



Reorganisation and Redundancy Policy & Procedure

Policy: September 2022 (Version 2)

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Document Control

Changes History

Version	Date	Amended by	Recipients	Purpose
1.0	June 2020	HR	All Plymouth CAST Employees	New policy
2.0	July 2022	HR	All Plymouth CAST Employees	Policy Review

Approvals

This policy requires the following approvals:

Board	Chair	CEO	Date Approved	Version	Date for Review
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	July 2021	1.0	September 2022
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	July 2022	1.0	September 2023

National/Local Policy

- This policy must be localised by Academies
- This policy must not be changed, it is a CAST/National Policy (only change logo, contact details and any yellow highlights)

Position with the Unions

Does the policy require consultation with the National Unions under our recognition agreement?
Yes No If yes, the policy status is: Consulted and Approved Consulted and Not Approved
 Awaiting Consultation

Distribution- This draft document has been distributed to:

Position	Date	Version
All CAST Central employees, CAST Headteacher, CAST Directors, JCC	September 2021	1.0

1. Vision and Values

- 1.1. Plymouth CAST is a multi-academy trust of Catholic schools which is part of the mission of the Catholic Church dedicated to human flourishing and the building of a kingdom of peace, truth and justice. The Trust is to be conducted in all aspects in accordance with canon law and the teachings of the Roman Catholic Church and at all times to serve as a witness to the Catholic faith in Our Lord Jesus Christ.
- 1.2. Our vision and values are derived from our identity as a Catholic Trust. Central to our vision is the dignity of the human person, especially the most vulnerable. Our academies are dedicated to providing an education and formation where all our pupils and young people flourish in a safe, nurturing, enriching environment. All governors in our academies are expected to be familiar with the vision, mission, values and principles of the Trust and not in any way to undermine them. They should support and promote the vision and conduct themselves at all times in school and on school business according to the vision and principles of the Trust.
- 1.3. Plymouth CAST expects all its employees to recognise their obligations to each school within the Multi-Academy Trust, the public, pupils and other employees and to provide consistently high standards of education and performance at all times and in accordance with Plymouth CAST's vision, mission and principles.

2. Introduction

Plymouth CAST is operating in a constantly changing environment. As an educational organisation, we need to be able to respond to both national/external initiatives and internal demands in order to deliver continuous improvement for the Trust and its pupils.

It is inevitable that the Trust will need to make changes to staffing levels or restructure services from time-to-time to facilitate this. Where staffing changes are necessary, the Trust will seek to minimise the impact on employees wherever possible. The Trust will consult with the recognised Trade Unions and employees at the earliest possible stage to enable them to influence the shape of the reorganisation and/or avoid the need for compulsory redundancies. Consultation will be made on a collective and/or individual basis; whichever is appropriate and in line with employment legislation in relation to the circumstances.

3. Purpose

- 3.1. The aims of this policy are to:

- 3.1.1. establish a framework for the management of change, including managing potential redundancy situations.
- 3.1.2. ensure consultation with employees and trade unions commences at the earliest opportunity to enable them to influence change proposals.
- 3.1.3. ensure a consistent and equitable approach to managing change and appropriate communication of proposals.

- 3.1.4.** enable employees to be supported during the management of change process.
- 3.2. The policy is separated into two sections. Section one deals with staffing restructures that do not involve staffing reductions and section two deals with managing potential redundancies.

4. Scope

- 4.1. This policy applies to all teaching and support staff. It does not apply to agency workers in the first twelve weeks of employment, consultants, or self-employed contractors.
- 4.2. This policy applies when managing organisational change including:
- organisational structure reviews.
 - reductions to or discontinuation of specific areas of work.
 - major changes to terms and/or conditions of service.
- 4.3. Ongoing, minor changes to individual roles and responsibilities and/or working practices will occur from time to time. In these cases, employees are expected to be flexible and adapt to reasonable changes appropriate to the level of their post. In such circumstances the Trust's HR department must still be involved and discussion and agreement reached with the individuals concerned including the trade unions, where appropriate. If an agreement cannot be reached the procedure contained in this policy will need to be followed.
- 4.4. Add TUPE statement

5. Equal Opportunities

- 5.1. This policy must always be applied fairly and in accordance with employment law and Plymouth CAST Equal Opportunities Policy.

6. Responsibilities

- 6.1. The Trust, as the employer, has overall responsibility for the policy and for ensuring it is applied consistently and fairly.

7. Principles

- 7.1. The staffing structure within each school should be reviewed on an annual basis to ensure that it meets the required ratios/KPIs as set out by the Trust. It is the responsibility of the Executive Headteacher/Headteacher and the school's Education and Standards Manager (ESM) in conjunction with the School Business Manager (SBM) to conduct these reviews. From time to time, the Trust will have to implement changes to the staffing structure to ensure it best meets the needs of the curriculum and the school community. As a responsible employer, the Trust wishes to maintain

the security of employment of its employees as far as is reasonably practicable. However, there are times when it may be necessary to make changes in a school to respond to changes within the curriculum and the changing needs of pupils, a fall in pupil numbers, budgetary reasons, or other reasons leading to a reorganisation or closure of an academy.

