



**Beacon Academy Trust**

A COMPELLING VISION FOR SUCCESS

# **Reorganisation, Redeployment and Redundancy Policy & Procedures**

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## Reorganisation, Redeployment & Redundancy Policy

### 1. Introduction

1.1 The purpose of this policy is to ensure that The Trust delivers services in the most efficient and effective way possible, particularly in the light of changing demands and restricted funding regimes.

1.2 It is the responsibility of the Local Governing Body (LGB) to determine the staffing complement of the Academy and take responsibility for appointment procedures within The Trust's scheme of delegations. Situations may arise where the number of permanent staff in post cannot be reconciled with budget availability. The need to reduce staffing levels can occur due a number of situations, including:

- Changes to national and local priorities and initiatives
- Reduction of budgets and grant funding
- Restructuring to make the best use of resources
- Implementation of new partnership requirements

Any such changes should be achieved within legislative requirements, and should also be designed to cause minimum disruption and to accord with best practice. Proper meaningful consultation processes with employees and Trade Unions and Professional Associations must be followed.

1.3 It is also imperative that The Trust Academies adopt consistent procedures that follow a transparent, equitable and systematic change process, so that the risk of any legal challenge through employment tribunals is minimised.

1.4 This document sets out the policy to be followed when managing change. Relevant management procedures will be produced to support policy implementation on;

- Managing organisational change
- Guidance on how to manage a restructure
- Assimilation procedures
- Redeployment
- Managing redundancies

1.5 The purpose of the associated guidelines is to provide a flexible framework in which differing redundancy situations can be dealt with. It is important that these guidelines are followed if claims of unfair practise are to be avoided.

1.6 The Local Governing Body of an academy has the power to remove an employee from work at the academy (subject to the observance of conditions concerning periods of notice). The Trust will co-ordinate redeployment arrangements among Academies. However, the capacity of The Trust to find alternative work for those employees nominated for removal from a school's complement is limited by legislation, which gives the Local Governing Body the responsibility for the appointment of staff.

- 1.7 The Local Governing Body must ensure The Trust is notified at the earliest opportunity of any potential redundancies, so that all possible steps within The Trust's powers can be taken to avoid redundancies.

## **2. Policy Scope**

- 2.1 This Policy applies to all employees of the Academy, except The Headteacher/Principal.
- 2.2 The Transfer of Undertakings procedures for the Protection of Employees (TUPE) provisions are not included within this policy. TUPE applies where there is a transfer of business or part of a business from one employer to another. When a decision has been made to transfer Academy employees (as a result of TUPE), then the Academy will follow the necessary legislative requirements.

## **3. Policy**

- 3.1 It is The Trust's policy to ensure, as far as possible, security of employment for all employees during times of change. However, there may be times when an Academy needs to reduce its staffing levels.
- 3.2 In order to minimise the number of redundancies, the Academy will seek to avoid placing employees in a potential redundancy situation by:
- Considering recruitment freezes
  - Reducing agency and temporary staff
  - Retraining of staff for other posts
  - Seeking voluntary solutions such as job share, reduced hours or any other means that might mitigate redundancies
- 3.3 The Academy's policy, in consultation with the recognised trade unions, professional associations and employees, will therefore be to seek (where possible), to avoid the need for redundancies by making all reasonable offers of suitable alternative employment. However, the Academy must seek to retain employees who are most likely to contribute to the success of the Academy and those who have the required skills and knowledge. This may mean that where there are more employees than there are suitable alternative posts available, a selection process will be followed in order to identify the most appropriate candidate.
- 3.4 In accordance with legislative requirements, the Academy will not discriminate against employees with a disability or women on maternity leave. Wherever possible, throughout any process of restructuring, assimilation or redeployment, reasonable adjustments will be made for employees with disabilities.
- 3.5 In addition to its legal obligations, the Academy will:
- Consult with Trade Unions/Professional Associations and employees as soon as practicable about the effects of change processes on employees, taking a collaborative approach wherever possible

- Communicate clearly, openly and in a timely way to employees
  - Strive to minimise disruption to the serviced minimise the impact on individuals
  - Strive to minimise the number of redundancies by considering all other reasonable alternatives
  - Follow a clear process which is considered consistent and fair
- 3.6 The Academy recognises that during periods of change, decisions will need to be made that affect individuals' employment. Employees will have the right to appeal against decisions relating to selection for redundancy and dismissal by reason of redundancy. Appeals will be heard in accordance with the appeals procedure.

### **Organisational Change & Restructuring**

- 3.7 The Headteacher/Principal is required to make a case for change by producing and seeking the proper approval for a business case (report) that sets out:
- Academy improvement & efficiency savings
  - Impact on budget, Academy, pupils, curriculum
  - Employee implications
  - Communication process with parents (if appropriate)
  - Equality workforce assessment findings

The timescale over which the financial outlay to achieve change and recover any efficiencies, salary and other budget costs must be specified.

- 3.8 Scoping the change with a clear communication, consultation and implementation plan is essential. In all instances, the business case should identify the staffing budget and an analysis of any potential redundancy and/or pension costs. All proposals must have the required authorisation from The Trust.

### **Consultation**

- 3.9 During any change process the Academy will:
- Ensure that affected employees are informed and consulted at the appropriate time
  - Ensure that recognised Trade Unions are kept informed, and that timely and meaningful consultation takes place
  - Follow statutory consultation requirements
  - Consider Trade Union and employees responses as part of the consultation process
  - Where redundancies are anticipated, consult with Trade Unions about proposal/s and their views on how to mitigate job losses
  - Encourage Academy partners or external bodies to participate in change programmes (as appropriate)

### **Assimilation**

- 3.10 Assimilation is the process by which employees are matched or placed in new structures and/or where there are significant changes to job descriptions.
- 3.11 The Academy will:
- Seek to keep any disruption to the work of the Academy to a minimum
  - Wherever possible assimilate employees into suitable posts
  - Inform affected employees of procedural arrangements and outcomes of decisions made
  - Assimilate employees on pay protection arrangements in accordance with current policy
- 3.12 Employees can be assimilated to a post up to one grade higher or no more than two grades lower. If the grade is more than one grade higher, then a selection process should apply. In some instances during the assimilation process there may be a need to ring fence employees.

### **Redeployment**

- 3.13 Redeployment procedures are to be used to place any potentially redundant or displaced employees. The procedures may also be used in circumstances where there may be a requirement to seek a suitable job alternative e.g. for a disabled employee, in which case a skills matching process may apply and any reasonable adjustments taken into account.
- 3.14 To ensure that the redeployment procedure is as effective as possible; the Academy will: -
- Match employees against any vacancies
  - Seek possible redeployment opportunities with other Academies in the Trust
  - Co-operate fully and consider redeployees from other Academies
- 3.15 The Academy cannot guarantee that all displaced employees will be offered a suitable alternative position, nor is there a minimum number of alternative offers. However, every effort will be made, up to and including the last day of service to identify a suitable redeployment opportunity and if successful, redundancy notice will be withdrawn.
- 3.16 The Academy will make every effort to ensure that employees with disabilities stay in employment; in some instances redeployment may be an alternative. Where appropriate, a trial period for redeployment may be extended for employees with a disability, pregnant women or if there are extenuating circumstances.
- 3.17 A woman on statutory maternity leave has a legal entitlement to return to work. If it is not possible (due to a potential redundancy situation) to return to her position, she has the legal right to a comparable vacant post. The effect of this legal right is that she must be offered any position that is a suitable alternative in preference to other staff. The new job must be suitable and appropriate and not substantially less favourable than the previous contract. This does not mean that the employee cannot be selected for dismissal by reason of redundancy.

3.18 Support for employees may include:

- Help with completing the Redeployment Skills Form
- Counselling/access to employee help line
- Training or development, as appropriate and within financial constraints
- Reasonable time off to attend interviews

### **Headteacher/Principal Responsibilities**

3.19 The Headteacher/Principal has specific responsibility for implementing procedures in a fair, consistent and equitable way. The management of employees during a period of change, uncertainty and restricted budget regimes needs to be undertaken sensitively and follow the appropriate procedure/s.

3.20 The Headteacher/Principal is required to:

- Ensure employees and trade unions/professional associations are informed and consulted about changes that affect employees, their job role or/and employment conditions
- Offer appropriate support to employees during times of change and transition
- Comply with legal obligations

### **Redeployment, Pay & Protection Arrangements – Teaching Staff**

3.21 All teaching employees, whether employed on a full or part-time basis, who are redeployed as teachers shall receive protection of their salary and allowances. This will be in accordance with the current edition of the Academy Teachers' Pay and Conditions Document.

### **Redeployment, Pay & Protection Arrangements – Support Staff**

3.22 Employees can be redeployed into a suitable alternative post up to one grade higher or no more than two grades lower. If the post is one or two grades lower, their substantive salary will be protected for 12 months.

3.23 Shift allowances, weekend enhancements, any additional salary payments such as honoraria, will not be protected if there is no requirement to work these arrangements in the new post; employees should only be paid the allowances and hours applicable in the new post.

3.24 Where the employee is redeployed into a lower grade at their own request, or if redeployed as a result of capability, then pay and protection will not apply.

3.25 The Academy will not contribute towards the cost or reimburse in full, any difference in commuting expenses as a result of assimilation or redeployment, relocation or for any other business reason.

### **Redundancy**

- 3.26 Redundancy is a form of dismissal. The Academy will seek to minimise dismissals (by reason of redundancy) by making every attempt to redeploy employees when their post has been deleted. Statutory requirements for handling redundancies will be set out in the relevant procedures.
- 3.27 The redundancy process may be invoked where:
- Efficiency savings have been identified
  - There has been a reduction in funding/budget
  - There has been a change to the curriculum required
  - The work can be re-distributed or carried out in a different way in order to maximise funding/efficiency savings
  - The work has ceased/diminished
  - There is a clear business justification for deleting posts
- 3.28 The Academy will ensure that employees are informed as soon as possible if they are at risk of redundancy. Counselling or any other support should be made available, subject to funding. The employee will be entitled to have a Trade Union representative, member of Professional Association or work colleague present throughout the redundancy process.
- 3.29 Subject to the circumstances to avoid redundancies, the Academy may seek voluntary or early retirement requests. A request does not automatically mean that the application will be approved. The Academy will only approve requests once all available options have been discussed and will be subject to funding availability.
- 3.30 The Local Governing Body is responsible for agreeing any voluntary or early retirement requests.

### **Selection Criteria For Redundancy**

- 3.31 In order to provide a transparent and fair process, the following redundancy selection criteria should be used:
- Ability to meet future curriculum and Academy needs
  - Skills and experience
  - Costs of redundancy

In addition, the following criteria may be used:

- Previous performance/appraisal outcomes
- Active disciplinary/capability records
- Attendance records

Absences for the following should not be considered:

- Jury service
- Official duties
- Maternity/paternity and adoption leave
- Religious observance



- Trade Union duties
  - Maternity or disability related absence
  - Special leave
- 3.32 Redundancy costs and other financial considerations are a key consideration for selection for redundancy and should be included within the business case. The business case should include an analysis of costs and associated risks e.g. funding availability to pay redundancy or /and pension costs.

### **Measures to avoid redundancy**

- 3.33 The Trustees seek to minimise the impact and number of redundancies and the Headteacher/Principal will consider a range of measures to mitigate job losses. Examples include, but are not limited to the following;
- Placing restrictions on recruitment e.g. a vacancy freeze
  - Reducing or eliminating (where practical) overtime working
  - Reviewing the employment of temporary employees including those on fixed-term contracts
  - Reducing the use of agency staff and temporary staff
  - Redeploying, where appropriate, existing employees into vacancies which arise or are expected to arise
  - Retraining – the Academy will consider the possibility of training employees to enable them to fill alternative vacancies. This is subject to skills/qualification required and budget availability.
  - Seeking voluntary reduction of hours

### **Conditions of redundancy/pension payments**

- 3.34 Any employee with over two years' service and who is made compulsorily redundant or whose fixed term contract ends following two years continuous years service, is entitled to receive a statutory redundancy payment. Any enhancements or additional financial compensation must be approved by The Trustees.
- 3.35 The Headteacher/Principal has delegated authority in consultation with the Accounting Officer, after seeking appropriate legal advice to agree a discretionary lump sum. This will be scrutinised by the Trustees.
- 3.36 The Redundancy Payments (Local Government) (Modification) Order 1984 ("the Modification Order") states that previous continuous Local Government (or equivalent) service will count towards an employee's length of service for the purpose of calculating their statutory redundancy payment.
- 3.37 An employee aged 55 who is a member of the Local Government Pension Scheme and who is made redundant will be automatically eligible for pension entitlement.
- 3.38 A teaching employee aged 55 who is a member of the Teachers Pension Scheme and who is made redundant will be automatically eligible for pension entitlement.

- 3.39 All individuals who have received an early or enhanced payment of pension, will not normally be re-employed, (either directly or as a consultant or through an agency) by the Academy unless there are exceptional circumstances, and, after careful consideration of the benefit to the Academy including any financial implications.
- 3.40 If an employee receives and takes up an offer of employment from any other Local Authority or school (or any other employer covered by the Modification Order) on or before their last day of service with the Academy and takes up employment within 4 weeks of their last day of service, their redundancy payment will be affected and they will be asked to return any monies paid.

### **Voluntary Redundancy or Early Retirement requests**

- 3.41 In some circumstances, where employees may be displaced and the likelihood of finding redeployment opportunities is low, management may ask employees if they wish to volunteer for redundancy. A request does not automatically mean that the application will be accepted only that an employee is expressing an interest. These will only be approved once all available options have been discussed and will be subject to funding availability.
- 3.42 Where an employee has reached the age of 55, voluntary redundancy may trigger the automatic release of a pension, this is known as early retirement. Early retirement is costly and incurs additional payments to the pension fund. These costs must be considered in any decision to approve the request.
- 3.43 Early retirements (applicable to employees age 55) may be proposed on the basis of:
- Redundancy i.e. the post has been deleted
  - Efficiency savings
  - In the interests of the efficient exercise of the employers functions
- 3.44 With regard to discretionary payments, each case will be considered on its merits and will be referred to the Trustees for approval.
- 3.45 The Headteacher/Principal must have a solid business rationale for supporting an employee's early retirement. The decision should not be based on age or any other equality strand but be based on the required skills mix and Academy needs. Redundancy costs and other financial considerations should be taken into account and included within the business case. The business case should include an analysis of costs and associated risks e.g. funding availability to pay redundancy or /and pension costs.

