been completed all employees selected for redundancy regardless of whether this is voluntary or compulsory will be issued with a letter confirming the termination of their employment on grounds of redundancy in line with notice provisions.

8.0 Appeal

8.1 To appeal, the employee will notify the Chair of Governors in writing that they wish to appeal the decision within 10 working days of receipt of the letter confirming the decision.

8.2 The appeal will be heard by the Appeals Committee.

9.0 Alternative Employment

9.1 Consideration will always be given as to whether alternative employment is available. Employees will be advised of any vacancies that exist at the time of their selection until their notice period expires.

9.2 Employees have a separate legal entitlement to be offered any suitable alternative work that is available if they are selected for redundancy whilst on maternity leave or shared parental leave.

10.0 Time Off to Seek Alternative Employment

10.1 Employees who are under notice of redundancy will be given reasonable paid time off to look for alternative employment.

11.0 Offers of Alternative Employment

11.1 An individual employee who is offered alternative work is entitled to a trial period of 4 weeks which enables both the individual and employer to determine whether the new employment is suitable.

11.2 The Headteacher and/or Governing Body will ensure when making the offer of employment that the individual is aware that it is subject to a statutory trial period.

- 11.3 The trial period may be extended if the employee requires training.
- 11.4 When considering what constitutes a suitable alternative offer the following will normally be taken into account:
- The appropriateness of the role in terms of level of pay, location, status, service conditions and skills required, and
 - The reasonableness of the offer taking into account the employee's own personal circumstances.
- 11.5 During the trial period, regular reviews will be held between the Headteacher and the employee, to monitor progress and discuss issues and concerns, and identify training and support as necessary.
- 11.6 If an employee considers that the alternative job is not suitable (See section 11.4) they must inform their Headteacher in writing before or during the trial period that they do not accept that this is an offer of suitable alternative employment, and the reason for this, otherwise the right to any redundancy payment will be lost.
- 11.7 If notice of redundancy has been issued and the employee turns down an offer of alternative employment which is assessed as suitable, during the notice period or trial period, or unreasonably fails to engage in the process of finding suitable alternative employment, then the employee may forfeit their right to receive a redundancy payment.
- 11.8 If the Academy considers the trial period to be unsuccessful, this will be discussed with the employee and confirmed in writing. An employee's contract of employment will be terminated on the grounds of redundancy at the end of the contractual notice period, which was previously issued, as they have been unable to secure suitable alternative employment.

12.0 Redundancy Payments

- 12.1 Redundancy payments are based upon both an individual's age and also their length of service. In order to qualify for a redundancy payment, an individual must have completed a minimum of 2 years continuous service.
- 12.2 Redundancy payments will be calculated using the statutory ready reckoner and an individual's normal weekly pay.

Annex A

Version No.	Change History	Guidance reference (if any)	Date
1	Updated		09.11.2017