- 7.2. To this end, the general principles embodied in this procedure are;
 - 7.2.1.** where a restructure is being considered, clear terms of reference must be established, setting out why the restructure is taking place, what will change, who will be affected and when.
 - 7.2.2.** employees and trade union representatives should be consulted in a meaningful and timely manner on changes that may affect their role.
 - 7.2.3.** the interests of employees within the Trust should be safeguarded as far as is reasonably practicable.
 - 7.2.4.** compulsory redundancies are kept to a minimum and avoided where possible by ensuring all other suitable alternatives are considered.
 - 7.2.5.** to support a search for alternative employment for all who have been identified as 'at risk'.
 - 7.2.6.** action taken has regard to the policies adopted by the Trust and relevant employment legislation including Employment Protection and the Equality Act.
 - 7.2.7.** to maintain confidentiality relating to individuals affected by the changes to communicate effectively and sensitively with and provide support to employees.
- 7.3. It is recognised that restructuring is potentially unsettling for employees and the aim should be to complete the process in the shortest practical time, whilst allowing for meaningful consultation that is genuine, fair and consistent.
- 7.4. Where employees are subject to the protections of TUPE, it should be noted that assimilation or selection to a new post would result in the loss of TUPE protection.
- 7.5. Employees have the right to be accompanied by a trade union representative or work colleague at all stages of the process.

8. The Procedure

8.1. Timescales

- 8.1.1.** The timescales and detailed process for a restructure will vary depending on the size and complexity of the changes.
- 8.1.2.** In order to allow for meaningful consultation and notice periods, consultation will be commenced as soon as possible, in advance of any potential change.

8.2. Proposing a staffing structure review

- 8.2.1.** Where the need for change is required, e.g. restructure, this should be discussed with the school's ESM in the first instance.
- 8.2.2.** The Executive Headteacher/Headteacher should draft a business case proposal document (see appendix 1) which must include the rationale for the change, the timescales anticipated, costs / savings, and any other relevant information.
- 8.2.3.** Minimum consultation periods are in line with statutory requirements.
- 8.2.4.** The business case/proposal document, once finalised, should be put forward for approval to the Trust's Senior Executive Leadership Team (SELT).

8.3. Business Case Proposal Document

8.3.1. Reason for Change

- 8.3.1.1.** This may include but is not limited to (NB. This is not an exhaustive list):
 - Flexibility according to the needs and priorities of the school
 - Complexity of school structures requiring multidisciplinary roles (support staff)
 - To respond to statutory changes or nationally driven changes
 - Restructure of the Senior Leadership Team (SLT) to refocus school priorities
 - Curriculum change is wanted/needed
 - A fall, or increase, in pupil numbers
 - Budgetary reasons, with supporting budgetary projections and past budget information for comparison (including cost comparison of

- existing & proposed staffing structures, and an indication of where any savings will go)
- Other reasons leading to a reorganisation or closure of an academy, or significant changes to the central team.

8.3.2. Aims and objectives of the new structure

8.3.2.1. This should clarify:

- What is the aim of the restructure
- What is it expected to achieve (e.g. increased flexibility/cover, redirection of Teaching and Learning, refocus of resources, budget savings)?

8.3.3. Justification of the need for a restructure

8.3.3.1. Show that consideration has been given to the implications of the restructure (including any potential compulsory redundancies) & proposals for dealing with future service requirements.

8.3.4. Alternatives considered to avoid potential redundancies

- Restrict recruitment in areas where suitable alternative jobs may exist
- Restrict or reduce the services of sub-contractors or agency workers in areas where suitable alternative jobs could exist
- Natural movement
- Ending short term contracts
- Explore the opportunities for retraining and redeployment to other jobs
- Take into account individuals' preferences where possible, such as requests to reduce hours of work, or a transfer to a different job, flexible working / job share
- Allowing secondments out of the academy, or career breaks
- Consider requests for voluntary redundancy / early retirement, before compulsory redundancies
- Consider alternative roles within the Trust.

8.3.5. Staffing Implications

8.3.5.1. When a restructure is proposed, the full implications of the changes for all employees as a consequence of this decision should be considered. The business case proposal document should provide a

detailed explanation as to which employees/pools of employees are affected and details of any alternatives available to them e.g. reduction in hours, alternative available posts.

8.3.6. Implementation/Selection details

- Details of the selection process to be used, including any assimilation process. Where known, this should also include key dates in the selection process e.g. anticipated interview dates
- The planned implementation date for the changes
- To whom responses should be given during the consultation, and how this should be done (usually in writing or by email to the Executive Headteacher/Headteacher).

8.3.7. Additional Information

- The current staffing structure (the structure should be presented diagrammatically and include details such as TLR payments etc.)
- The proposed staffing structure
- Draft Job Descriptions/Person Specifications for newly created or alternative roles
- Any ring fences that may apply

9. Consultation

- 9.1.** Once the Trust's SELT have approved the proposed staffing structure, in principle, the consultation process can begin.
- 9.2.** If at any time the required savings have been made through other means, the consultation process may come to an end and employees will no longer be at risk.

9.3. Timescales

- 9.3.1.** There is a legal requirement on employers to consult on changes that affect employees in their workplace.
- 9.3.2.** The consultation process must be meaningful and will involve all employees and trade unions being given an opportunity to understand the need for change. It is also an opportunity to express views on the proposed changes and to discuss alternative solutions, share concerns and explore options.
- 9.3.3.** The timescale for the restructure process will depend upon the number of affected staff, and will be followed by a contractual notice period.