### **Flexible Retirement**

- 3.46 Flexible retirement refers to provisions in the Local Government Pension Scheme, whereby a member of the pension scheme who reduces their hours or grade pay may elect to take their pension (with their employers consent) at any age from 55 while continuing to work. As with other methods of early retirement the benefits may be reduced because of early payment.

- 3.47 Teachers are eligible for flexible/phased retirement but specific conditions will need to be met and agreed by the Headteacher/Principal.
- 3.48 Phased retirement for teachers is available to those aged 55 and over who, with the agreement of their employer, change the capacity in which they are working so that their pensionable salary is reduced by at least 20% compared to the average of the salary they have received during the preceding six months. The reduction in salary, which must last for at least 12 months, could be as a result of moving to part time work or taking up a post with less responsibility. Further information can be found on [www.teacherspensions.co.uk](http://www.teacherspensions.co.uk).
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## Restructuring & Organisational Change Procedures

### 1. Stating the case for change

- 1.1 The Local Governing Body and the Headteacher/Principal have a duty to manage the Academy in the most efficient and effective way possible in the light of changing demands, restricted funding and educational outcomes. One way of achieving this is to change the way the Academy is organised.
- 1.2 Change could take the form of a major or minor restructure; involve changes to job descriptions or job role, or changes to delivery arrangements. The Headteacher/Principal would normally take the lead and manage the change process.
- 1.3 When considering any restructure, the Headteacher/Principal should make a clear business case, which states why the proposed changes are needed and how they will be implemented. This should include one or more of the following:
- Cost and efficiency savings to be made (cost benefit analysis)
  - Analysis of potential redundancy costs or other costs
  - Introduction of new legislation or Government guidelines
  - Recommendations following reviews of the Academy Improvement Plan or OfSTED inspection
  - Development of partnership arrangements with other Academics
  - New technology and impact
  - New ways of working
  - Contraction or expansion in Academy provision
  - Education/organisation strategies requiring changes in working processes and systems
- 1.4 This information is needed for the approval process with Local Governing Body and when communicating and consulting with employees and Trade Unions/Professional Associations. The Headteacher/Principal must therefore be able to provide them with a written business case proposal, which sets out the changes proposed.
- 1.5 In addition, the Academy should also provide the following information where redundancies are envisaged:
- Budget statements for the current and following year
  - If possible, current patterns of overspend and under spend
  - Results of any curriculum and skills audits
  - Pupil numbers, current and projected
  - Academy development plan
  - Any other information on implications for timetabling, class sizes and conditions of service

- 1.6 The Headteacher/Principal must have the required Trust and Local Governing Body authorisation to proceed before progressing to the informal consultation stage. The timescale for which the financial outlay to achieve change and to recover any efficiencies, salary and other budget costs must be specified.

## **2. Specific Provisions**

### **Disability**

- 2.1 It is unlawful to discriminate against employees with a disability when determining the selection criteria for assimilation or redundancy. Consideration and adjustments should be made for employees with a disability.

### **Employees on maternity/paternity leave or adoption leave**

- 2.2 The Headteacher/Principal must consult employees on proposed changes to the structure or job role and ensure any employees on maternity/paternity or adoption leave are also fully consulted. Arrangements should be made to ensure that they are not disadvantaged and receive the same treatment as other employees.
- 2.3 Selection procedures for redundancy cannot discriminate on any unlawful grounds. It is unlawful to select a woman for redundancy in preference to other comparable employees during her pregnancy, or during her ordinary or additional maternity leave for reasons connected with:
- Her pregnancy
  - Childbirth
  - Maternity suspension on health and safety grounds
- 2.4 A woman on statutory maternity leave has a legal entitlement to return to work. If it is not possible, (due to a redundancy situation) to return to her position she has the legal right to a comparable vacant post. The effect of this legal right is that she must be offered any position that is a suitable alternative in preference to other staff. The new job must be suitable and appropriate and not substantially less favourable than the previous contract. This does not mean that the employee cannot be selected for dismissal by reason of redundancy.

## **3. Scoping the restructure process**

- 3.1 Before seeking approval to proceed, the Headteacher/Principal should scope the restructure process by setting out in writing (in the form of a report) the following:
- The reason for the proposed change
  - The key stakeholders, and consultation process
  - The cost of new structure and how funded
  - Anticipated cost of potential redundancies and impact on pension scheme
  - The service and individuals posts that are likely to be affected and to what extent
  - The available resources for the restructuring exercise- (technical, human, financial)

- The time scales and key milestones for transition to the new structure (implementation plan)
  - The person responsible for leading the process
  - How employees will be consulted (informally and formally) about the proposed change
  - How gaps between the existing structure and new structure(s) will be identified and any transition arrangements
  - Equality workforce assessment information, highlighting any disproportionately impact that may affect specific groups, users or/and other stakeholders
  - What indicators will be used to monitor the success of the new arrangements
- 3.2 An Equalities Workforce Assessment (EqWA) should be undertaken as part of the business case proposal. Where the analysis reveals a disproportionate impact on specific groups, the Headteacher/Principal and/or line manager may determine whether or not there is any way this can be mitigated and state either how this be rectified or if not how the business case supports the rational for change i.e. justification. The EqWA should be completed and be part of the business case proposal.
- 3.3 The Academies' HR will assist The Headteacher/Principal in scoping the restructure/change arrangements.

#### **4. Seeking necessary approvals**

- 4.1 Any changes to a structure should follow a systematic change management process which involves:
- Initial agreement from The Trust and The Local Governing Body to proceed
  - Internal discussions with the senior leadership team as appropriate
  - Discussion with Finance on future proposals and funding availability
  - Production of a business case for change
  - Consultation with appropriate employees and trade unions/professional associations
  - An implementation plan that includes timeframes
  - A communication strategy
  - Transition arrangements
  - The date when new structure commences
- 4.2 The Headteacher/Principal should obtain proper authorisation to proceed with the business case proposal. In all instances where there may be potential redundancies, Trade Unions must be consulted and informed in writing within the correct timeframe (see formal statutory consultation).
- 4.3 The Headteacher/Principal should discuss with Finance the impact of any costs or savings that are to be made as a result of a restructure. Finance will advise on the financial implications.
- 4.4 In cases where efficiency savings may be achieved by deleting specific designated posts, The Headteacher/Principal must consider the implications and costs of any

possible redundancies and the effects/impact on pension fund. In all instances of proposals on future staffing budgets, The Trust must be made aware of potential costs of redundancies.

## **5. Consultation**

- 5.1 The Academy has a legal obligation to consult with Trade Unions and Professional Associations. The Local Governing Body would normally delegate this to the Headteacher/Principal, but may wish to be involved in the consultation process alongside the Headteacher/Principal. Effective and timely consultation with employees and recognised Trade Union/ professional associations is essential to any change process or restructure. Where there are any proposed redundancies involved, consultation is a statutory right i.e. employees and Trade Unions must be consulted. If meaningful consultation has not taken place; The Trust and the Academy may be subject to financial penalties.

Consultation usually takes the form of two distinct stages:

- Informal
- Formal

- 5.2 The purpose of consultation is to ensure an exchange of views with affected employees and Trade Unions. This enables employees and Trade Unions/Professional Associations to comment on proposals, suggest improvements, have the opportunity to propose alternatives and to be given a reasonable response to opinions expressed. Reaching agreement is not always essential. The Headteacher/Principal should consider all views put forward.
- 5.3 Should the Headteacher/Principal fail to consult with employees or look at alternatives to avoid redundancy this could make the dismissal by reason of redundancy unfair.
- 5.4 Where 20 or more employees may be made redundant, The Trust must legally notify the Department of Business Innovation & Skills (previously known as BERR) or [www.bis.gov.uk](http://www.bis.gov.uk) within the relevant timeframe.

### **Informal Consultation**

- 5.5 Once the Headteacher/Principal has the agreement of The Trust and the Local Governing Body to consult on the proposals, informal consultation should then take place directly with the affected employees as soon as possible. The Headteacher/Principal is responsible for keeping all employees informed about changes (throughout the process) and should keep a written record of discussions/meetings held. Employees who are on maternity or paternity, adoption leave or other long-term absence must also be consulted.

- 5.6 If redundancies are anticipated, informal consultation with the recognised Trade Unions/Professional Associations must begin at the earliest opportunity. Trade Unions must be provided with 5 days notice of the meeting. Consultation with the Trade Unions (and employees) must include discussions on ways of:
- Avoiding or minimising any possible dismissals
  - Reducing the numbers to be dismissed
  - Mitigating the consequences of the dismissals (by reason of redundancy)
- 5.7 Consultation applies whether or not the affected employees are Trade Union members. The first notification to employees should be done face to face wherever practicable. Employees should be given as much information as possible about the changes envisaged, impact and informed about the next stage of the process.
- 5.8 Informal (or formal) consultation may also be followed up by additional individual or team meetings appropriate to the level of change implemented.

### Formal Statutory Consultation

- 5.9 The table below sets out the statutory time limits for consultation and notification of potential redundancy dismissals. The Trust have agreed that a minimum of 30 days will be provided, regardless of the number of employees affected. Local Governing Body are responsible for ensuring that the The Trust is informed of the proposed redundancies.

Number of The Trust employees affected	Statutory Consultation requirements relating to potential redundancies*
1-19 employees	Begin 30-day consultation at an early stage. Involve HR <b>before</b> the first dismissal notice is issued.
20-99 employees	Begin consultation, HR notify the Department of Business Innovation & Skills 30 days <b>before</b> the first dismissal notice is issued.
More than 99 employees	Begin consultation, HR notify the Department of Business Innovation & Skills 90 days <b>before</b> the first dismissal notice is issued.

\*Termination letters **must not** be issued until after the consultation period ends.

- 5.10 Consultation must be meaningful and provide an opportunity for all concerned to share the problems and explore the options or any possible alternatives as early as possible. Trade Unions/Professional Associations and employees may be able to suggest acceptable alternative ways to deal with a changes or proposed new ways of working in order to minimise the impact of redundancies. When determining consultation timescales, consideration must be given to school holiday periods.



- 5.11 Employees have the right to be represented or accompanied by a Trade Union representative/member of a Professional Association during the consultation process.
- 5.12 Employees who are on maternity/paternity/adoption leave or absent through ill health or secondment, must be kept consistently informed (by the Headteacher/Principal) and be invited to participate during all stages of the process. In all instances The Headteacher/Principal should provide written feedback to employees at the end of the consultation period.

### **Timeframe for consultation**

- 5.13 The Headteacher/Principal must always consult recognised Trade Unions (TUs) and Professional Associations usually in the form of a letter about changes to structures or job roles, potential redundancies, as soon as possible. Written correspondence must include:
- The staffing implications and invitation to discuss how management will minimise potential redundancies e.g. freeze on vacancies, cessation of agency workers
  - Impact of the proposed restructure on existing employees (job roles that remain the same or to be amended, or/and to be deleted)
  - If redundancies are proposed: the description, number of proposed redundancies how employees will be selected for redundancy and redundancy criteria to be used.
  - An end date by which Trade Unions should return their comments (minimum thirty days for formal consultation)
  - Providing Trade Unions with the opportunity to comment on the proposal and suggest alternatives for consideration by management
- 5.14 In addition, the Academy should also provide the following information:
- Budget statements for the current and following year
  - If possible, current patterns of overspend and underspend
  - Results of any curriculum and skills audits
  - Pupil numbers, current and projected
  - Academy development plan
- 5.15 Formal consultation involves the production of a written report or business case. This should be presented to affected employees and trade unions, who should be given a minimum of 30 days (or whatever is the statutory requirement) to discuss, comment and give feedback on the contents on a specified date. Trade Unions must be provided with 5 days notice of the formal consultation meeting.
- 5.16 Trade Unions may be able to provide alternatives to the proposal, seek clarification from their trade union representatives and be able to suggest alternative ways of working that may mitigate any possible redundancies. Individual meetings with all affected employees to discuss the implications must be offered.

- 5.17 During the formal consultation process, affected employees can be issued (after the meeting) with an at risk letter (if appropriate). The letter must have the caveat that states that the formal consultation process has not yet been completed.
- 5.18 Following the end of the formal consultation period, The Headteacher/Principal should provide written feedback to employees and TUs, as to whether or not any of their suggestions have resulted in any changes to the process, job roles, structure, and service.
- 5.19 The Headteacher/Principal is responsible for keeping employees informed and consulted, either in writing or through individual or collective meetings. The Headteacher/Principal must give sufficient information to allow employees and Trade Unions to appreciate the issues involved and to ensure that employees are offered appropriate support.
- 5.20 The following information should be provided to employees/TUs/Professional Associations as part of the business case proposal and formal consultation process:
- Timetables for any decision, change process and consultation framework
  - Impact the proposed structure or changes will have on existing employees (job titles, roles i.e. whether they remain, or to be deleted in the new structure). At this stage, only posts are identified and not employees
  - Current structure chart
  - Proposed new structure chart
  - The informal/formal consultation timeframe (start and end dates for both)
  - Assimilation procedures to be used such as direct assimilation, ring-fence or competitive interview
  - Proposed new Job Descriptions and any salary or other changes e.g. changes to hours, whether posts full or part time
  - That employees have the legal right to be represented or accompanied at formal meetings by a Trade Union representative/professional association or a work colleague.
- 5.21 The Headteacher/Principal must consider all responses to any formal consultation feedback before making a decision to proceed to the next stage, (particularly if there are potential redundancies anticipated).
- 5.22 Employees who are on maternity or adoption leave, or long-term sick leave, or who have been seconded or otherwise absent must also be properly informed and consulted. The Headteacher/Principal should send all documentation concerning the restructuring to any affected employees who are absent. Wherever possible, an appropriate individual or team meeting with them should be arranged so that they are kept informed.

## **6. Measures to avoid redundancy**

- 6.1 As soon as the likely number of employees affected has been identified and Trade Unions have been consulted, The Headteacher/Principal should take immediate

steps to minimise the number of redundancies. The Headteacher/Principal should consider the following: -

- Placing restrictions on recruitment e.g. vacancy freeze
- Reducing or eliminating (where practical) overtime working
- Terminating the employment of temporary employees including those on fixed-term contracts.
- Termination of agency staff or consultants in relevant areas
- Redeployment, where appropriate, of existing employees into vacancies which arise or are expected to arise
- Retraining –The Academy would be expected to give serious consideration to the possibility of training employees to enable them to fill alternative vacancies
- Seeking volunteers for reduced hours.

