



<h1>PLYMSTOCK SCHOOL</h1>
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## Redundancy Policy

Governors' Committee: Personnel  
Lead Officer: Headteacher  
Date for Review: Spring 2018

### Contents

1. Introduction .....	1
2. Scope and purpose of this policy .....	1
3. Planning .....	2
4. Avoiding compulsory redundancies .....	2
5. Making compulsory redundancies .....	4
6. Support mechanisms.....	5
7. Redundancy payments.....	6
8. Review of policy.....	6

### 1. Introduction

- 1.1 This policy sets out Plymstock School's approach on handling all potential redundancy situations. However, the number of employees involved will determine how the process will be managed.
- 1.2 This policy does not form part of any employee's contract of employment and may be amended at any time.

### 2. Scope and purpose of this policy

The overriding aim is to avoid compulsory redundancies wherever possible. However, it is recognised that sometimes changes (for example, a fall in roll or where the skills of staff presently employed do not match the school's projected requirements) may make it necessary to consider redundancies. The purpose of this policy is to have a clear framework in place that sets out what will be done whenever reduction in employee numbers may become necessary.

- 2.1 Where it is impossible to avoid reducing employee numbers, it will be necessary to minimise the effect of redundancies through the steps set out in this policy. In doing so, there will be no discrimination direct or indirect on the grounds of any protected characteristic or against part-time or fixed-term employees.

### **3. Planning**

- 3.1 The Governing Body will ensure that there is effective planning, financial management and resource allocation in place in the day to day and strategic management of the School. Workforce planning will be carried out and staffing structure will be regularly reviewed to ensure it is fit for purpose, supports teaching and learning and minimises surplus staff situations.
- 3.2 The leadership team will provide information in relation to workforce planning and resources to the Governing Body as required.

### **4. Avoiding compulsory redundancies**

- 4.1 If a requirement for a staffing reduction is identified, the Headteacher will meet with the Governing Body and inform them of the potential requirement for a staffing reduction. The Governing Body will refer the task of determining whether staffing reductions are necessary, including looking at other options to a Governors Staffing Panel. The Governors Staffing Panel may be pre-determined or selected at the time of the requirement to allow flexibility.
- 4.2 The Headteacher will present the Governors Staffing Panel with a statement of likely budgetary shortfall, a description of future trends and a detailed analysis of likely curriculum adjustments. If it is agreed that a staffing reduction is required, the Headteacher will provide the Governors Staffing Panel with a full staffing analysis and his recommendations.
- 4.3 The Governors Staffing Panel will consider the Headteacher's recommendations and determine (if necessary) which posts/departments may be affected by the staffing reduction proposal.
- 4.4 Where redundancies are proposed, there will be consultation to provide the opportunity for all those concerned to discuss the problem and consider options or alternative ways of tackling the problem. Consultation should begin in good time and will be in accordance with statutory requirements.
- 4.5 All affected employees will be consulted on an individual basis.
- 4.6 Representatives of recognised trade unions or elected employee representatives will also be consulted irrespective of the number of employees at risk of redundancy.

- 4.7 Where appropriate and in accordance with 4.6, the recognised trade unions or elected employee representatives will be provided with sufficient information in writing, including:
- (a) The reasons for the proposals;
  - (b) The numbers and descriptions of employees it proposes to dismiss as redundant or who are at risk of redundancy;
  - (c) The total numbers of employees of that description employed at the establishment in question;
  - (d) The proposed method of selecting the employees who may be dismissed;
  - (e) The proposed method of carrying out the dismissals, including the period over which the dismissals are to take effect;
  - (f) The proposed method of calculating the redundancy payments
  - (g) The numbers of agency staff at the School, the areas in which they are deployed and the type of work they are undertaking.
- 4.8 As part of consultation, it will be initially considered what steps could be taken that could avoid the need to make compulsory redundancies. Examples of such steps include:
- (a) Reviewing the use of agency staff;
  - (b) Restricting recruitment or a vacancy freeze [in affected categories of employees and] in those areas into which affected employees might be redeployed;
  - (c) Natural wastage;
  - (d) Retraining and/or redeployment within and across the School;
  - (e) Reducing overtime/additional hours;
  - (f) Offering reduced working time including job-sharing or other flexible working arrangements, where these are practicable; and
  - (g) Inviting applications for early retirement or voluntary redundancy. In all cases the decision to release an employee under such schemes will be at the absolute discretion of the School.
- 4.9 Any measures adopted will not adversely affect the School and the quality of teaching and learning provided to our pupils.
- 4.10 On expiration of the consultation period, the Governors Staffing Panel will reconvene and consider the outcomes of the consultation.