- 9.3.3.1. at least 30 days before the first dismissal takes effect if 20 to 99 employees are to be made redundant at one School over a period of 90 days or less
 - 9.3.3.2. at least 45 days before the first dismissal takes effect if 100 or more employees are to be made redundant at one School over a period of 90 days or less.
- 9.3.4.** Where 20 or more employees are involved and there is a possibility of redundancies, the s.188 formal notification must also be issued.
- 9.3.5.** When determining the numbers affected, consideration will be given as to whether the restructure is affecting one school or across the Trust. If the restructure is across the Trust, this may be classed as one establishment.

9.4. Trade Unions

- 9.4.1.** The business case proposal document will be shared with the recognised unions before employees (at risk) are informed. This will provide the Trade Unions an opportunity to comment and ask any relevant questions prior to the commencement of consultation with employees at risk.

9.5. The Consultation Process

9.5.1. Initial Employee Consultation Meeting

- 9.5.1.1. Where appropriate, a nominated representative from Plymouth CAST will commence employee consultation by holding a meeting to outline any restructure or redundancy proposal. Employees, may at this stage, be issued with any documents relating to the proposal. Where discrete individual posts are impacted, consultation may be more appropriately contained to those directly affected.
- 9.5.1.2. As the purpose of this meeting is to outline the restructure or redundancy proposal to the employees potentially affected, Union representation wouldn't normally be required at this stage.

9.5.2. First Stage Consultation Meeting

- 9.5.2.1. Employees impacted by any re-organisation or reduction in posts will be called in to attend a first stage meeting, this would normally be held as an individual meeting. Here, they will be told formally about

the proposed structure or redundancy proposals and that their post is identified as being at risk of redundancy in the proposals.

- 9.5.2.2. The employee will have the right to be accompanied by a representative, who can be either a Trade Union representative or work colleague at this meeting.
- 9.5.2.3. Meetings will be conducted by an appropriate line manager/Executive Headteacher/Headteacher and accompanied by a School Business Manager or member of the Human Resource team.
- 9.5.2.4. Consideration will be given to doing this in a group meeting where large numbers of employees are affected and where it is deemed appropriate. All meetings will be handled sensitively and where an employee is finding the meeting difficult, appropriate support will be considered.
- 9.5.2.5. Points covered at the First Stage Meeting normally include the following:
 - Employees are being informed that they are at risk and will have the opportunity to ask questions about the process.
 - Confirming the post(s) at risk as a result of the proposals.
 - Confirming that the employee will receive a copy of the proposal and any related job descriptions.
 - Confirming that a full consultation process will follow with the opportunity for the employee to put forward their views on how the changes affect them and how the need for redundancies can be mitigated.
- 9.5.2.6. The employee will be informed of the timescales of the consultation period and will be provided with information specific to their situation. The details of the meeting will be confirmed in writing and a copy of the first stage letter will be kept.
- 9.5.2.7. Questions and queries that could not be answered at the meeting, will be noted down and responded to in a timely manner.
- 9.5.2.8. Where there is a pool of employees at risk, individuals will be invited to complete a skills matrix (appendix 2), which will be used as part of a selection process. Completion of this matrix is not compulsory and there will be no detriment to anyone who has not completed it.

9.5.3. Absent colleagues

9.5.3.1. For employees who are absent from work, due to ill health, maternity or any other type of leave, or who have not attended the consultation meeting for any other reason, the Headteacher should send copies of the restructure proposal to them detailing how they can comment on the proposals. This should be done within 3 working days of the consultation meeting. Communication and contact with these colleagues must be maintained throughout the process to ensure that they are kept informed and not disadvantaged.

9.5.4. Second Stage Consultation Meeting

9.5.4.1. Having had reasonable time to consider the proposals, the employee will be invited to a second stage meeting. The individual has the right to be accompanied at this meeting by a Trade Union representative or work colleague.

9.5.4.2. Meetings will be conducted by an appropriate line manager/Executive Headteacher/Headteacher and accompanied by a School Business Manager or member of the Human Resource team.

9.5.4.3. The Second Stage meeting should take place before the consultation phase on the proposed restructure or reduction in posts ends and should be a minimum of 5 working days after the First Stage meeting. For complex restructure situations a longer timeframe may be required.

9.5.4.4. At this meeting, the employee will be able to present their feedback on the consultation, and ask any relevant questions. Such representations could cover:

- Comments and suggestions on the new structure
- Comments and suggestions on the Job Description
- The employee's belief that their post should not be changed
- The employee's belief that their post should not be included in the redundancy pool
- The employee's preferred role/s in the proposed structure

9.5.4.5. The details of the meeting will be confirmed in writing.

9.5.4.6. Questions and queries that could not be answered at the meeting, will be noted down and responded to in a timely manner.

9.5.5. Voluntary redundancy

- 9.5.5.1. Where compulsory redundancies are proposed during consultation, employees should be offered the opportunity to express an interest in voluntary redundancy (which may include taking early retirement).
- 9.5.5.2. By expressing an interest in voluntary redundancy, there is no obligation for either party to progress. Following such a request, redundancy estimates will be provided to the employee to inform their decision on progressing the application. If an employee makes the decision to progress their application, they should do so in writing to the Executive Headteacher/Headteacher no later than the date of the second stage consultation meeting.
- 9.5.5.3. Employees must be aware that the Trust has an obligation to mitigate any redundancies, whether this is compulsory or voluntary. Therefore, if a suitable position or suitable alternative employment is available, the Trust will not be able to approve voluntary redundancy requests.
- 9.5.5.4. Employees should be aware that by submitting an expression of interest application for voluntary redundancy (and receiving a redundancy estimate) does not mean that this will be approved. Employees should continue to assume that their employment will continue, unless notified otherwise.