## **7. Significant changes to Employment Terms and Conditions.**

- 7.1 In some instances e.g. where significant changes to employees' terms and conditions of employment are affected, it may not be possible to reach a positive way forward with employees or/and Trade Unions. The Headteacher/Principal may therefore need to consider whether to terminate existing contracts and to make an offer of re-employment on new terms.
- 7.2 In these situations, it is advisable for The Headteacher/Principal to seek HR's advice. The consultation requirement outlined (informal/formal) must still be followed and The Headteacher/Principal has a legal obligation to consult with recognised Trade Unions/Professional Associations. Consultation in this instance should be aimed at gaining support for the proposed changes.

## **8. Record Keeping**

- 8.1 In order to respond to any claims for unfair dismissal, The Headteacher/Principal should maintain the following records, which must be readily accessible for a minimum of 12 months:
- Copies of the proposal on restructure to employees i.e. business case/report
  - Evidence of consultation processes with employees and management response
  - Copies of the written notification to the trade unions of potential redundancies
  - Copies of the statutory notification to BIS (if applicable)
  - Copies of the redundancy policy used at that time
  - Evidence of action to avoid potential redundancies – this may include referral to the redeployment arrangements
  - Copies of redundancy termination letters to employees, including the calculation of the compensation package
  - Copies of an employees written acceptance to be redeployed (if appropriate)
  - Evidence of the use of objective redundancy selection criteria
  - Comprehensive information on any appeals raised: -
    - The reason of appeal
      - Date of Hearing
      - Hearing notes

- Information considered by the Governing Body Appeal Panel when considering the employee's appeal
- Notification of the outcome

## **9. Managing Change Post Reorganisation**

- 9.1 The Headteacher/Principal should recognise that at the end of the change process, particularly one that impacts on staffing numbers, those employees who remain may need to have development and support, to help them make the change from their current role to the new role.

## Flowchart of Restructure /Managing Change Process

<b>STAGE 1 PREPARATION</b>	<b>Make the case for change</b> The Headteacher/Principal /Line Manager sets out why change is needed e.g. cost and efficiency savings, news way of working.
	<b>Scope the change/business case proposal drafted</b> The Headteacher/Principal /Line Manager identifies implications of change, timescales, responsibilities etc. and seeks initial approval from The Trust and the Local Governing Body to proceed. Costs of salaries & potential redundancy or pension costs discussed with Finance.
	<b>Compare structures</b> Old and new structures compared to identify those posts which are: - Deleted - Unaffected - New - Change to duties/salary etc. incorporated into business case
<b>STAGE 2 CONSULTATION (informal and formal)</b>	<b>Informal Face to Face communication with affected employees commences</b> Potential implications and clarify process/proposed timeframe <b>Formal consultation (min 30 days) on proposed restructure</b> The Headteacher/Principal seeks employee /TU views on alternatives to minimise redundancies etc. Gives start/end dates for consultation. Business Case circulated; minimum of 30 days for formal consultation. Recruitment freeze decided. Legal duty for HR to inform Dept. BIS (formally know as BERR) of possible redundancy numbers (20+). The Headteacher/Principal to write to affected employees informing them of any feedback to suggestions put forward from Trade Unions/employees. At risk letter issued to employees if appropriate. Notice of dismissal not to be issued until statutory completion of formal consultation period.
<b>STAGE 3 ASSIMILATION</b>	<b>Assimilation Procedure applied</b> The Headteacher/Principal informs employees of assimilation process. The Headteacher/Principal/Line Manager starts DPP process. Matching 65% exercise undertaken – The Headteacher/Principal confirms posts that transfer directly to the new structure and next stages ring fence process agreed (if appropriate)
	<b>Ring Fence – Competitive Interview</b> Competitive interviews take place when there are more employees (within the ring-fenced group) than posts in the new structure. Formal notice of redundancy issued as soon as employee displaced/unsuccessful. Contractual notice period can be extended if less than one week, for search for redeployment. Displaced employee issued with redeployment skills form.
<b>STAGE 4 REDEPLOYMENT</b>	<b>Redeployment</b> Employees, who have been displaced, should be matched for suitable alternative jobs. Contractual notice period runs concurrently with redeployment period. All redeployees to complete redeployment skills form. HR team to co-ordinate redeployment trial period; 28 days (4 weeks). If successful, possible pay and protection rights apply. Trial period may be extended in some circumstances. If unsuccessful return to Academy and redeployment list until end date for dismissal. DPP estimates provided to employee.
<b>STAGE 5 PROTECTION /REDUNDANCY</b>	<b>Redundancy</b> Academy notifies The Trust of decision to remove employee from staff complement. The Accounting Officer issues employee with formal redundancy notice. Redeployment search continues up to last day of service; notice period runs concurrently.
<b>STAGE 6 APPEAL</b>	<b>Appeals against dismissal by reason of redundancy</b> Appeal sent to The Headteacher/Principal within 7 working days of receipt of written decision. Appeal can take place during redundancy notice period. <b>Appeal heard by the Local Governing Body Appeal Panel</b> If upheld, employee returns to school. If not upheld, end date of employment applies. Decision confirmed by the Accounting Officer.

## Restructure Implementation Plan

Key dates must be identified in the implementation plan. This will assist in the management of change and enable effective and timely consultation to take place. The completed plan should be attached to the business case for change and communicated to all employees. The table below is *an example and can be modified* according to the level and extent of change required.

Dates to be inserted	Action	Who/When
Weeks 1-4	<ul style="list-style-type: none"> <li>• The Headteacher/Principal identifies new requirements/structural changes</li> <li>• Proposals costed and identify draft timeframes</li> <li>• Undertake EqWA and attach with draft business case</li> <li>• Obtain initial The Trust and the Local Governing Body agreement</li> <li>• Consultation with The Trust Finance and HR (if redundancies proposed)</li> </ul>	
Weeks 4-6 <b>Informal consultation commences</b>	<ul style="list-style-type: none"> <li>• Brief Trade Unions and Professional Associations on proposed changes</li> <li>• Draft business case discussed with employees (informal consultation commences)</li> <li>• Consider first informal feedback, develop implementation plan and timeframe for formal consultation (dependant on number of potential redundancies)</li> <li>• Write new JDs and send to HR for evaluation</li> <li>• Finalise costings</li> </ul>	
Weeks 6-11 <b>Formal consultation commences</b>	<ul style="list-style-type: none"> <li>• Commence formal 30 day (min) consultation: write to Trade Unions and Professional Associations on proposals outlining potential redundancies, impact on employees/Academy plans, circulate business case/proposal to all employees with end date of formal consultation period. Hold staff meeting with all employees/department/team and Trade Unions/Professional Associations to verbally discuss proposals include new/before structure chart etc. Distribute business case proposal and seek views, provide end date of consultation for responses (minimum 30 days)</li> <li>• Inform HR and Finance of number of potential redundancies</li> <li>• Follow up &amp; meet individual employees as necessary. At risk letter issued if appropriate to affected employees with caveat that formal consultation process not yet completed.</li> </ul>	
Weeks 12-14 <b>End of formal consultation period</b>	<ul style="list-style-type: none"> <li>• Write to Trade Unions/Professional Associations and employees with feedback from consultation period</li> <li>• State next stage of process</li> </ul>	

Dates to be inserted	Action	Who/When
	<ul style="list-style-type: none"> <li>Meet with Trade Unions/employees re outstanding issues</li> </ul>	
Weeks 15-18 Assimilation & Assimilation appeals	<ul style="list-style-type: none"> <li>Issue details of assimilation process and timeframe (build in appeal stage and timeframe); issue job descriptions to employees</li> <li>Commence assimilation process</li> <li>Issue outcome letters and exact date of assimilation</li> <li>Draft DPP case/s</li> </ul>	
Weeks 18-20 Competitive interviews	<ul style="list-style-type: none"> <li>Inform those in ring fence position of interviews/process</li> <li>Establish interview panels and dates</li> <li>Undertake interviews and inform employees of outcomes</li> <li>Obtain redundancy estimates</li> </ul>	
Weeks 20+ Head Teacher makes initial recommendations for redeployment/redundancy	<ul style="list-style-type: none"> <li>The Headteacher/Principal notifies The Trust of employees to be removed from staffing complement.</li> <li>Accounting Officer to issue formal notice of dismissal by reason of redundancy and redeployment process to run concurrently with notice period</li> <li>Employee informed of right of appeal against dismissal by reason of redundancy</li> <li>Appeal sent to Head Teacher within 5 working days of written decision</li> <li>Appeal Panel set up to consider appeal</li> <li>Advertise any new posts</li> </ul>	
Weeks 22+ Redeployment and Redundancy	<ul style="list-style-type: none"> <li>Completion of redeployment skills form</li> <li>Employment Relations meet employee and inform unplaced employees of redeployment process</li> <li>Possible redeployment trial period (28 days or 4 weeks)</li> <li>Interview training/ other support provided</li> <li>Inform employee of employee helpline support</li> </ul>	
Week 25+ Redundancy	<ul style="list-style-type: none"> <li>Employee in redeployment pool, whilst working contractual notice period or until end date of dismissal</li> </ul>	
Week 25+ Redundancy appeals (Local Governing Body)	<ul style="list-style-type: none"> <li>Can be heard whilst employee working notice period</li> </ul>	
Week.....	<ul style="list-style-type: none"> <li>New structure commences</li> </ul>	

### Equality Workforce Assessment for Restructures/Reorganisations

All Head Teachers who are responsible for managing or leading on restructures are responsible for completing this form. The findings must be used when compiling a business case for change. If the analysis reveals a differential or adverse impact then a business case reason must be provided to either mitigate or justify the outcome.

<b>Academy:</b>			
The Headteacher/Principal responsible for assessment:			
<b>1. Briefly describe the aims, objectives and purpose of the restructure:</b>			
<b>2. Equality profile of the current structure:</b>			
Total no. of employees :	No of full time:	No. of part-time:	No. of disabled :
No. of men:	No. of women:	No. of BME employees:	
Age profile:			
<b>3. Equality profile of the new proposed structure:</b>			
Total no. of employees :	No of full time:	No. of part-time:	No. of disabled :
No. of men:	No. of women:	No. of BME employees:	
Age profile:			
<b>4. Are there any anticipated redundancies? If so, which equality groups are likely to be affected?</b>			
<b>5. What is the impact of the restructure on the specific equality group (e.g. Are there more women than men affected? Are the majority of employees affected from a black or minority ethnic groups?</b>			
<b>6. In the new structure, is there any adverse impact on equality groups, which can be justified? If so, please explain why.</b>			
<b>7. What activities are you proposing that will mitigate against potential adverse impact e.g. adhere to the Academy's policy and procedures on restructures.</b>			
<b>Name of completing officer:</b>		<b>Signed:</b>	<b>Date:</b>
<b>Name of The Headteacher/Principal:</b>		<b>Signed:</b>	<b>Date:</b>



**PLEASE NOTE: Ensure you attach a chart or outline of previous structure and new structure with your business case proposal.**

## Example of Formal Consultation Letter to Trade Unions on Proposed Redundancies

To: Recognised Trade Unions (NAHT, NASUWT, NUT, ATL, GMB, Unite, Unison)

Dear Colleague

### FORMAL CONSULTATION ON POTENTIAL REDUNDANCIES

I am writing to you in accordance with the requirements of the Academy's policy to formally notify you of a potential redundancy situation within .....Academy. A copy of the form submitted to the Department of Business Innovation & Skills (BIS) is attached (if appropriate). Where there are more than 20 potential redundancies, this letter constitutes formal notification in accordance with Section 188 of the Trade Union Labour Relations Consolidation Act 1992. I am therefore providing you with the following information relating to potential redundancies.

1. **The reason for the potential redundancies**
  
2. **Numbers and descriptions of employees it is proposed to dismiss as redundant and the total number of employees of any such description**

Grade	Actual numbers in Post	Proposed Reduction

3. **The proposed method of selecting employees who may be dismissed** (delete as appropriate)
  - 3.1 Terminating the employment of temporary employees or/and
  - 3.2 Volunteers for redundancy will be called for or/and
  - 3.3 Selection from volunteers or/and
  - 3.4 Assimilation/ringfencing/competitive interviews

We will ensure that all other methods of avoiding selection for compulsory redundancy are explored e.g. redeployment to any suitable vacancies, voluntary reduction in hours, and cessation of agency staff.

If we are unable to find alternative ways of avoiding redundancies and other means have been explored, selection for redundancy will take place using the criteria outlined in our procedures.

**4. The proposed method of carrying out the dismissals**

Following identification for dismissal by reason of redundancy, using the criteria set out in the procedure employees will be issued with notice of redundancy in accordance with their length of service and contract of employment and will also have the opportunity to appeal against selection for redundancy.

**5. The timescale over which the dismissal will take effect**

It is envisaged that dismissal notices will be issued at the end of the formal consultation period (date xxx)

**6. The proposed method of calculating the amount of any redundancy payments to be made to employees who may be dismissed**

The Academy is already committed to avoiding redundancies as far as possible as well as offering assistance to employees to aid those selected for redundancy. However in accordance with our policy, we will also seek to consult with you, with a view to;

- Avoiding the dismissals
- Reducing the numbers of employees to be dismissed and
- Mitigating the consequences of the dismissals

A meeting has been arranged to give trade union colleagues an opportunity to discuss the above proposals and this will take place on \_\_\_\_\_ at

\_\_\_\_\_am/pm

at \_\_\_\_\_

\_\_\_\_. This meeting will be used to commence the formal consultation process.

Further meetings will be arranged as necessary as will meetings with the employees concerned.

In the meantime I attach a copy of our business case for change, which has been distributed to affected employees on..... This contains further details and draft implementation plan. I shall be happy to receive any written comments/observations you may wish to submit.

The end date for formal consultation will be .....

We are therefore be seeking your formal comments by this date.

Yours faithfully

Accounting Officer

cc. The Headteacher/Principal

## Reorganisations - Frequently Asked Questions

Provided below are brief questions that are commonly raised by employees affected by a reorganisation. More complete information on any of the below can also be found in the Academy's procedures

### 1. What is a reorganisation?

The term "reorganisation" encompasses a wide range of organisational change including changes to individual posts, reduction in staffing numbers and the amalgamation/closure of Academies.

### 2. If I have any queries regarding the reorganisation, whom do I contact?

You should raise any queries you have regarding the reorganisation with The Headteacher/Principal in the first instance.

### 3. What is the unions' involvement in the reorganisation?

The Academy and The Trust have a statutory duty to consult with recognised trade unions (TU) on the reorganisation. You also have a right to representation during meetings with The Headteacher/Principal.