## **5. Making compulsory redundancies**

- 5.1 If, after consideration of the points raised during consultation period, it is still not possible to avoid making compulsory redundancies, all affected employees and, where appropriate, the recognised trade unions or elected employee representatives will be advised that compulsory redundancies cannot be avoided. Consultation will take place with them on the procedure that will be followed and the selection criteria that will be applied (where appropriate).
- 5.2 Where more than one employee is employed in an affected role, a process of selection will be carried out. The criteria used to select will be objective, robust, transparent and fair and based on the skills required to meet our existing and anticipated School needs. The most appropriate method of selection will be considered in relation to the circumstances surrounding the specific redundancy situation.
- 5.3 All decisions stemming from a selection process will be recorded.
- 5.4 Individual employees who are provisionally selected for redundancy following the application of the selection criteria will be written to within 2 days of the decision being made confirming the proposal to nominate them and their right to a written statement of reasons. Where appropriate, they will also be invited to a representation meeting at which they will be given an opportunity to make representations that the application of the criteria is unfair or has been applied incorrectly.
- 5.5 Representation meetings with the Governors Staffing Panel will be held with those wishing to exercise their right to make representations. Employees wishing to have a meeting should notify the Headteacher within 3 working days of receipt of their written notification of nomination. Employees will be entitled to be represented at the meeting by either a trade union representative or a colleague of their choice. Meetings will usually be held within 10 working days after receipt of representation hearing request.
- 5.6 Where selection for redundancy is confirmed, employees selected for redundancy will be given notice of termination of employment in accordance with their contract of employment and written confirmation of the payments that they will receive (where applicable).
- 5.7 Employees will be given the opportunity to appeal against this decision.
- 5.8 Employees wishing to appeal should notify the Headteacher within 3 working days of receipt of the written confirmation of notice of termination for employment. Appeal meetings will usually be held within 10 working days of receipt of the request for an appeal meeting.
- 5.9 The appeals panel will normally be made up of a panel of Governors equivalent to the number of Governors on the original Staffing Panel. The

outcome of an appeal will be given orally, if applicable and confirmed in writing within two working days of the appeal meeting.

- 5.10 Depending on the circumstances, the School may waive its right to insist on employees working their notice and instead give a payment in lieu of notice.

## **6. Support mechanisms**

### **Alternative work/retraining**

- 6.1 Every effort will be made to redeploy any employee who is selected for redundancy to suitable alternative work and they will be informed of any vacancies that arise until their termination date. The way redundant employees will be invited to apply for and be interviewed for vacancies will be organised depending on the circumstances existing at the time. While priority will be given wherever possible to employees under threat of redundancy, the School reserves the right to select the best available candidate in relation to any given vacancy. Employees selected for redundancy whilst on maternity leave have separate legal entitlement to be offered any suitable alternative.
- 6.2 Any offer of alternative work will be made in writing, showing how the new employment differs from the old one.
- 6.3 An individual who is redeployed into an alternative post is entitled to a trial period of four weeks in the new job. This may be extended by mutual agreement for training purposes. If the alternative employment is found to be unsuitable following the trial, employment will be terminated on grounds of redundancy on the original terms.
- 6.4 An employee will not be entitled to a redundancy payment if he or she unreasonably refuses an offer of suitable alternative employment. Unreasonable refusal may arise when the difference between the new and old jobs are not considered significant or where the employee expresses no interest in either investigating or trying out alternatives. In this situation, the employee's contract would still be terminated by reason of redundancy.

### **Counselling Service**

- 6.5 Employees who are at risk of redundancy or who have been issued a notice of redundancy will be able to access the Schools confidential counselling help line. The contact details are as follows:

Email: [schoolscounselling@hotmail.co.uk](mailto:schoolscounselling@hotmail.co.uk) or telephone: 07519 038 509

### **Time off**

- 6.6 An employee under notice of redundancy will be entitled to a reasonable amount of paid time off to look for alternative work, attend interviews, etc. Employees wishing to take advantage of this right should make the

appropriate arrangements with their line manager/Headteacher and provide proof of attendance if requested to do so.

## **7. Redundancy payments**

7.1 Employees with two or more years' service will be entitled to a statutory redundancy payment. The period of continuous service will be calculated with reference to the Employment Rights Act and the Redundancy Modification Order. The School's redundancy payments are calculated using the following statutory formula:

- 1 week's pay for each full year you were 22 or older, but under 41
  - 1 and a half week's pay for each full year you were 41 or older.
- The amount of this payment will be confirmed when the employee is selected for redundancy and the sum will be paid along with the employee's final salary payment or payment in lieu of notice.

## **8. Review of policy**

This policy is reviewed annually by the school. The application and outcomes of this policy will be monitored to ensure it is working.