9.6. The End of the Consultation Process

- 9.6.1. The consultation process will come to an end once all second stage consultation meetings have been completed.
- 9.6.2. Feedback and suggestions from the consultation process will be reviewed. The proposal/structure (fully costed) will be finalised and presented to the Trust's SELT for final approval. The proposal should include which employees have been identified for a post (see section 9.6) in the final proposed structure and which employees will be considered for redeployment.
- 9.6.3. Where there are significant changes to the original proposal, the at-risk group will be informed of the new proposal and will be invited to attend another second stage meeting and go through the same process as stated in section 9.4.4.3.

9.6.4. Minimal changes to the original proposal will not require any further consultation.

9.7. The Selection Process

9.7.1. Slotting in process

- 9.7.1.1. Where an existing post has been deleted and an equivalent post created in its place within the revised structure, it may be possible to slot the displaced post-holder into the new post without the need for any competitive process. Slotting-in will only be considered where the magnitude, breadth and terms and conditions of the new post are substantially the same as the current post of one unique postholder. Holding a broadly similar post will not qualify other “at risk” employees to be considered for being slotted in.
- 9.7.1.2. Where an employee has been identified as able to be slotted in, they will no longer be classed as at risk, and arrangements will be put in place to arrange the details of the new post. This will be confirmed in writing to the employee.
- 9.7.1.3. In compliance with current employment legislation, employees who are on maternity leave have certain enhanced rights. Employees on adoption or a period of shared parental leave during a restructure and where their post is at risk, will be given priority to a suitable alternative-post, which is not substantially less favourable in regard to terms and conditions than their current post.

9.7.2. Restricted Competition (Ring Fencing)

- 9.7.2.1. Plymouth CAST may identify within the new structure posts that will need to be open to restricted competition (or ring fencing). These will be posts that cannot be slotted into. For example:
 - the duties of the post are substantially different from any current post
 - a post that carries substantially increased or decreased weight in responsibility.
 - more than one postholder holds a role that is of the same magnitude, breadth and terms and conditions of the new post. It is also recognised that in some circumstances where roles are being combined into a new post, ring fencing

arrangements may have to be considered across different pay scales.

- 9.7.2.2. These posts will only be available in the first instance to those employees directly affected by the re-organisation. Each individual will be invited to apply for an available post and will be given a priority interview. Interviews and selection will be based upon merit in accordance with recruitment procedures in that they should apply and, if shortlisted, be interviewed by a panel. Those employees appointed will no longer be classed as “at risk”. All changes or new appointments must be confirmed in writing.

9.7.3. Selection Process for Reduction in Numbers of Posts

- 9.7.3.1. Where the proposals are to reduce the numbers of post holders from a defined redundancy pool, the redundancy selection matrix will be applied to determine the individual(s) to be selected for redundancy from that pool.
- 9.7.3.2. Two appropriate managers will complete a Redundancy Selection Matrix (appendix 3) for each employee in the pool.
- 9.7.3.3. The completed Redundancy Selection Matrix along with the employee’s skills matrix (if submitted) will be used as part of the selection process.

9.8. Outcome Meeting

- 9.8.1. Employees in the at risk group will be invited to attend an individual consultation outcome meeting.
- 9.8.2. The employee will have the right to be accompanied by a representative, who can be either a Trade Union representative or work colleague at this meeting.
- 9.8.3. Meetings will be conducted by an appropriate line manager/Executive Headteacher/Headteacher and accompanied by a School Business Manager or member of the Human Resource team.
- 9.8.4. At this meeting the final structure will be confirmed with the employee. The employee will be informed whether they have been identified for a post within the final structure or not.
- 9.8.5. For employees who have not been identified for a role, the Trust will work with the employee to explore redeployment and suitable alternative options for them (see section 10).

9.8.6. Where a post is not filled from the above exercises, an entirely new post is created, or a vacancy requires filling, anyone at risk in the restructure that has not been slotted in or ring fenced to a post in the structure will be able to apply through open competition. Where this is not filled through a selection process within the restructure, the post will then be advertised.

10. Redeployment

10.1. Redeployment of Staff

10.1.1. When the need for reorganisations, resulting in staff reductions, are identified within academies, it is the direct duty of the governing body to do all in its power to find, or facilitate the search for, alternative employment. Alternative employment may be sought within the academy or in other Trust Schools. Contact can be made with the local authority to determine vacancies in local schools.

10.2. Trial Periods

10.2.1. An employee who is redeployed has a statutory right to a trial period of a minimum of four weeks (duration based on the needs of the school, but should not exceed one half term period and should be mutually agreed) in an alternative job where the provisions of the new contract differ from the original contract, without losing their entitlement to redundancy term.

10.2.2. The period to begin when the previous contract has ended. The trial period can be extended for retraining by written agreement. The length of the extension is discretionary, to be reviewed after four weeks.