### 4. What can I expect to be consulted on?

The Academy and The Trust has a statutory duty to consult with all affected employees and recognised trade unions on any proposed reorganisation. Key areas that you will be consulted on include: -

- The proposed reorganisation and the rationale for change
- The categorisation of jobs i.e. how this affects job/service
- The proposed method for selecting those to be made redundant e.g. assimilation process/redeployment
- Your views on the proposals will be sought and considered

### 5. If I am not a Trade Union member am I still consulted?

Yes. The Trust and the Academy will consult with all employees affected by the reorganisation irrespective of TU membership.

### 6. What happens if my job has not changed in the new structure?

If your job has not changed in the new structure, you will be directly appointed to the role unless there is a decrease in the number of these roles. If this is the case, you may be assimilated into another post.

**7. What happens if my job has changed in the new structure?**

If your job has changed in the new structure, The Headteacher/Principal/Line Manager will determine whether the change is significant. If the change is not significant, it will be managed as if the job had not changed and you should be assimilated or informed of “no change”.

If the change is significant you will be required to undergo assimilation and/or possible competitive interview. You must meet the core requirements of the job to be appointed.

**8. What happens if my job has been deleted in the new structure?**

If your job has been deleted in the new structure, there may be an opportunity to be assimilated into another suitable post or apply for a post.

HR will co-ordinate redeployment arrangements amongst Academies. However, the capacity of The Trust to find alternative work for those employees nominated for removal from an Academy’s complement is limited by legislation, which gives The Trust and the Local Governing Body the responsibility for the appointment of staff.

**9. Can I request voluntary redundancy?**

If the Academy has agreed that voluntary redundancy will be used to select employees for redundancy, you will be advised accordingly. Approval is not automatic. The Academy will consider each case on merit and balance this alongside the business needs, benefits and costs.

**10. How are employees selected for the new structure?**

The Headteacher/Principal will consult with the trade unions and professional associations on a process and criteria for selecting those to be made redundant. The criteria may include: skills and experience, performance, ability to meet competencies, attendance, and ability to meet business needs.

**11. What will The Headteacher/Principal do to assist me in finding alternative work should I be issued with a formal notice of dismissal (by reason of redundancy)?**

You will be placed on the redeployment register. During this time The Headteacher/Principal will assist you in finding alternative work whilst you are working your notice period. You will be required to attend regular meetings with The Headteacher/Principal to discuss the suitability of positions advertised internally.

**12. Can I look for work outside the Academy/The Trust?**

During your redeployment/potential notice of redundancy period, you are entitled to reasonable time off with pay during work hours to look for work outside of the Academy/The Trust

**13. Do I lose my entitlement to redundancy if I find an alternative position within the Academy or The Trust?**

Yes, but you will have a 28 day trial period in the new role in which you can assess your suitability to the position. If at the end of the trial period you are successful and offered a permanent position then you will lose entitlement to any redundancy payment.

**14. If I join another local authority, academy or school after being made redundant, do I lose my redundancy pay?**

If you have been given notice of redundancy you may lose your entitlement to a redundancy payment if;

- Before the dismissal takes effect you accept an offer of employment from a body specified in Schedule 1 of the Redundancy Payments (Continuity of employment etc, Modification Order, 1999 as amended).
- The employment is to take effect within a 4-week period of your service being terminated by the Academy/The Trust.

**15. What outplacement services are available to me?**

The Academy or The Trust may provide an outplacement service to displaced staff (such as career advice) but the types of service provided will be at the discretion of The Headteacher/Principal and funding availability. You will be advised of any outplacement service available to you.

**16. Can I reduce the notice period and leave the Academy/The Trust employment earlier?**

If you have been issued notice of redundancy, only by mutual agreement can you reduce your notice period and leave earlier.

**17. Can I appeal?**

Yes, if you wish to raise an appeal, the appeal will be considered. Your appeal must be against dismissal by reason of redundancy.

## Assimilation & Selection Procedure

### 1. Introduction

- 1.1 These procedures and guidelines specify the processes involved to place employees in a new structure.
- 1.2 The Academy will:
- Seek to minimise any disruption to pupils as much as possible
  - Wherever possible assimilate employees into suitable posts
  - Inform affected employees of procedural arrangements and outcomes of decisions made
  - Assimilate employees on pay protection arrangements in accordance with current Academy policy and the Academy Teachers Pay and Conditions Document
  - Ensure that recognised Trade Unions are kept informed and meaningful and timely consultation takes place

#### Placing employees in the new structure

- 1.3 In order to place employees fairly in the new structure, the old and new structures should be compared on a post-by-post basis to establish how each post is affected.
- 1.4 Depending on how each job in the new structure has been categorised, The Headteacher/Principal will individually advise each employee and confirm in writing that they are to be either: -
- Assimilated into a role in the new structure; **or**
  - Enter the selection pool, some times referred to as “ring fencing” i.e. these employees will be in competition for a limited number of posts in the new structure; i.e. less posts, more staff **or**
  - Be considered as a redeployee should their post be deleted and there are no new job alternatives.

### 2. Assimilation Procedure

- 2.1 Assimilation is the process by which jobs are matched or placed in new structures or/and where there are significant changes to job descriptions. The Headteacher/Principal should seek advice from HR before starting the process.
- 2.2 This procedure may be adapted by agreement with the Trade Unions and employees to suit the particular circumstances of the restructure. Any queries or disputes as to the interpretation of the process must be referred to HR



- 2.3 The procedure will determine whether those employees whose posts are to be deleted, should move into posts in the new structure. The process involves identifying where there is a substantial overlap between the duties in the old post (or current post) and duties in the new post.
- 2.4 Assimilation therefore involves matching the duties set out in the old and new job descriptions, (excluding criteria that are common to all job descriptions, e.g. equalities and diversity, health and safety and mission statements). Time spent on job duties will also need to be considered.
- 2.5 As matching will be against the duties detailed on the job description only, The Headteacher/Principal should ensure all employees have a relevant, up to date job description before starting the process. Where there is not an up to date job description, The Headteacher/Principal should prepare and agree with the employee a list of the job duties and responsibilities currently undertaken. This can then be used to match against those of the new post/job description.
- 2.6 Employees can be assimilated up to one grade higher or no more than two grades lower. If the grade is more than one grade higher, then a competitive/selection interview process should apply. In some instances during the assimilation process there may be a need to ring fence employees. For pay and protection rights see policy.

### 3. Matching Process

- 3.1 Comparisons are made of posts in the old and new structure starting with the most senior posts first, with the remaining posts appointed to in order of seniority. of posts. There are initially 3 phases undertaken as follows:-

Phases	Matching Process
Phase 1	Assimilated into a role in the new structure (65% match i.e. "slotted in")
Phase 2	Less than 65% of a job match will enter the selection pool, sometimes referred to as "ring fencing" these employees will be in competition for a limited number of posts in the new structure, i.e. less post, more staff
Phase 3	Enter the redeployment pool should the individuals' post be deleted and there are no new job alternatives

- 3.2 A panel, comprising of The Headteacher/Principal/Line Manager and a HR representative, should undertake the matching process. In all instances, the assimilation assessment form must be completed. This will specify the extent of the match.

#### 4.3 **Phase 1: Assimilation Matching**

The first phase of the process will be to assimilate staff against roles that have changed. Where 65% or more of the content of the substantive role matches the new role an individual can be matched and placed in the new role unless there are two or more employees similarly matched. In the latter circumstances a selection process will be undertaken. Where employees meet 65% or more match, they may be "slotted into" the new roles without an interview.

- 4.4 Where there are clear similarities between the duties of the old and new job descriptions and/or the time spent on specific tasks, but less than a 65% match, the post will be ring fenced and a selection process undertaken.

#### 4.5 **Phase 2: Ring Fencing/Competitive Interview**

The second phase of the process will be to match staff to significantly changed or newly created roles. Employees may be asked in writing to state a preference for a particular role within the new structure.

- 4.6 Ring fencing can also apply when there are more employees than posts vacant or that are available in a new structure. Employees can be categorised for ring fencing because:

- They meet the minimum criteria for the post
- There are more employees of an equivalent grade and duties than posts
- That the duties of the post (but not necessarily the grade) could be equivalent to that of the new post).

- 4.7 In large restructures or amalgamation of two Academies, ring fencing may involve reviewing the different layers/level or tiers of the organisation in order to decide who should be ring fenced, for assimilation purposes.

- 4.8 Competitive interviews are used as a selection process for those in the ring fence pool of employees.

- 4.9 The selection process involves The Headteacher/Principal/Line Manager making an assessment of the employees performance during the last 12 months. Employees may need to attend a panel interview and undertake a test. The employee is not required to complete an application form. They will however need to prepare and attend an interview. Costs related to redundancy/pension may also be part of the decision making process. See Appendix 2C for further information.

- 4.10 A selection process will be undertaken to match the right person to the most appropriate job depending on skills, knowledge and competency level. To determine this the selection (competitive interview) may be based on the following factors:

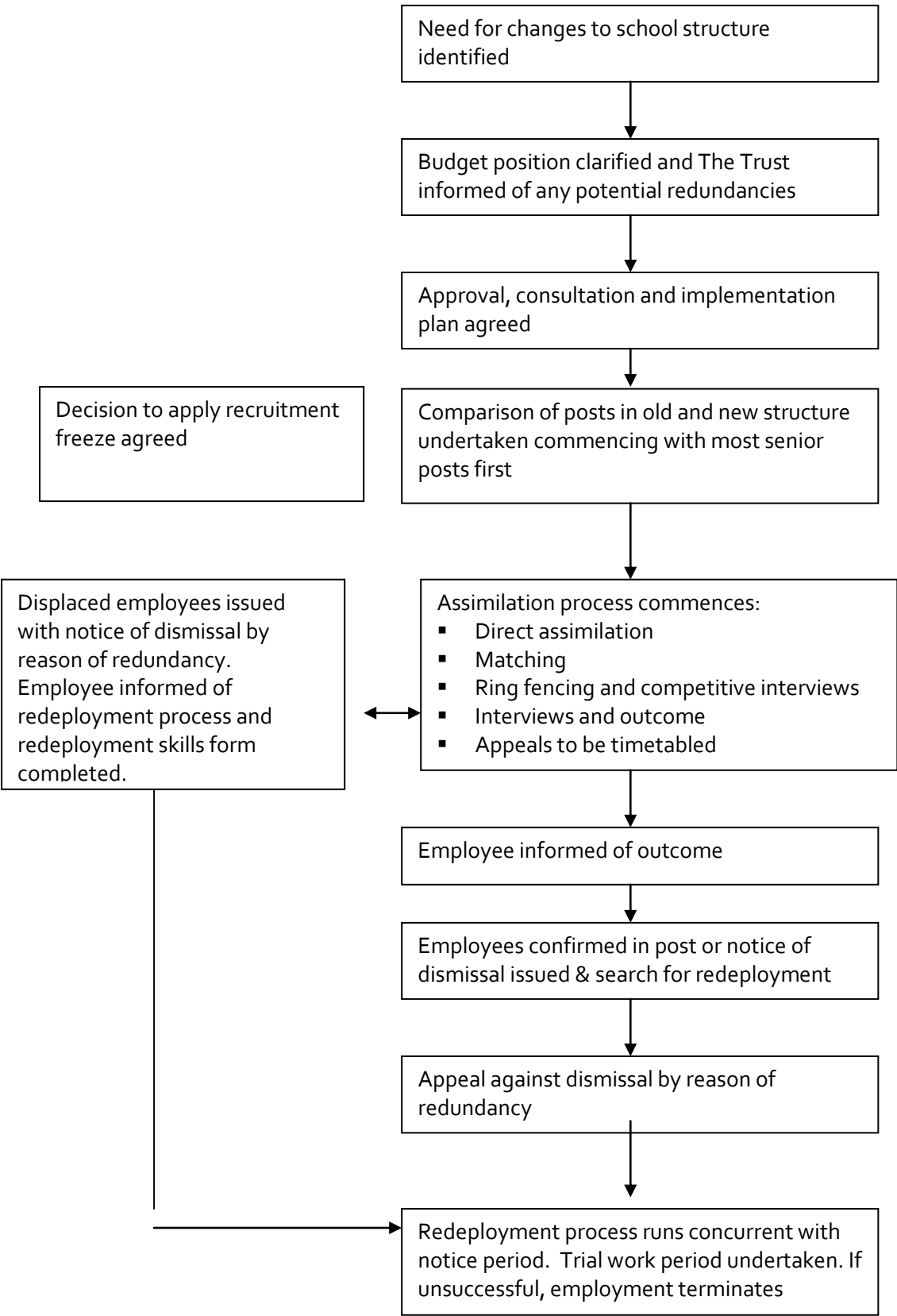
- Fit against competency requirements
  - Skills/knowledge
  - Subject or Key Stage specialism/qualifications
  - Competitive interview
  - Attendance record
  - Active disciplinary/capability record
- 4.11 Employees should be interviewed by a Panel. (The panel composition will be determined by The Headteacher/Principal.) The Headteacher/Principal should confirm the time and date of the interview. All employees interviewed should be informed in writing of the outcome, and what happens next.
- 4.12 Employees not placed should either be offered another place in the structure or be put forward for consideration for redeployment.
- 4.13 The third phase of the process will be to manage those individuals who have not been assimilated or successful following a competitive interview, in accordance with the relevant procedures.
- 4.14 The Headteacher/Principal/Line Manager should inform and confirm in writing:
- Employees that are to be assimilated
  - If assimilation or interview cannot be offered and why
  - The reasons for allowing someone else a prior claim to a job to which they might otherwise expect to be assimilated
  - The outcome of any selection interview they have and any pay and protection rights if they are successful
- 4.15 Employees are entitled to:
- Be consulted in good time about the impact of any restructure
  - Be kept informed of progress, particularly in relation to their own job role
  - Access the job description and person specification which form the basis of the decision to assimilate
- 4.16 Specific arrangements should be made for employees who are on maternity/paternity or adoption leave or are absent through ill health. Where the process involves an employee with a disability Employment Relations must be consulted.

## 5. Appeals

- 5.1 An employee, who wishes to appeal against dismissal by reason of redundancy, must send their appeal, in writing to the Head Teacher within 5 working days of the receipt of the decision. The Trust and The Governing Body Appeal Panel will hear appeals against dismissal by reason of redundancy.

