



POLICY AND PROCEDURE ON HANDLING REDUNDANCY

**Presented to
Trustees
21 March 2018**

Date approved: ¹	21 March 2018 (adopted) Trustees Standards Committee
Consultation:	Union and Staff Consultation 1 May 2018 – Completed
Date reviewed: ²	
Date of next review: ³	Spring 2021

¹ This is the date the policy was approved by the meeting

² This is the date the policy was reviewed prior to its approval above

³ This is the date as set by the policy review clause or the date approved plus two years

- Headteacher also means Head of College and Principal
- School also means College, Academy or Academies

POLICY AND PROCEDURE ON HANDLING REDUNDANCY

1. In the event that it is necessary to make a reduction in staff, the Trust Board, having consulted with the personnel adviser appointed by the Trust Board, will inform all the staff at the School concerned and the trade unions involved of the following:
 - (a) the reasons for the redundancy
 - (b) the number and descriptions of the employees to be dismissed as redundant
 - (c) the total number of employees of any such description employed at the School
 - (d) the proposed method of selecting the employees to be dismissed
 - (e) the proposed method of carrying out the dismissals, including the period over which the dismissals are to take effect
 - (f) the method of calculating any compensation to be paid to redundant employees
 - (g) the number of agency workers working temporarily for and under the supervision and direction of the School
 - (h) the parts of the School in which the agency workers are working and the type of work they are carrying out.
2. The selection criteria which will appear in 1(d) above and on which the staff and trade union(s) will be consulted will be determined by the Headteacher of the School in question in consultation with the Chair of Trustees.
3. The Trust Board will consult the trade unions recognised by the Trust Board with a view to reaching agreement, and will consult with the employees affected by the proposals whether or not they are in a recognised Trade Union. The Trust Board will consider any representations made to it and reply to them. If there is a rejection of any representations, the reasons will be given in writing.
4. Within the context of the needs of the particular School, the Trust Board will make every effort to avoid compulsory redundancy by achieving reductions through:
 - natural turnover and staff resignations
 - deletion of appropriate vacancies
 - voluntary redeployment of staff into other suitable posts within the School
 - voluntary transfer to part time working, reduced hours or job sharing arrangements
 - voluntary redundancy
 - review of genuine fixed term contracts and use of agency workers
5. Any employee who seeks information on the benefits available as a result of volunteering to be selected for redundancy will be entitled to do so without prejudice to his/her position.

Footnote:

- Headteacher also means Head of College and Principal
- School also means College, Academy or Academies

6. The Trust Board will decide if any requests for volunteering to be selected for redundancy can be accepted. If a request is accepted, an offer will be made to the employee identifying the level of compensation that will be paid if the employee is dismissed as redundant. The offer will be in writing and include:

- (a) the amount of redundancy pay based on the statutory redundancy payments using statutory weeks without enhancement.
- (b) the date on which the redundancy would be effective.
- (c) advice that the employee should consult his/her trade union.
- (d) Notification that:

Teachers

There is no early pension release, so access to pension is only possible if teachers meet the scheme retirement age to have an age retirement pension or if they wish to release their benefits on an actuarially adjusted benefit basis.

Support Staff

Pension release is mandatory if 55 or over.

7. If the necessary reduction is not achieved by the above means then the Headteacher of the school will, following the consultative process, where s/he has the delegated power of dismissal, delegate a Senior Manager to meet individually with staff identified as at risk in the category of staff to be reduced to confirm or clarify any selection information ("skills audit") provided by the member of staff. Individuals will be given due notice of the meeting in writing and may be accompanied by a trade union representative or workplace colleague. *(Where the dismissal decision is to be taken by the Staff Dismissal Committee of the Trust Board rather than the Headteacher, the Headteacher may carry out this part of the process instead of delegating the responsibility to a Senior Manager.)*

8. To assist all parties involved in dealing with a compulsory redundancy it will normally be the practice to identify a timetable of dates, a reasonable period in advance, for the meetings referred to in 7 above and the dismissal meeting in front of the Headteacher or Staff Dismissal Committee of the Trust Board.

9. Following the meeting(s) outlined in 7 (above) the Senior Manager will make the selection on the basis of all the information available and in accordance with the selection criteria. The employee(s) selected will be informed in writing that the Senior Manager will recommend to the Headteacher (with power to dismiss delegated by the Trust Board) that the employee(s) be dismissed on grounds of redundancy. The employee(s), who will be given at least 10 working days' notice of the meeting, will have the right of an individual hearing at which s/he may be present and be accompanied by a trade union representative or workplace colleague.

10. Following the hearing to consider the Senior Manager's recommendation to dismiss the individual(s) on the grounds of redundancy outlined in 9 (above), the Headteacher will inform the employee(s) of his/her decision(s). If the decision is to dismiss, then the Headteacher will ensure that any employee to be dismissed is given written notice of dismissal which will include the information described in 6 a) to d) (above) and the advice that the employee has the right of appeal against the decision. The employee(s) will be given at least 10 working days notice of the date for any appeal hearing and, if submitting an appeal, the employee(s) must do so in writing by the date specified by the Headteacher. The period allowed by the Headteacher for the employee to decide whether or not to enter any appeal will not be less than 5 working days.

Footnote:

- Headteacher also means Head of College and Principal
- School also means College, Academy or Academies

11. The Appeals Panel will consist of at least 3 Trustees or, where the decision to dismiss has been taken by the Staff Dismissal Committee of the Trust Board, at least the same number of Trustees who made the decision to dismiss and who have played no part in the selection of the employee(s) for dismissal on the grounds of redundancy.

12. If the Appeal Panel decides to uphold the appeal against dismissal the notice of dismissal will be withdrawn and confirmed in writing.

13 **MONITORING AND REVIEW OF THE POLICY**

13.1 The Trust Board (or responsible committee) will review this policy in line with the procedure for policy review.

13.2 Date for Review;
If no other reason for review (see policy review procedure) this policy will be reviewed in Spring 2021.

Footnote:

- Headteacher also means Head of College and Principal
- School also means College, Academy or Academies