10.3. Rejection of Suitable Alternative Employment

10.3.1. Where an employee unreasonably refuses offers of alternative suitable employment they may lose all rights to redundancy compensation. Alternative employment is, however, unlikely to be considered suitable if it rejected by the employee on the basis that:

- the salary is lower, or the non-salary benefits are significantly less than the original job;

- the status is significantly lower; in terms of the effect this would have on the employee's career history;
- the location or working time for the job involves the employee in significant domestic / personal disruption or additional costs, (subject to flexibility clauses in the contract of employment).

11. Redundancy

11.1. Notice of Redundancy

- 11.1.1.** The Trust has a legal responsibility to mitigate compulsory redundancies and must actively pursue options for alternative work for nominated employees. There is no requirement to create a job specifically for this purpose or to offer a job, which does exist, but for which the employee is objectively unsuitable i.e. does not have the relevant experience/qualifications. However the employee must be fully considered for any appropriate vacancy.
- 11.1.2.** Where redeployment and/or suitable alternative options are not available, the employee will unfortunately be given notice of redundancy.
- 11.1.3.** Whilst under notice of redundancy, the employee can still be deployed or slotted into a suitable alternative position if one becomes available. This will apply until the end of the notice period. In these circumstances, redundancy will no longer apply.
- 11.1.4.** Where an employee is offered suitable alternative employment and unreasonably refuses to accept it they may lose their right to a redundancy payment. Any suitable alternative employment should be subject to a 4-week trial in the post. This trial period may be extended to allow for retraining.

11.2. Appeals Process

- 11.2.1.** Employees given notice of dismissal due to redundancy are entitled to appeal against this decision. Appeals will be heard by an appeals panel (see appendix 4) and should be submitted in writing, giving the reasons for the appeal, within 10 working days of receipt of the notice of dismissal. Appeals should be made to the Trust's HR department.
- 11.2.2.** The appeals panel must be able to explain their decisions in the light of information heard at the appeal meeting. Colleagues who have had involvement in the consultation process should not be part of the appeals panel. Although they are reviewing the decisions of other colleagues of the

Trust, this must not affect their thinking with regards to their responsibility to overturn any decision that they do not feel to be fair and/or reasonable.

11.2.3. There are two broad areas for the redundancy appeals panel to consider.

- Do the Appeals panel consider that there is a genuine need for redundancy, e.g. on curriculum/financial grounds?
- Has the process followed been applied fairly and reasonably, e.g. was the pool of selection fair, were the criteria applied in a fair manner?

11.2.4. The appeals panel should take time to ask all the questions they feel necessary, remembering that fairness and reasonableness in relation to the appellant are the overriding principles and may be questioned in an employment tribunal if an employee feels they have been unfairly dismissed.

11.2.5. The decision of the appeals panel will be final.

11.3. Redundancy Payment

11.3.1. All employees who have at least two years' continuous service will qualify for redundancy pay. This includes continuous service with any employer covered by the provisions of the Redundancy Payments Modification Order (see section 11.5).

11.3.2. The number of weeks' pay on which the payment is based are as follows, up to a maximum of 20 years' service:

- 0.5 week's pay for each full year of service where the employee's age was under 22
- 1 week's pay for each full year of service where the employee's age was 22 or above, but under 41
- 1.5 weeks' pay for each full year of service where the employee's age was 41 or above

11.3.3. A week's pay for the purposes of redundancy pay is defined as either a normal week's pay for the employee or the pay figure used in calculating limits on statutory redundancy payments whichever is the higher, representing a just and reasonable amount as compensation for loss of office. Where a term time only worker is paid in 12 equal monthly instalments, a "week's pay" for redundancy purposes is based on the weeks actually worked in a year (including holiday) rather than 1/52. For example the actual gross salary will

be divided by the employee's paid weeks (i.e 45.2 weeks) rather than 52.143 weeks.

- 11.3.4.** Redundancy payments will be based on actual weeks' pay, not the statutory capped weekly figure.

11.4. Redundancy Notice

- 11.4.1.** Where redundancy is confirmed, employees will be entitled to notice of termination of employment in accordance with the terms of their contract of employment as specified below;
- Support Staff - Statutory entitlement to 1 weeks notice per year of continuous service up to a maximum of 12 weeks (and subject to a minimum of 1 month for most school support staff)
 - Head Teachers - 3 month's notice (4 in the summer term) ending on 31 December, 30 April or 31 August as appropriate
 - Other Teachers - 2 month's notice (3 months in the summer term) or statutory notice if that exceeds contractual notice see above ending on 31 December, 30 April or 31 August as appropriate.

11.5. Redundancy Modification Order

- 11.5.1. Where an offer of employment is made by another employer, who is part of the Redundancy Modification Order, and accepted by an employee before their dismissal takes effect, the employee will lose their entitlement to a redundancy payment if the employment starts within 4 weeks of that date. See appendix 5 for organisations covered by the modification order.

11.6. Assistance in Finding Other Work

- 11.6.1.** Employees who are 'at risk' of redundancy and who qualify for a statutory redundancy payment also have a statutory entitlement to a reasonable amount of paid time off to look for another job or to arrange training.

12. Salary Protection

- 12.1.** Teaching employees- See section 13 of the Plymouth CAST Teachers Pay Policy
- 12.2.** Support staff employees- See Plymouth CAST Book of Terms and Conditions for Support Staff

13. Review

13.1. The content of this policy and procedure may be subject to revision from time to time following consultation with the recognised trade unions.