- 5.2 All appeals must state:
- Specific grounds for appeal
  - Desired outcomes
- 5.3 The Trust and The Governing Body should confirm in writing the outcome of the appeal within ten working days. Should the decision be to reinstate the employee then the Accounting Officer should be informed.

FLOW CHART OF ASSIMILATION PROCEDURE:



**ASSIMILATION ASSESSMENT FORM**

**CONFIDENTIAL:** This form to be used by the assimilation panel

<b>Name of Employee:</b>	<b>Academy:</b>	<b>Panel Members:</b>
<b>Employee's Current Job Title:</b>		<b>Current Grade:</b>
<b>Job Title of Post for Assimilation</b>		<b>Evaluated Grade of Post for Assimilation:</b>

(Insert Current and New Job Description in the relevant columns below)

<b>Current Job Description</b>	<b>New Job Description</b>	<b>Extent of match (specify %)</b>	<b>Evidence</b>
<b>Key Activities/qualifications required:</b>	<b>Key Activities/qualifications required:</b>		

		<b>Total Score (specify %)</b>	
<b>Panel Decision:</b>			
The employee's current post does/does not (delete as applicable) match 65% of the new job description for the following reasons:			
Assimilation is approved/not approved (delete as applicable)			
Chair of Panel:			
Name:		Job Title:	Date:
Date Employee informed (verbally):		Date Employee informed (in writing):	
* Date new contract issued (if appropriate):			

\* Copy to be placed on Personal File.

## COMPETITIVE INTERVIEW AND ASSESSMENT GUIDE

## APPENDIX 2C

To select the 'right' person with the best fit for a role in your department, which is new or changed, or where a competitive interview is required the following process will apply.

Individuals will be assessed by their line manager as to how well they apply themselves and take responsibility to perform their current day-to-day duties and meet objectives (**Part A** of the assessment form).

The line manager will give a rating based on the individuals' discipline and sickness record (**Part A** of the assessment form).

A competency assessment based on the skills and competence required in the new job being considered for will be made by the collective competitive interview panel (**Part B** of the assessment form).

An overall assessment is made as to whether the individual has the right attributes for the role both in terms of competence and skills and behavioural conduct when performing the role (**Part C** of the assessment form).

### GETTING READY

- Consider the Person Specification for the required role – is it still valid?
- With HR, use The Trust competencies to customise the selection criteria (Part B form) to reflect required role
- Obtain Performance Review and one to one or supervisory meeting documents
- Check dates and total number of sickness absence days.
- Review Performance over the last year with particular emphasis as to how the individual goes about the job to deliver work tasks/responsibilities
- Solicit and reflect on feedback from others e.g. customers
- Think of specific examples of good performance
- Think where performance could have been better, and why

### CONDUCTING THE ASSESSMENT

- Identify and use only relevant performance criteria for required role
- Where competencies of Performance Management or Leadership do not apply insert 'Not Applicable' in the Point Score column
- Performance** - work with HR to assess the individuals performance against criteria
- Use positive and negative indicators as an aid – **Appendix 1**
- Skills/Competence** – Using Person Specification rate the relevance/importance of skills/competence for the considered job
- As part of competitive interview panel rate individuals performance against criteria

### SCORING THE FORMS

- Performance** - consider performance over the whole year
- State examples of good and poor performance – be objective
- Document your evidence around performance and conduct
- Rate performance and conduct on scale of 0-3
- Skills/Competence** - as part of the competitive interview panel, observe and take notes
- Classify information against criteria
- As a panel, award a point score on scale of 0-3
- Look at the evidence from both Part A and B of the process and weigh up evidence
- Form an objective judgement and award an overall score of 0-3 to reflect both skills/competence and performance Part C
- Next Step:** The outcome from the selection process will be fed back to the individual in line with timings on 'milestone plan'
- If challenged about rating given have evidence to substantiate



This form should be used in conjunction with Part B – The Headteacher/Principal /Line Manager to complete both

Name of Employee:..... Job Title:..... Date:.....

**PERFORMANCE ASSESSMENT CRITERIA**

The following scores are based on performance over the last year

					Point Score
<b>Management Skills</b>					
This following section is only applicable to managers					
<b>Performance Management</b>	Does not deal with performance issues as quickly as he/she should. Allows poor performance to continue for unacceptable length of time.	Identifies problems and brings them to the attention of their manager. Prepared to meet and discuss issues with employees to encourage improved performance.	Identifies problems and discusses with employees, coaching and giving feedback, to encourage improved performance. Sets timescales for improvement and also reviews performance within the agreed timescales. Takes informal and formal action when appropriate.	Identifies problems and discusses with employees, coaching and giving feedback, to encourage improved performance. Sets timescales for improvement and also reviews performance within the agreed timescales. Takes informal and formal action when appropriate. Willing to confront issues to constantly improve and 'raise the bar' of performance.	
<b>Points</b>	0	1	2	3	
<b>Evidence</b> (continue on separate page if needed)					

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<b>Leadership</b>	Does not delegate to, motivate or lead the team. Shows little sign of using the performance management process as a development tool. Does not regularly review objectives and performance targets.	Delegates, motivates and leads the team to achieve school objectives. Uses the performance management process as an opportunity to encourage and develop the team. Sets realistic performance targets, which are reviewed in line with the performance management cycle.	Delegates, motivates and leads the team to achieve school objectives and, with the team, sets individuals challenging goals and objectives. Uses the performance management process as an opportunity to encourage and develop the team. Uses effective questioning/listening techniques to achieve the most from the meeting. Sets realistic performance targets and reviews them regularly.	Delegates, motivates and leads the team to achieve or exceed school objectives by encouraging them to set their own goals and support self-development. Uses the performance management process as an opportunity to encourage and develop the team to achieve higher standards of performance. Sets stretching performance targets and reviews them on a continuous basis, giving support when necessary. Prepared to give on-going feedback and coaching to continually improve performance and develop individuals.	
<b>Points</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	
<b>Evidence;</b> (continue on separate page if needed)					

<b>All Employees: This section is applicable to all employees</b>					
<b>Effectiveness</b>	Rarely achieves performance to the required standards or produce outputs expected. Requires close supervision, rework or checking. Low effort.	Sometimes achieves performance to the required standard and will produce expected outputs at times. Some checking or rework needed. At times lacks effort.	Regularly achieves performance to the required standards. Produces outputs expected. Little supervision required. Rarely needs rework or checking. Good standard of effort shown.	Frequently performance exceeds the required standards. Produces not only outputs but also outcomes expected. Exceptional effort demonstrated. Needs no supervision.	
<b>Points</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	
<b>Evidence;</b> (continue on separate page if needed)					
<b>Team Working</b>	Opinionated or arrogant, lacks sensitivity. Tends to disrupt teamwork and fails to co-operate with others. Takes no part in the development of others	Sometimes insensitive. Does not take active part in teamwork. Sometimes integrates own action with others. Takes little part in the development of others.	Regularly demonstrates sensitivity towards others. Operates effectively in a team as appropriate. Willing to share expertise to develop other people within current operations.	Demonstrates a high level of sensitivity towards others. Highly effective in teams and encourages teamwork. Pro-active in sharing expertise and developing other people	
<b>Points:</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	
<b>Evidence;</b> (continue on separate page if needed)					

<b>Initiative</b>	Does not use own initiative. Requires detailed instruction on a task before taking action.	Sometimes uses own initiative. Tends to wait for some instruction before taking action.	Regularly applies own initiative effectively. Often initiates the appropriate action to resolve the issue.	Seizes the initiative. Generally anticipates opportunities/problems and originates the appropriate action.	
<b>Points:</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	
<b>Evidence;</b> (continue on separate page if needed)					
<b>Flexibility/Commitment</b>	Inflexible in attitude. Operates well within the clearly defined boundaries of own role. Tends to take a rigid approach to carrying out tasks. Unable or unwilling to cope with multi-tasks.	Sometimes inflexible in attitude. At times will demonstrate a willingness to undertake work outside scope of own role. Occasionally takes a different approach to carrying out tasks. Can cope with a variety of tasks.	Flexible in attitude. Regularly demonstrates a willingness to undertake work outside scope of own role. Regularly takes a new or different approach to carrying out tasks to effective resolution. Has energy and pace. Presents a positive image.	Extremely flexible in attitude and demonstrates a 'can do' attitude. Always willing to undertake work outside the scope of own role. Will want to seek out the most effective way of carrying out a task, using new and different ways. Has pace and energy, demonstrating persistence, drive and tenacity in achieving objectives and initiating actions.	
<b>Points:</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	
<b>Evidence;</b>					

(continue on separate page if needed)					
<b>Outlook/Change</b>	Unable or unwilling to adapt to requirements of the role. Negative in attitude. Resistant to change.	When directed is prepared to adapt style to changing needs of role or department. Is positive in attitude.	Can adapt style to respond to different situations without being requested. Is positive in attitude	Has insight and consistently adapts style to different situations. Has the ability to be flexible in almost all situations. Deals with setbacks in a constructive manner	
<b>Points:</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	
<b>Evidence;</b> (continue on separate page if needed)					
<b>SUB TOTAL SCORE</b>					

## DISCIPLINE/SICKNESS RECORD

					PointScore
<b>Discipline Record</b>	Final written warning active on file	1 <sup>st</sup> written warning active on file	Oral warning active on file	No disciplinary warning active on file	
<b>Points:</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	
<b>*Sickness Absence (rolling period)</b>	Above 7 days of sickness absence per year. Over 4 episodes of sickness absence in a year	5-7 days of sickness absence per year. 3 - 4 episodes of sickness absence in a year	3-4 days of sickness absence per year. 2 - 3 episodes of sickness absence in a year	0-2 days of sickness absence per year. Maximum of 2 episodes of sickness absence in a year	
<b>Points:</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	
<b>Total Score:</b>					

\* Absences related to maternity should be excluded. Any absences relating to a disability should be taken into account. There may also be other absences due to mitigating circumstances e.g. accident at work.

ADDITIONAL COMMENTS
<p>Factors that may have influenced the scores:</p> <p>Any mitigating circumstances: (e.g. does the employee have a disability or is there reasons why the scores may be low)</p>

<b>Print Name:</b>	<b>Manager's Signature</b>	<b>Date:</b>
<b>Signature:</b>		

# SAMPLE

**PART B**

## SKILLS/COMPETENCE ASSESSMENT DOCUMENT

Employee's Name .....

Current Job Role .....

New Job: .....

Has the employee a disability? YES/NO

Left hand column to be completed by Line Manager pre competitive interview

Right hand column to be completed jointly by the Interview Panel post-competitive interview

Relevance to job being considered for				Skills/Competence taken from the person specification (these will change depending on Job) .	Interview Panel Rating				Point Score
0	1	2	3		0	1	2	3	( - x - ) = score
				<b>People Management &amp; Development</b> Leadership, coaching, developing others, relationship building, team working					
				<b>Communication &amp; Influencing</b> Oral, clear, concise communication, influential, persuasive, empathetic					
				<b>Self Awareness &amp; Control</b> Knows strengths and limitations, sets high standards, attention to detail, monitoring progress, thinking ahead					
				<b>Analysis &amp; Judgement</b> Breaks problem down, seeks relevant information, flexible and creative, draws inferences, makes rational decisions					
				<b>Interpersonal skills</b> Sensitivity to others, teamwork, developing standards, awareness of Academy delivery issues. Seeks feedback					
				<b>Customer/Client Orientation</b> Understanding Customer/Client needs and developing standards, awareness of Academy delivery issues. Seeks feedback					
				<b>Technical Competence</b> Systems knowledge, project management, budget management, negotiation skills					
				<b>Potential for Development</b> Potential to develop beyond current job role					
					<b>Total Score</b>				

Comments: (e.g. indicate any reasonable adjustments that need to be taken into account)

Recommendation as to how well employee meets competencies for required job role:

3 – Excellent Fit    
  2-Good Fit    
  Partial Fit-needs development    
 0-  suitable

**Chair of Panel; SIGNATURE**

PRINT NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

**OVERALL ASSESSMENT SCORE**

**PART C**

This form summarises the scores taken from forms *Part A* and *Part B* and shows an overall assessment rating for the individual taking both skills/competence and performance into account

Name of Employee..... JobTitle..... Date.....

Performance Assessment Rating (Form A)

Skills/Competence Assessment Rating (Form B)

**Total Score**

**Total Score**

**Issues to be taken into account:**  
Describe any issues that might have affected the individuals' performance e.g. recent change of role, change of manager, personal issues.

**Chair of Panel; SIGNATURE**

**Print Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Signature:** \_\_\_\_\_



# SKILLS/COMPETENCE ASSESSMENT DOCUMENT

**PART B**

Employee's Name .....

Current Job Role .....

New Job: .....

Has the employee a disability? YES/NO

Left hand column to be completed by The Headteacher/Principal /Line Manager pre competitive interview

Right hand column to be completed jointly by the Interview Panel post-competitive interview

Relevance to job being considered for				Skills/Competence taken from the person specification (these will change depending on Job).	Interview Panel Rating				Point Score (- x -) = score
0	1	2	3		0	1	2	3	
<b>Total</b>					<b>Score</b>				

Comments: (e.g. indicate any reasonable adjustments that need to be taken into account)

Recommendation as to how well employee meets competencies for required job role:

- 3 – Excellent Fit    
  2-Good Fit    
  1-Partial Fit-needs development    
  0-Not suitable

**Chair of Panel; SIGNATURE**

PRINT NAME: DATE:

SIGNATURE:

### Appeal Request

This form can be used by an employee when seeking an appeal against dismissal by reason of redundancy. Please send this completed form and written grounds for your appeal marked **PRIVATE AND CONFIDENTIAL**. This must be done within 5 working days from receipt of the decision. The appeal should be sent to the Head Teacher.

<b>Employee Details:</b>	
<b>First Name:</b>	
<b>Current Job Title:</b>	
<b>Cluster/Academy</b>	
<b>Employee Representative Details:</b>	
<p>You are entitled to be accompanied/represented at your appeal by a trade union representative/professional association or work colleague.</p> <p>Will you be accompanied/represented by a trade union representative/ professional association/ work colleague at your appeal <b>YES/NO</b> (please delete as appropriate).</p> <p>Name of your representative (if known):</p>	
<b>Nature of Appeal:</b>	
<p>Please indicate the nature of your appeal;</p> <p>a) Dismissal by reason of redundancy <input type="checkbox"/></p>	
<b>Grounds for Appeal</b>	

You must attach written ground(s) for your appeal and include your desired outcome.

Please ensure that your written evidence is securely attached. Please also state any mitigating circumstances that may have affected the decision.

## Redeployment Procedure

### 1. Introduction

- 1.1 The Academy and The Trust seek to avoid placing employees in a potential redundancy situation by;
- Considering recruitment freezes
  - Reducing agency/interim/consultancy costs
  - Any other means that mitigate redundancy costs
- 1.2 The redeployment procedure should be used whenever an employee is displaced by reason of a restructure, or at risk of redundancy. There also may be a requirement for The Headteacher/Principal to seek a suitable job alternative for an employee on the grounds of disability, in which case the matching process will still apply and any reasonable adjustments taken into account.
- 1.3 The Academy and The Trust cannot guarantee that all displaced employees will be offered a suitable alternative position, nor is there a minimum number of alternative offers. However, every effort will be made, up to and including the last day of service to identify a suitable redeployment opportunity and if successful, redundancy notice will be withdrawn.
- 1.4 The Academy and The Trust will make every effort to ensure that employees' with disabilities stay in employment; in some instances redeployment may be an alternative. Where appropriate, a trial period for redeployment may be extended for employees with a disability, pregnant women or if there are extenuating circumstances.
- 1.5 Employees will continue to be employed in their school until they are redeployed or their employment is terminated. The normal line management arrangements will apply and The Headteacher/Principal /line manager should support the employee with advice and assistance to continue to help them obtain redeployment.

### 2. Redeployment Period and Support for Employees

- 2.1 As soon as it is confirmed that an employee has been displaced as a result of re-organisation/change process, The Headteacher/Principal should meet with the employee and inform them that The Trust will be notified to issue written notice of dismissal by reason of redundancy. Alternative employment up to and including the last day of service will continue to be sought, and, if successful, the redundancy notice shall be withdrawn.
- 2.2 The employee will work their contractual notice period concurrently whilst the search for redeployment is carried out. If an employee has a contractual notice period of less than four weeks then this will be extended to four weeks to assist them in the search for alternative employment.

- 2.3 Employment Relations will advise The Headteacher/Principal/Line manager on the redeployment process and will co-ordinate the process.
- 2.4 Employees are required to fully co-operate with the redeployment process. They are required to;
- Complete the Academy's Redeployment Skills form
  - Be as flexible as possible in the work to be considered
  - Prepare well for interviews and to consider all reasonable offers of alternative work
  - Play an active part in seeking an alternative role
  - Fully participate in trial periods
- 2.5 If employees reject an offer of suitable alternative work, without good reason, they will forfeit any entitlement to a redundancy payment and may be dismissed with no liability on The Trust or the Academy to make redundancy or other discretionary compensation payments.
- 2.6 Support for employees may include:
- Assistance with completing the Redeployment Skills Form
  - Counselling/Access to help line
  - Training or development as appropriate and within financial constraints
  - Reasonable time off to attend interviews

### **Redeployment Procedure & Redundancy Notice Requirements**

- 2.7 The Headteacher/Principal/Line manager will arrange a meeting with HR (or/and Recruitment) to explain the redeployment procedure, employee's responsibilities during the process, and offer any support required.

An employee's request for help in identifying transferable skills, completing redeployment skills form, career advice or counselling should be positively considered. For employees with a disability, HR should be contacted.

- 2.8 The Headteacher/Principal should ensure that the employee's contractual employment notice period coincides with the last day on which the employee is required to work: thus negating the need for pay in lieu of notice. Any holiday entitlement should be taken during the notice period. Notice of dismissal for teaching staff must be issued by the following dates so that the last day of employment coincides with the last day of term.
- 2.9 All reasonable attempts for redeployment will continue up to the last date of employment. Should the employee be successful and a permanent position be found, then notice of dismissal will be withdrawn.
- 2.10 There may be instances when a redeployee has been offered a trial period whilst working their contractual notice. It may therefore be possible for the employee to complete a trial period whilst working their contractual notice. If the employee is

unsuccessful at the end of this period, then the date of dismissal still applies. If necessary the termination date for dismissal may be extended to allow sufficient time for the trial period to take place with the end date of dismissal coinciding with the end date of the trial period. If the trial period is unsuccessful the employee does not return to the redeployment pool; the new dismissal/termination date applies. DPP approval may need to be re assessed should the end date of dismissal be extended.

- 2.11 Close contact and communication between The Headteacher/Principal and HR should be maintained. The Headteacher/Principal is responsible for ensuring that the employee is kept informed and should maintain weekly contact with the HR team. Employment Relations will offer advice and monitor the redeployees progress.

### **Suitable Alternative Employment**

- 2.12 The meaning of suitable alternative employment is broadly that the employment offered must be substantially equivalent to the post, which has been lost. In deciding what is suitable alternative employment, The Headteacher/Principal /line managers must consider:

- The pay and grading of the new post
- The nature of duties and recognised qualification
- Location of work
- Relevant medical considerations
- Employees particular circumstances
- Teaching qualifications required

### **Matching Redeployees for Posts and Trial Periods**

- 2.13 It is expected that Academies will review the use of agency staff and interims during this period. Any secondments or other possible job opportunities should be considered for redeployees
- 2.14 In all instances where redeployee/s meet 65% of the person specification/description of a suitable vacancy, then The Headteacher/Principal must interview them before advertising externally.
- 2.15 All redeployees must complete a redeployment skills form and will be considered before any other applicants for vacancies are invited to interview. A record of the interview must be kept by the interview panel and details as to why the redeployee is un/successful.
- 2.16 Redeployees will be assessed against the person specification to see whether they match the minimum criteria for the post i.e. meet the essential skills and ability criteria and with additional training, supervision and support can be expected to meet the essential criteria (65%) within a reasonable period. If two or more redeployees apply for the post, selection will be by competitive interview.

- 2.17 Where employees meet the requirements for the post, they should be offered a (28 day) trial period during which they will be monitored weekly by the Academy to assess their competence and suitability. The trial period may be extended e.g. for an employee with a disability or for pregnant women or for retraining purposes. During the trial period employees should continue to be paid at their substantive rate of pay.
- 2.18 Where an employee has been issued a redundancy dismissal notice (end date of employment) and can complete a redeployment trial period during this time, should the trial period be unsuccessful, the employee's employment contract will be terminated according to the date set out in the redundancy dismissal notice.

### **Women on maternity leave**

- 2.19 A woman on statutory maternity leave has a legal entitlement to return to work. If this is not possible (due to a potential redundancy situation) to return to her position, she has the legal right to a comparable vacant post. The effect of this legal right is that she must be offered any position that is a suitable alternative in preference to other staff. The new job must be suitable and appropriate and not substantially less favourable than the previous contract. This does not mean that the employee cannot be selected for dismissal by reason of redundancy.

### **Employee's obligations**

- 2.20 An employee in receipt of pay protection is expected to co-operate fully with any reasonable proposal by The Headteacher/Principal /line management to undertake suitable project work or duties. S/he should also be prepared to be seconded on a temporary basis to other work that has been evaluated at a level closer to their protected rate of pay.
- 2.21 All employees are expected to co-operate with redeployment requirements.
- 2.22 Where an employee has been offered salary protection the employee is also expected to co-operate fully with any reasonable proposal by The Headteacher/Principal /line management in order to better utilise their skills and experience for the duration of the salary protection arrangements.
- 2.23 If an employee rejects an offer of suitable alternative work, without good reason, they may forfeit any entitlement to a redundancy payment and may be dismissed with no liability on the Academy or The Trust to make statutory redundancy or any additional discretionary compensation payments.

### **Unsuccessful Redeployment Trial Periods**

- 2.24 If the redeployment is unsuccessful after a trial period, The Headteacher/Principal of the trial position to the individual should explain the reason(s). The employee should continue to work their dismissal notice whilst attempts to redeploy continue.

### **Ill Health Redeployment**

- 2.25 In ill health cases, the situation will be kept under regular review by The Headteacher/Principal and advice sought from the Occupational Health Service. Where redeployment is not possible and the Medical Officer's view is that the member of staff cannot continue in the substantive post, their service may be terminated (refer to the Sickness Absence Procedure 2011).

### **3. The Headteacher/Principal Responsibility**

#### **3.1 The Headteacher/Principal must:**

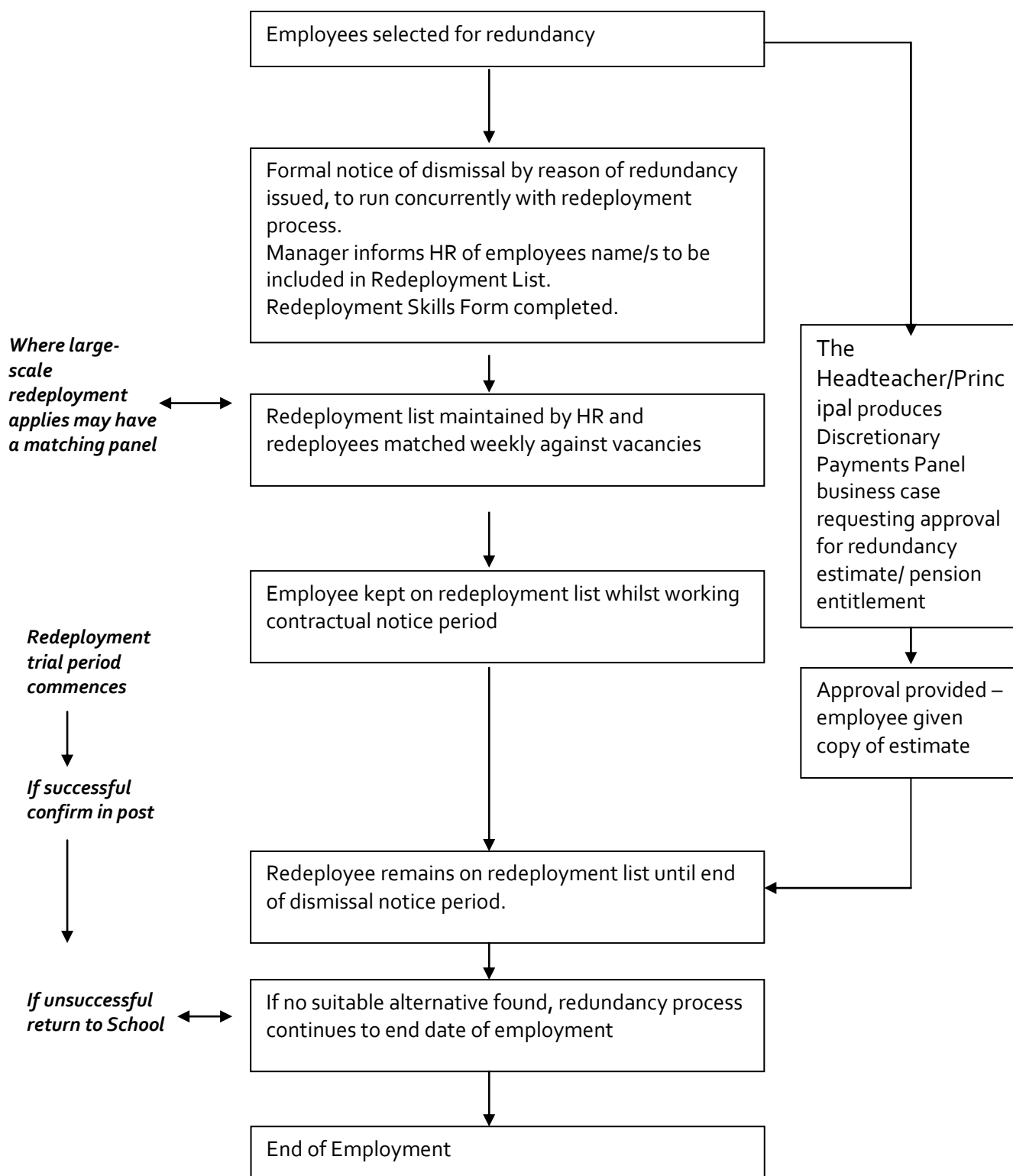
- Forward details of redeployees to the HR team
- Arrange for the employee to get advice on the redeployment process
- Advise the employee to complete the redeployment skills form and return to HR
- Actively search for suitable work within the Academy and closely liaise with HR
- Inform the employee of their responsibility to participate actively in the redeployment process
- Keep the employee (redeployee) informed

#### **3.2 The employee is entitled to:**

- The opportunity to apply for suitable vacant posts advertised
- Be considered for any suitable vacant job
- Reasonable paid time off to seek work outside the Academy/The Trust
- Access to counselling support



FLOW CHART OF REDEPLOYMENT PROCESS



### Skills Profile Form –Teaching Staff

Please note that each school will still need to undertake appropriate checks/references on the information provided.

The information provided on this form will be used to assist teaching staff in the search for redeployment either within their own Academy or other Academies, and if appropriate other Trust services. Before completing it may be helpful to read the whole form first so you have an understanding of what information is needed. It is also a good idea to produce a rough draft first, which you should read through to ensure that you have included all the required information.

Your manager, trade union representative or HR may be able to assist you in completing the form.

You should pay particular attention to the section of the form entitled **Experience, Skills & Abilities** as this is the basis for identifying suitable vacancies. When completing this section do not just repeat your work history, instead try and provide a range of examples and evidence of the skills you have gained both inside and outside work.

What to include in your Supporting Statement;

- Give an overview of the work activities you are involved in i.e. what do you do and frequency/complexity
- Details of any training or development activities you have undertaken in the last 12 mths
- Specify your teaching skills, qualifications and examples of curriculum activities you have undertaken
- Any thing else that you feel is relevant to demonstrate your capabilities and or experience.

#### PERSONAL DETAILS

Full Name and Title	
Home Address	
Home Telephone Number	
Mobile Telephone Number	
Email Address	
Job title	
Current salary/grade	
Do you have a disability?	

## CURRENT JOB DETAILS

If you hold more than one post in the Academy (or another Academy/School) please fill in separate details for each post held.