13.2. History of changes

Date	Page	Details of the change	Agreed by



School Name

Local Authority:

CONSULTATION DOCUMENT

Spring/Summer/Autumn - Year

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1. Purpose of the document

The purpose of this document is to detail the rationale and proposals for amendments to the **role group** structure at **name of school**.

The document contains information of a sensitive nature. The document should not be distributed wider than the intended audience. Recipients should take due care and attention to store this document in an appropriate location and should not share information contained within this document to anyone, other than to gain professional guidance from their professional association or trade union representative.

2. Rationale

Summary of the rationale

3. School Information

Current pupils on role	
Incoming pupils in the next Academic year	
Total Pupils for the School	
Current number of classes	
Current % of SEN within the school	
Current number of EHCP pupils	

Expected Pupil Numbers in the Next Academic Year	
Reception	
1	
2	
3	
4	
5	
6	
Total	

4. Savings Made to Date

Summary of other cost saving exercises, including non pay costs

5. Details of Current Staffing Structure and Posts

See Appendix A

6. Proposal

Summary of proposal

Details of the proposed new staffing structure can be found at Appendix B.

7. Costings

In year Surplus/Deficit for 21/22 with no changes	
Cost of 1.5% surplus?	
Total savings required?	
Current Total Staff Costs for 'at risk' staff group	
Total Staff Costs for proposed structure for 'at risk' staff group	
Saving from proposal	
In year Surplus/Deficit for 21/22 with proposed changes (overall)	

8. Consultation

To have your say during the consultation, you can;

- Attend the Staff consultation meetings where the employees will have the opportunity to make comments and suggestions and also ask any questions
- Speak to or email your line manager or Executive Headteacher/Headteacher
- Speak to or email **name**, School Business Manager who will be supporting the consultation process.
- Email the HR department personnel@plymouthcast.org.uk

During the consultation process information will be gathered from you and this will be considered by the School Headteacher/SLT and Trust's SELT.

9. Support for staff

Your line manager is available for advice and support and you can also access the following;

Support for Schools and Access to FREE Confidential telephone Counselling Services:

Zurich Municipal, our Insurance Company through DAS, provides a FREE confidential counselling service available 24 hours a day to ALL CAST employees, volunteers and their families. The number is 0117 934 2121. All employees should quote that they are an employee of Plymouth CAST to be able to access this service.

The **Education Support Partnership Charity** provides a FREE Confidential Telephone Support and Counselling Service available 24 hours a day to all teachers and staff in primary and secondary schools. The number is 08000 562 561.

<https://www.educationsupportpartnership.org.uk/helping-you/telephone-support-counselling>

Pension Services

If you have a question related to your pension. Please contact **relevant pension helpline number**

Trade Unions

Collective Consultation will be undertaken with the recognised Trade Unions. You can contact your Trade Union representative for individual support and advice.

Appendix A- Timeline

	Date
Issue Proposal to Recognised Trade Unions	
Initial Employee Consultation (At risk group) and Staff Announcement	
First Stage Consultation Meeting* & Issue Employees Individual Skills Assessment Form to complete (if applicable)	
Second Stage Consultation Meeting*	
Final Structure to be confirmed	
Managers to complete skills assessment forms	
Outcome Meeting*	
Right to Appeal Deadline	
Appeal Hearing	

*Individual meeting between employee and line manager/Headteacher. Line manager/Headteacher will be supported in this meeting. Employees have the right for a colleague or Trade union representative to be in attendance at the meeting.

Appendix B- Current Staffing Structure

Role	FTE	Detail about the role (e.g. 1 to 1 TA/General TA)	Total Cost (including on costs)
Totals			£

Appendix C- Proposed Staff Structure

Role	Hours/ FTE	Weeks worked per year	Detail about the role (e.g. 1 to 1 TA/General TA)	Total Cost (including on costs)	Comments
Totals				£	

Appendix D- Equality Impact Assessment

Date data was collated for this assessment: XXXXX.

Data refers to substantive employees only: this excludes casual workers, contractors, agency staff, freelance workers and elected members. 'Employment count' refers to a count of contracts rather than individuals; individuals holding multiple posts will be counted more than once.

Full School Data

Age Band	Employment Count	Percentage
16 - 24		
25 - 39		
40 - 49		
50 - 59		
60 - 64		
65 +		
Grand Total		100.00%

Gender	Employment Count	Percentage
Male		
Female		
Grand Total		100.00%

Disabled	Employment Count	Percentage
Disabled		
Not Disabled		
Grand Total		100.00%

Ethnic Origin	Employment Count	Percentage
Ethnic Minority		
Not Ethnic Minority		
Grand Total		100.00%

Full/Part Time	Employment Count	Percentage
Full Time		
Part Time		
Grand Total		100.00%

At Risk Group Data

Age Band	Employment Count	Percentage
16 - 24		
25 - 39		
40 - 49		
50 - 59		
60 - 64		
65 +		
Grand Total		100.00%

Gender	Employment Count	Percentage
Male		
Female		
Grand Total		100.00%

Disabled	Employment Count	Percentage
Disabled		
Not Disabled		
Grand Total		100.00%

Ethnic Origin	Employment Count	Percentage
Ethnic Minority		
Not Ethnic Minority		
Grand Total		100.00%

Full/Part Time	Employment Count	Percentage
Full Time		
Part Time		
Grand Total		100.00%

Protected Characteristics

Age

Staff and trade unions will be asked to come forward with any suggestions on adjustments that may need to be applied to ensure protected groups are not put at a disadvantage at any stage of the process.

Some staff may feel disadvantaged if they do not have the relevant formal qualifications (or achieved their qualifications abroad so there is no UK equivalent) as stated on the Person Specifications for posts for which they are ring-fenced. This will be taken into account when allocating individuals to roles.

Younger or less experienced staff may feel disadvantaged and lack the confidence to compete for roles against more experienced workers, therefore these staff may require extra support during the selection process.

Disability

Note: There may be staff who have chosen not to declare a disability.

Staff and trade unions will be encouraged to come forward with any suggestions on adjustments that may need to be applied to ensure disabled workers are not put at a disadvantage at any stage of the process.

When arranging consultations and meetings we will consider disabled access, disabled parking, hearing loops etc to ensure that all staff can attend and participate should they choose to do so.

Information for staff will be offered in various formats including one to one meetings, team meetings, electronically, hardcopy and by telephone. We are able to meet with staff in their place of work if, because of a disability, it is difficult for them to travel to meetings held elsewhere.

As the nature of the review and proposed changes may have a negative impact on members of staff with depression or other mental health issues, provision will be made to ensure staff receive support through meetings and discussions with Headteachers and/or a member of the senior leadership team as well as through other services such as Occupational Health or the Staff Counselling Service.

Any reasonable adjustments currently in place will be reviewed when individuals are being allocated roles in the new structure.

Gender and Transgender

Staff and trade unions will be asked to come forward with any suggestions on adjustments that may need to be applied to ensure protected groups are not put at a disadvantage at any stage of the process.

The school recognises that there are a higher number of female employees to males. This has been the way for some years, however. The impact of this will be monitored and reviewed with the Plymouth CAST. Throughout the trust, the total % of male workers is 10% and the remaining 90% are female.

Race

Note: Some staff may have recorded their ethnicity as unknown or chosen not to declare their ethnicity.

No negative impact anticipated on this group however staff and trade unions will be asked to come forward with any suggestions on adjustments that may need to be applied to ensure protected groups are not put at a disadvantage at any stage of the process.

Religion or belief

No data available. However, all employees will be treated equally regardless of their faith, religion or beliefs.

Staff and trade unions will be asked to come forward with any suggestions on adjustments that may need to be applied to ensure protected groups are not put at a disadvantage at any stage of the process.

Sexual orientation

No data available. However, all employees will be treated equally regardless of sexual orientation.

Staff and trade unions will be asked to come forward with any suggestions on adjustments that may need to be applied to ensure protected groups are not put at a disadvantage at any stage of the process.

Staff affected will have access to the full range of support offered by Plymouth CAST Insurers to colleagues at risk including services such as the confidential helpline number.

Pregnancy and maternity

There are currently **xx** member/s of staff affected who are currently pregnant or on maternity leave.

Equality Assessment Conclusions

Has a risk of direct discrimination been identified?

Has a risk of indirect discrimination been identified?

Have potential adverse impacts been identified which can be justified after considering all reasonable alternatives and mitigating actions?

Has the action plan at the end of this document been completed to demonstrate any actions being taken as a result of the assessment?

Equality Impact Assessment Outcome - Consider and select one of the four options:

Option 1: No change required – the assessment is that the practice is/will be robust.

Option 2: Adjust – this involves taking steps to remove any barriers, to better advance equality and/or to foster good relations.

Option 3: Continue despite the potential for adverse impact, and which can be mitigated/or justified

Option 4: Stop as there are adverse effects which cannot be prevented/mitigated/or justified.

Overall Assessment of action to be taken:

Appendix 2- Employee's Skills Matrix

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Employee's Skills Matrix

Employee's Name	
School	
Current Job Title	

This form is to be used when an individual is being included in a redundancy selection pool. Completion of the form is voluntary and is to assist the manager in making an accurate assessment of the knowledge, skills, experience and willingness to perform different duties/tasks within the department.

The skills assessment will cover the areas shown below. If there is any relevant information which you think your manager should be aware of when an assessment is carried out, please comment in the sections below.

Criteria	Comments
Relevant knowledge/skills (e.g. of the job, customers, the school, of education or the department) - should be based on the Essential and Desirable skills on Person Specification and the business case for future service needs	
Breadth and depth of relevant experience based on competency in role. For example, able to take on whole range of tasks in role or limited ability to undertake all tasks / able to give advice or work at the highest level required.	
Technical competence to perform different functions / duties with the Department – based on business case for future service needs.	

Willingness to perform different functions / duties within the Department outside of your current role - based on business case for future service needs.	
What qualifications do you possess? What are the qualifications required for the current role? Based on the qualification requirements for the role could you be trained for a specific qualification?	

Signed:

Print name:

Job title:

Date:

Appendix 3- Employer's Selection Matrix

Introduction

- 1.1 It is essential that during a redundancy process the Trust ensures that fair and transparent criteria for selection for redundancy are identified and applied consistently.
- 1.2 The handling of compulsory redundancies where selection is involved requires a systematic approach, if any dismissals are to be judged as fair. There is also an expectation amongst Trade Unions that in the event of compulsory redundancies being necessary, the Trust will adopt reasonable selection criteria. The guidelines aim to ensure that good industrial relations practice is maintained in dealing with difficulties of this kind. There may be occasions where different selection criteria are used and in this case employees will be made aware of this at the beginning of the consultation period.