*Post No 1* (Current job if you only hold one contract)

Job Title	
Hours Worked	
Scale	
Date Appointed:	
Additional Allowances Paid (if applicable)	
Contract Held, i.e. permanent or fixed term	
Brief description of the duties & responsibilities of your current post or posts (if more than one post is held) e.g. key stage	

*Post No 2*

Job Title	
Location/Academy (if appropriate)	
Hours Worked	
Scale	
Date Appointed:	
Additional Allowances Paid (if applicable)	

Contract Held, i.e. permanent or fixed term	
Brief description of the duties & responsibilities of your current post or posts (if more than one post is held)	

**DETAILS OF PREVIOUS TEACHING EMPLOYMENT (Chronological Order)**

Please include any casual and temporary work undertaken starting with most recent first, continue on separate sheet if necessary)

Name and type of Academy ( inc The Trust)	Post held and Grade	Subjects taught	Ages/key stages taught	From	To

**DETAILS OF NON TEACHING EMPLOYMENT (Chronological Order)**

Please include any casual and temporary work undertaken starting with most recent first, continue on separate sheet if necessary)

Name of Employer	Details/Nature of Work	From	To

**DETAILS OF EDUCATION/QUALIFICATIONS/TRAINING**

Please give details of any formal qualifications and education and training you have undertaken, e.g. /GCSE's, NVQs, A Levels, Degrees, Certificates, etc. However please also give details of any other training (e.g. in-house) you have undertaken as part of your current or past employment which you consider to be relevant to supporting your redeployment. Please include the dates when these qualifications and/or training were obtained/undertaken.

## Secondary & Further Education

Name of School/FE/College	Qualifications/Level	From	To	Subjects and Grades

## Higher Education (including teacher training)

Name of Institution	Qualifications Gained	From	To	Main Subjects

## Other External/internal Programmes/Courses etc.

Course/Programme/Training Details	Dates	Internal/External

## DETAILS OF EXPERIENCE, KNOWLEDGE AND SKILLS GAINED IN EMPLOYMENT

### EXPERIENCE:

Please provide details of your work experience. Include for example:

- level and range of responsibility
- numbers supervised

- things you needed to know or learnt in your current or previous jobs, e.g. knowledge of any legislation/procedures required, operating system used
- any specific IT skills or/and knowledge of particular systems

### SKILLS:

As a result of your current and past work or outside work experience please detail the skills and abilities that you feel you have obtained such as:

- influencing, persuading, negotiating skills
- communication and time management skills
- ICT skills, word processing/excel skills
- leadership/management skills
- research and analysis skills
- There may be relevant experience and knowledge that you have gained outside of the work environment e.g. any skills gained from voluntary work, leisure interests etc for example: work with charities, PTA and Governing Body membership, involvement in Children’s Craft and Sports clubs.

You should insert the above information in the standard supporting statement and prepare a paragraph (with examples) on each of the individual skills and experiences that you have gained in your current and/or previous employment/s.

<b>FUTURE EMPLOYMENT OPPORTUNITIES</b>
--

Please describe the type of posts and Academies/The Trust services you would like to consider as future employment opportunities. You will need to carefully consider your experience and skills, as redeployment to a post for which you have relevant skills and experience will be easier. Although it may be possible to provide retraining in other posts, you may want to consider Key Stage levels you wish/ or are able to teach, as well as any other additional responsibilities they you may be interested in. Please note that it may not be possible to meet this request.

Priority	Type of Post	Post	Academy/Services/Location
1		1	
2		2	

**Supporting Statement:**

Declaration;

**I certify that, to the best of my knowledge, the information on this form is true and accurate. I understand that if the information I have supplied is false or misleading in any way, it will automatically disqualify me from appointment or may after appointment lead to disciplinary action, which could lead to my dismissal without notice.**

**Name**.....

**Date**.....

Completion and submission of this form is taken as consent to process the information you have provided. The information you have provided will be held for redeployment purposes and may be disclosed to staff in Human Resources and The Headteacher/Principal /line managers involved in the recruitment process.

**Please return this form to the HR Team with a copy to The Headteacher/Principal.**



### Skills Profile Form – Support Staff

*Please note that each school will still need to undertake appropriate checks/references on the information provided.*

The information provided on this form will be used to assist support staff in the search for redeployment either within their own Academy or other Academies, and if appropriate other Trust services. Before completing it may be helpful to read the whole form first so you have an understanding of what information is needed. It is also a good idea to produce a rough draft first, which you should read through to ensure that you have included all the required information.

Your manager, trade union representative or HR may be able to assist you in completing the form.

You should pay particular attention to the section of the form entitled Experience, Skills & Abilities, as this is the basis for identifying suitable vacancies. When completing this section do not just repeat your work history, instead try and provide a range of examples and evidence of the skills you have gained both inside and outside work.

What to include in your Supporting Statement;

- Give an overview of the work activities you are involved in i.e. what do you do and frequency/complexity
- Details of any training or development activities you have undertaken in the last 12 mths
- Do you work to deadlines, give examples of decision making skills, communication skills, writing skills, general office duties you may perform, details of any contact with members of the public, etc
- Any thing else that you feel is relevant to demonstrate your capabilities and or experience.

#### PERSONAL DETAILS

Full Name	
Home Address	
Home Telephone Number	
Mobile Telephone Number	
Email Address	
Job title	
Current salary/grade	
Do you have a disability	

## CURRENT JOB DETAILS

If you hold more than one post in the Academy (or another Academy/School) please fill in separate details for each post held. For example, those support staff who work as Teaching Assistants and who may do two or more of these jobs.

*Post No 1* (Current job if you only hold one contract)

Job Title	
Hours Worked	
Scale	
Date Appointed:	
Additional Allowances Paid (if applicable)	
Contract Held, i.e. permanent or fixed term	
Brief description of the duties & responsibilities of your current post or posts (if more than one post is held)	

*Post No 2*

Job Title	
Location/Academy (if appropriate)	
Hours Worked	
Scale	
Date Appointed:	
Additional Allowances Paid (if applicable)	
Contract Held, i.e. permanent or fixed term	
Brief description of the duties & responsibilities of your current post or posts (if more than one post is held)	

one post is held)

### DETAILS OF PREVIOUS EMPLOYMENT

Please include any casual and temporary work undertaken starting with most recent first, continue on separate sheet if necessary)

Name of Employer	Details/Nature of Work	From	To

### DETAILS OF EDUCATION/QUALIFICATIONS/TRAINING

Please give details of any formal qualifications and education and training you have undertaken, e.g. GCSE's, NVQs, A Levels, Degrees, Certificates, etc. However please also give details of any other training (e.g. in-house) you have undertaken as part of your current or past employment which you consider to be relevant to supporting your redeployment. Please include the dates when these qualifications and/or training were obtained/undertaken.

Name of School/FE/College University	Qualifications/Level	From	To	Subjects and Grades

#### Other External/Internal Programmes/Courses etc

Name of Course/Programme/Training	Date	Internal/External

**DETAILS OF EXPERIENCE, KNOWLEDGE AND SKILLS GAINED IN EMPLOYMENT**

**EXPERIENCE:**

Please provide on a separate sheet details of your work experience. Include for example:

- level and range of responsibility
- numbers supervised
- things you needed to know or learnt in your current or previous jobs, e.g. knowledge of any legislation/procedures required, operating system used etc.
- any specific IT skills or/and knowledge of particular systems

**SKILLS:**

As a result of your current and past work or outside work experience please detail the skills and abilities that you feel you have obtained such as:

- word processing/excel skills
- influencing, persuading, negotiating skills
- communication and time management skills
- ICT skills
- leadership/management skills
- research and analysis skills
- There may be relevant experience and knowledge that you have gained outside of the work environment e.g. any skills gained from voluntary work, work with charities, PTA and Governing Body membership you would also like to include.

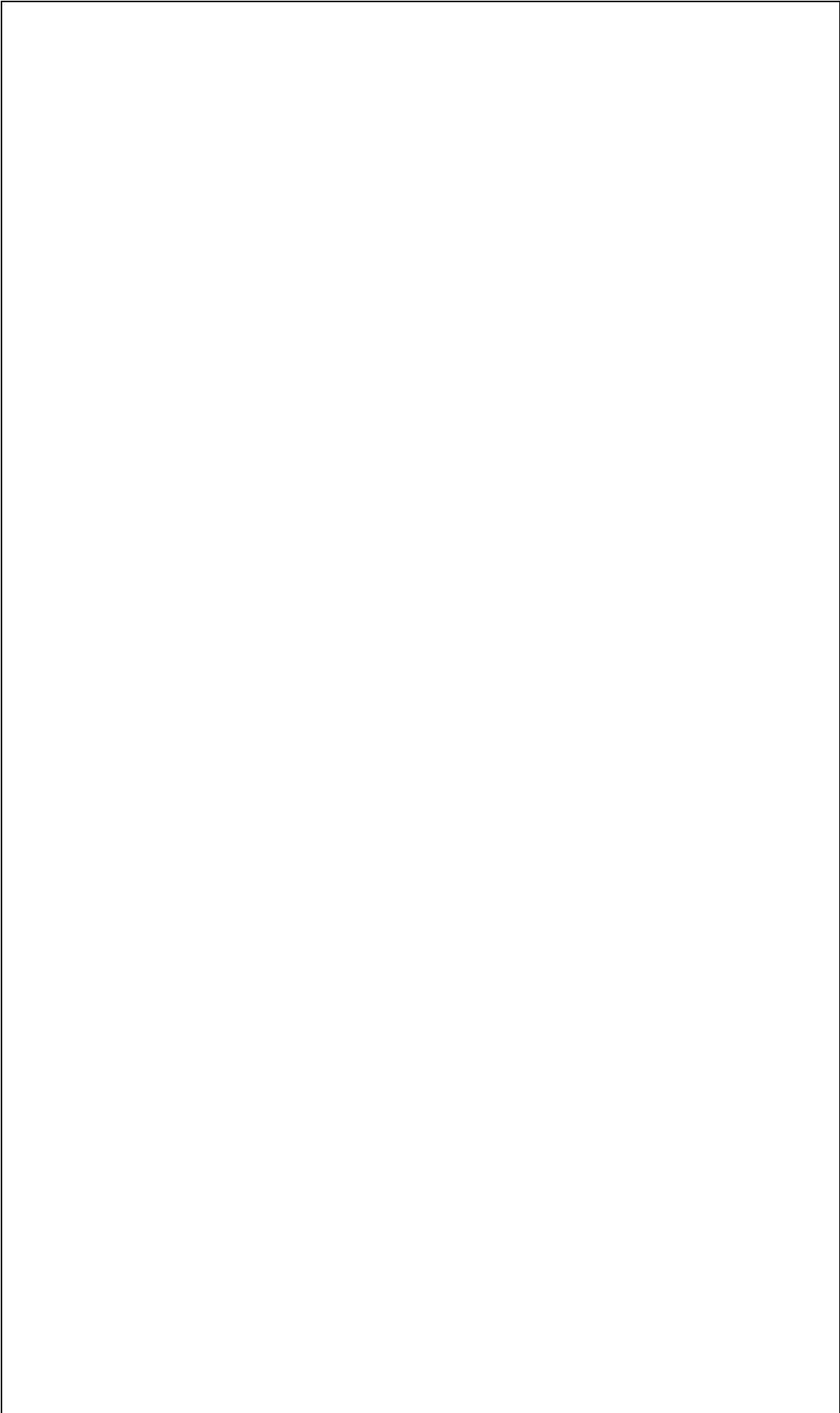
You should insert the above information as a standard supporting statement and prepare a paragraph (with examples) on each of the individual skills and experiences that you have gained in your current and/or previous employment/s.

**FUTURE EMPLOYMENT OPPORTUNITIES**

Please describe the type of posts and Academy/ Trust services you would like to consider as future employment opportunities. You will need to carefully consider your experience and skills, as redeployment to a post for which you have relevant skills and experience will be easier. Please note that it may not be possible to meet this request.

Priority	Type of Post	Post	Academy/Services/Location
1		1	
2		2	

Supporting Statement



Declaration;

**I certify that, to the best of my knowledge, the information on this form is true and accurate. I understand that if the information I have supplied is false or misleading in any way, it will automatically disqualify me from appointment or may after appointment lead to disciplinary action, which could lead to my dismissal without notice.**

Name (please print) \_\_\_\_\_

Date \_\_\_\_\_

**Data Protection Act**

Completion and submission of this form is taken as consent to process the information you have provided. The information you have provided will be held for redeployment purposes and may be disclosed to staff in Human Resources and Head Teachers/line managers involved in the recruitment process.

**Please return this form to the HR Team with a copy issued to The Headteacher/Principal.**

## Redundancy Procedure

### 1. Redundancy: Introduction

- 1.1 Redundancy is a form of dismissal. The Academy will seek to minimise dismissals (by reason of redundancy) by making every attempt to redeploy employees when their post has been deleted.
- 1.2 However, the Academy may also seek to identify posts (and hence invoke the redundancy process) to be deleted in the structure where:
- Efficiency savings have been identified
  - There has been a reduction in funding/budget
  - There has been a reduction in the service required
  - The work can be redistributed or carried out in a different way in order to maximise funding/efficiency savings
  - The work has ceased/diminished
  - There is a clear business justification for deleting post
  - Academy closure or amalgamation is taking place
- 1.3 In order to avoid redundancies, the Academy may seek voluntary or early retirement requests. A request does not automatically mean that the application will be approved. The Trust will only approve requests once all available options have been discussed and will be subject to funding availability.
- 1.4 The Headteacher/Principal will ensure that employees are informed as soon as possible of possible if they are at risk of redundancy. Counselling or any other support should be made available subject to funding. The employee will be entitled to have a Trade Union/professional association representative or work colleague present throughout the process. Before the redundancy procedure is evoked, The Headteacher/Principal/Line manager should have already formally consulted with Trade Unions.
- 1.5 Whilst every attempt must be made to find suitable alternative employment (redeployment) there will be instances when the redundancy procedure needs to be invoked due to the needs of the Academy, budget constraints or lack of suitable posts/vacancies. The Trust must be consulted in all instances where there may be potential redundancies and before any information is circulated and/or discussed with employees.
- 1.6 The authority to agree individual cases of discretionary lump sum compensation is delegated to the Accounting Officer in consultation with the Trustees.

### Redundancy Procedure

- 1.7 There are usually two stages in the redundancy process:

- i) The Headteacher/Principal/Line managers should verbally inform employees (consultation with TUs should have already taken place) that their post has been deleted and that they are at risk of redundancy. Following completion of the redeployment skills form they will be placed in the redeployment pool.
- ii) Employees should be provided with a formal notice of dismissal by reason of redundancy (if a suitable alternative position is not found) and an end date of employment should be stated. An estimate of any redundancy calculations/pensions should be provided. The end date of employment should be identified in accordance with employees contractual notice period.