2.0 Unit of Selection

- 2.1 The "unit of selection" should be clearly defined - that is the area of work (based on geography, function and/or level) where reductions are necessary. The relevant Trade Unions and employees concerned will be made aware of the unit of selection by the consultative stages required by this Policy.

3.0 Selection Procedure

- 3.1 Wherever possible two senior managers together, with responsibility and/or knowledge of staff in the unit of selection will then apply selection criteria in the following way:-

Stage 1

Completion of the Selection Criteria Matrix. The application of the redundancy matrix will effectively score or rank the individuals within the pool and identify those employees who are likely to be 'at risk' of redundancy, depending on the number of redundancies needed in the particular service area. Once agreed, for a specific situation, matrices and weighting cannot be changed to influence the results.

Relevant Qualification and skills (subject expertise or qualified by experience should be considered alongside qualifications)	Score
Has all the relevant qualifications and skills required	5
Is working towards a relevant qualification and has the skills required	4
Either has the relevant qualification but does not have all the skills required OR has the skills required but does not have the relevant qualification	3
Does not have the relevant qualification or skills	1

Relevant Experience	Score
Has the relevant experience to be able to be effective in the role with immediate effect, or with minimal development	5
Has relevant experience but would require some structured development	3
Has insufficient experience	1

Work Performance	Score
Regularly exceeds target performance in a number of different and additional tasks	5
Regularly achieves target performance in usual tasks	3
Usually performs below target performance	1

Ability to learn new tasks	Score
Learns new tasks faster than the majority of employees at the same level	5
Learns new tasks as quickly as the majority of employees at the same level	3
Needs longer than the majority of other employees at the same level to learn new tasks	1

Attitude towards others	Score
Is always co-operative with colleagues and managers and demonstrates a positive attitude	5
Usually co-operative with colleagues and managers and normally demonstrates a positive attitude	3
Can sometimes be negative and does not always co-operate fully with colleagues or managers.	1

Weighting

Compulsory Redundancy

To achieve the total score for an employee, each criterion is weighted by a factor of 1-3 to reflect its relative importance. The weightings take into account the service's requirements to meet its future service needs and targets as well as the need to maintain a balanced workforce. The weighting will be as follows:

Qualifications & Skills	(x3)
Experience	(x3)
Work performance	(x3)
Ability to learn new tasks	(x2)
Attitudes towards other	(x2)

Having weighted the scores, a total is calculated for each employee. For example, where necessary to reduce the headcount in a service area from 20 to 15 a selection matrix is

completed for all 20 employees. The 5 with the lowest scores will be provisionally selected for redundancy.

Stage 2

Where a tie-break situation arises and more than 1 employee has the same score score, the following criteria will be taken into consideration. This criteria is to be used only in such a situation. The weighting for the scoring should be x1 for this section.

Disciplinary Record	Score
No disciplinary record	5
Informal disciplinary discussion / letter of concern (issued in the last 6 months)	4
Verbal warning	3
Written Warning	2
Final written warning	1

Only current warnings on file where the disciplinary process has been completed at the date of the selection exercise should apply. Do not take into consideration any current or outstanding disciplinary investigations or any expired sanctions.

Stage 3

If selection is still necessary, timekeeping records will be considered from the previous 12 months. The frequency of and reasons for poor timekeeping will be taken into account. Timekeeping records should only be used when the issues have been addressed with the employee. They should not be used where there is a risk of discrimination such as poor timekeeping for medical, disability or childcare reasons.

Appendix 4- Employer's Selection Matrix

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Employer's Selection Matrix

Employee's Name	
School	
Current Job Title	
Date appointed in current job	
Grade	

	Score	Weighting	Total
Relevant Qualification and skills		x3	
Relevant Experience		x3	
Work Performance		x3	
Ability to learn new tasks		x2	
Attitude towards others		x2	
Overall Total			

Manager 1

Signed: Print name:

Job title: Date:

Manager 2

Signed: Print name:

Job title: Date:

IMPORTANT

This document may not be photocopied in any circumstances. Once completed all original documents will be held by Plymouth CAST HR. Information held by Plymouth CAST complies with and is stored in accordance with the Data Protection Act 1998.

Appendix 4- Appeals Panel Formation

An appropriate panel will be formed for any formal hearing, at which the employee will have the right to be accompanied by a trade union representative or work colleague.

The panel will comprise of 3 members who will appoint one of their number as Chair. The composition of the panel will be discussed and agreed with the HR department in accordance with the circumstances. The panel could comprise of a combination of:

- Senior member(s) of a management team (e.g. Head teacher, Deputy Head, Head of Subject or Key Stage Leaders, a member of the Plymouth CAST central management team)
- Senior Managers from other schools
- Member(s) from Plymouth CAST's Board of Directors
- An appropriate member of the central team

Appendix 5- Organisations covered by the Modification order

This is not a complete list of those organisations who are part of the Modification order, it is a summary document and should therefore be used for guidance purposes only.

Local Government

Planning and Development

Careers guidance

Public Transport

Police, Fire and Civil defence

Sports Councils

Social Services

Museums

Probation committee or board

Education

Police Support staff

Housing Associations

Universities

Further Education Colleges

The Civil Service

Audit Commission

The NHS

Water Authorities

Parish and Town Councils