**In some circumstances and depending on the reason for the redundancy and timeframe, it may be possible to combine the two stages above.**

- 1.8 If the redundancy is due to a restructure process, as soon as The Headteacher/Principal is aware that an employee has been unsuccessful in obtaining a post in the new structure The Headteacher/Principal should confirm to the employee, first verbally and then arrange for the Accounting Officer to confirm by letter that they are under formal notice of dismissal (by reason of redundancy), and that their contract will be terminated, unless suitable alternative work can be found. There is no guarantee that suitable alternative work may be found, nor is there an entitlement to a minimum number of suitable alternative job offers.
- 1.9 The employee will work their contractual notice period concurrently whilst the search for redeployment continues.
- 1.10 A meeting should be arranged with the employee. During this meeting, the employee should be informed that every effort will be made to redeploy him/her into an alternative position. The employee should be provided with adequate notice of this meeting to ensure that they can arrange for a Trade Union/professional association representative or work colleague to be present. Counselling or any other support should be considered during this meeting.
- 1.11 A woman on statutory maternity leave has a legal entitlement to return to work. If this is not possible due to a redundancy situation to return to her position she has the legal right to a comparable vacant post. The effect of this legal right is that she must be offered any position that is suitable alternative in preference to other staff. The new job must be suitable and appropriate and not substantially less favourable than the previous contract. This does not mean that the employee cannot be selected for dismissal by reason of redundancy. Further guidance and advice should be sought from HR.
- 1.12 However, every effort will be made up to and including the last day of service, to identify suitable redeployment opportunities for all affected employees and if successful redundancy notice will be withdrawn.
- 1.13 Employees will continue to be employed in the substantive post or Academy until they are redeployed or their employment is terminated. The normal line management arrangements will apply and The Headteacher/Principal should



continue to support the employee with advice and assistance to continue to help them obtain redeployment.

1.14 Support for employees may include:

- Help with completing Redeployment Skills Form
- Counselling/Access to employee help line
- Training or development as appropriate and within financial constraints
- Reasonable time off to attend interviews

### **Employee Obligations**

1.15 The Academy requires affected employees to fully co-operate with all relevant procedures, specifically the redeployment process. They are required to complete the Academy's Redeployment Skills Form, be as flexible as possible in the work to be considered, to prepare well for interviews and to consider all reasonable offers of alternative work and to play an active part in seeking an alternative job role.

### **Selection Criteria For Redundancy**

1.16 In all instances The Trust must be consulted about any potential redundancy or pension costs before discussing with affected employee/s. The Trust is continually under financial pressure to reduce budgets. Any costs incurred either as a result of redundancy or pension entitlement, will have a budget impact, and must be assessed alongside the requirements to make financial savings.

1.17 Where there is a requirement to select employees for redundancy, the criteria listed below should be used. Costs are a key consideration but cannot be the over-riding factor unless a business case has been produced to justify the decision with The Headteacher/Principal and Accounting Officer. The business case must include an analysis of costs and associated risks e.g. funding availability to pay redundancy or pension costs.

1.18 In order to provide a transparent and fair process, the following redundancy selection criteria should be used:

- Ability to meet future business needs
- Skills and experience
- Costs of redundancy

In addition the following criteria may be used:

- Previous performance/appraisal outcomes
- Ability to meet competencies
- Active disciplinary/capability records
- Attendance records

Absences for the following should not be considered:

- Jury service
- Official duties
- Maternity/paternity and adoption leave
- Religious observance
- Trade Union duties
- Maternity or disability related absence
- Special leave

## **2. Formal Notice of Redundancy**

2.1 Formal notice of dismissal by reason of redundancy should be issued and may include the following:

- Details of the process that has led to this dismissal
- Attempts to redeploy or find suitable job alternative/s
- A statement that the employee's contract is being terminated on the grounds of dismissal due to redundancy
- A statement to the effect that efforts will be made up to the last day of service to find a suitable alternative position within the Academy (except in cases where voluntary redundancy has been approved)
- The exact last day of service and the employee's entitlement to notice under the contract of employment (contractual notice period)
- Details of the payment in lieu of notice if there is insufficient time between the issuing of notice and the last day of service (any leave entitlement should have been used)
- An invitation to the employee to contact a named manager for the purpose of discussing any aspect of the redundancy or/and support
- Details of how the employee can appeal if they feel that the redundancy selection criteria has been applied unfairly
- Details of counselling and support available during this period

2.2 For VA and Foundation Academies, the dismissal letter should be signed by the Chair of Governors. For all other Academies, the Accounting Officer should sign the dismissal letter.

2.3 If an employee under notice of redundancy wishes to leave before the full period of notice has been completed, they should request this in writing. Agreement is subject to The Headteacher/Principal's discretion and may affect redundancy payment.

## **3. Redundancy Pay/Pension Calculations**

3.1 Any employee with over two years service who is made compulsorily redundant or whose fixed term contract ends following at least two years continuous years service, is entitled to receive a statutory redundancy payment. Any enhancements or additional financial compensation must be approved in accordance with the Discretions Policy Statement and a business case (produced by The Headteacher/Principal) forwarded to the Discretionary Payments Panel (DPP).

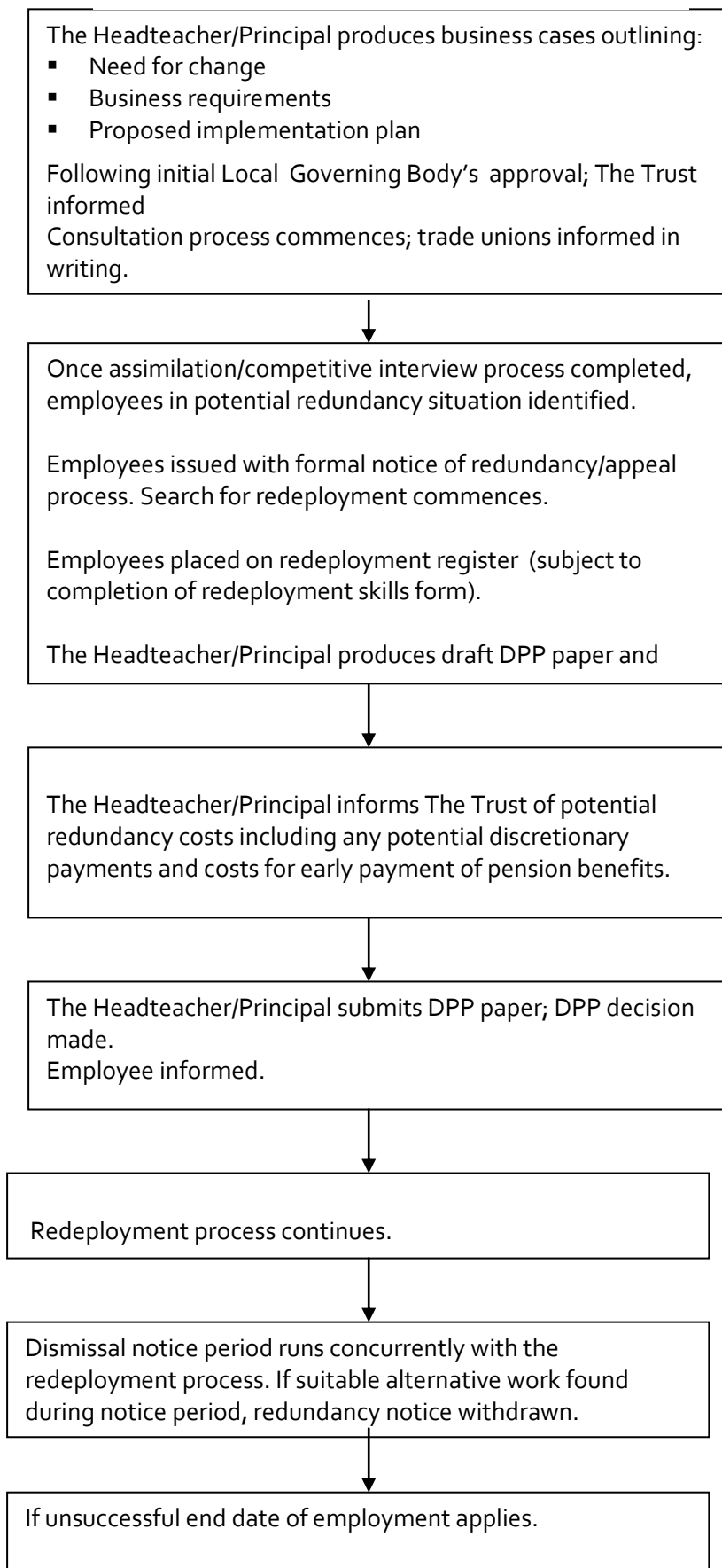
- 3.2 An employee aged 55 who is made redundant will be automatically eligible for pension entitlement. In all instances, a business case must be produced and forwarded to the Discretionary Payments Panel for consideration before proceeding to the next stage.
- 3.3 The Redundancy Payments (Local Government) (Modification) Order 1984 (“Modification Order”) states that previous continuous Local Government (or equivalent) service will count towards an employee’s total length of service for the purpose of calculating their redundancy payment.
- 3.4 The Headteacher/Principal should request an estimate of benefits from HR as soon as the timeframe for the selection of redundancies is known.
- 3.5 The Accounting Officer will advise The Headteacher/Principal as to the scope, decision and level of any compensatory payments that may be made to the individual in addition to any statutory entitlements.
- 3.6 The Accounting Officer has delegated authority to agree individual lump sum compensation , after seeking legal advice and will inform The Headteacher/Principal and the employee of the outcome and confirm the decision in writing to the employee.

#### **4. Appeals**

- 4.1 An employee who wishes to appeal against dismissal by reason of redundancy must send their appeal in writing to The Headteacher/Principal within 5 working days of the receipt of the decision. A Governing Body Appeal Panel will hear appeals against dismissal by reason of redundancy.
- 4.2 All appeals must state:
  - Specific grounds for appeal
  - Desired outcomes
- 4.3 The Governing Body Appeal Panel should confirm in writing the outcome of the appeal within ten working days. Should the decision be to reinstate the employee then the Accounting Officer should be informed.
- 4.4 See also appeals process.

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### Flowchart of Redundancy Procedure



## APPEAL PROCESS

### 1. Introduction

- 1.1 The purpose of the appeal is to examine the grounds of appeal that the employee may raise, to decide if termination of employment was reasonable in the circumstances and to take the opportunity to remedy any procedural defects.
- 1.2 It is not sufficient for the employee to say that they are unhappy with the outcome. In order to appeal, the employee must specifically state in writing the reasons for the appeal, providing clear grounds of the basis of the appeal and all documentation, which they intend to rely on in the hearing. It is essential that the documentation be provided at this stage in order for the appeal to proceed.
- 1.3 It is not anticipated that witnesses will be required. However the Chair of the panel may request further information and/or require other employees to attend and be questioned (in the presence of the employee and manager) at the hearing.

### 2. Appeals process

- 2.1 The Chair of Governors will have delegated authority to appoint a panel of at least three governors (who have had no prior involvement in the case) to act as the Appeal Panel. The Panel will then elect one of their members to act as chair of the Appeal Panel.
- 2.2 The Local Governing Body Appeal Panel will hear any appeal against a decision to terminate the employment on grounds of dismissal by reason of redundancy. Arrangements for the meeting will be made by the Chair of the Governing Body including the provision of a note taker and HR advisor.
- 2.3 The appeal hearing will be convened within 20 working days or as soon as is practicably possible after receipt of letter confirming appeal grounds (with all supporting documentation). The employee and school/management will be given at least 10 working day's notice of the date for the appeal hearing.
- 2.4 The employee must inform the Appeal Panel of the names of his/her representatives 3 working days prior to the appeal hearing.
- 2.5 The school will provide their paperwork in response to the employee's appeal documentation no later than 3 working days prior to the date of the appeal hearing.
- 2.6 The decision of the Appeal Panel shall be final and there shall be no further right of appeal. The decision will be confirmed in writing within 10 working days of the hearing.

### 3. Appeal Hearing

- 3.1 The purpose of the appeal is to examine the grounds of appeal that the employee may raise, to decide if termination of employment was reasonable in the

circumstances and to take the opportunity to remedy any procedural defects. It is not the purpose of the appeal to restate the original case/facts but any new evidence that may be available may be included in an appeal case.

- 3.2 The employee and/or their representative will state their grounds of appeal and make representations to the Appeal Panel based on the relevant factors. The Headteacher/Principal, Chair of the Panel and school's HR representative to the Appeal Panel can ask any relevant questions of the employee
- 3.3 The school will then respond to the grounds of appeal with their management case outlining the reasons for the decision.
- 3.4 After a suitable adjournment (if requested by either side) both sides shall sum up, if they wish, with the case for the employee being summarised first, followed by the school/management summary.
- 3.5 Both parties will be asked to withdraw whilst the panel consider their decision.
- 3.6 Some of the options for the Appeal Panel to consider will be to:
  - Confirm the termination of employment
  - Adjourn the case in order to obtain more information
  - Grant the appeal and reinstate the employee
- 3.7 The panel will recall both parties and announce their decision. If this is not possible the Panel will convey the decision in writing as soon as is practicable. In all cases the decision will be confirmed in writing to both sides within 10 working days.
- 3.8 The decision of the Appeals Panel is final.

#### **4. Postponement/Cancellation of Appeal**

- 4.1 Should an employee request an appeal and fail to attend, a second/alternative date should be provided. If the employee then fails to attend then the appeal can proceed in their absence, and a decision made on the basis of the evidence available at the time.
- 4.2 The employee may however provide a written support statement to the Appeal Panel or/and send a Trade Union/Professional Association Representative or work colleague on their behalf.

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### Appeal Request

This form can be used by an employee when seeking an appeal against dismissal by reason of redundancy. Please send this completed form and written grounds for your appeal marked **PRIVATE AND CONFIDENTIAL**. This must be done within 5 working days from receipt of the decision. The appeal should be sent to The Headteacher/Principal

<b>Employee Details:</b>	
<b>First Name:</b>	
<b>Current Job Title:</b>	
<b>Cluster/Academy</b>	
<b>Employee Representative Details:</b>	
<p>You are entitled to be accompanied/represented at your appeal by a trade union representative/professional association or work colleague.</p> <p>Will you be accompanied/represented by a trade union representative/ professional association/ work colleague at your appeal <b>YES/NO</b> (please delete as appropriate).</p> <p>Name of your representative (if known):</p>	
<b>Nature of Appeal:</b>	
<p>Please indicate the nature of your appeal;</p> <p>a) Dismissal by reason of redundancy <input type="checkbox"/></p>	
<b>Grounds for Appeal</b>	

You must attach written ground(s) for your appeal and include your desired outcome.

**Please ensure that your written evidence is securely attached. Please also state any mitigating circumstances that may have affected the decision.**