



Redundancy Policy

Author/owner: Principals/Directors
Date adopted: Summer 2017
Anticipated review: Summer 2020

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1. Introduction

- 1.1 This policy sets out The Three Saints Academy Trust'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 following consultation with the recognised trade unions.

2. Scope and purpose of this policy

- 2.1 It is recognised that certain changes (for example, a fall in roll, curriculum changes and budget reductions) may make it necessary to consider redundancies. The purpose of this policy is to have a clear framework in place that sets out what we will do whenever reduction in employee numbers may become necessary (see Appendix 1 for the legal definition of a redundancy situation)
- 2.2 We will consider ways to avoid compulsory redundancy, if possible and where we are unable to avoid reducing employee numbers, we will try to minimise the effect of redundancies through the steps set out in this policy. In doing so, we will not discriminate directly or indirectly on the grounds of any protected characteristic or against part-time or fixed-term employees.

3. Planning

- 3.1 The Trust will ensure that there is effective planning, financial management and resource allocation in place in the day to day and strategic management of the Three Saints Academy Trust. We will carry out workforce planning and regularly review our staffing structure to ensure it is fit for purpose, supports teaching and learning and to minimise surplus staff situations.
- 3.2 Our leadership teams will provide information in relation to workforce planning and resources to the Trust as required.

4. Consultation

- 4.1 Where the changes proposed could result in redundancies, we will enter in to 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 requirement. We will consult with all affected employees on an individual basis.
- 4.2 We will also consult with representatives of our recognised trade unions or elected employee representatives at risk of redundancy. Subject to statutory timescales, the minimum length of consultation will be two weeks.
- 4.3 We will provide the recognised trade unions or elected employee representatives 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; and

- (f) The proposed method of calculating the redundancy payments (other than statutory redundancy pay).
 - (g) The numbers of agency staff at the School, the areas that they are deployed in and the type of work they are undertaking.
- 4.4 We will consult on ways that we could avoid the need to make compulsory redundancies, if that is possible. Examples of such steps include:
- (a) Reviewing the use of agency staff;
 - (b) Restricting recruitment or a vacancy freeze in those areas into which affected employees might be redeployed;
 - (c) Natural wastage;
 - (d) Retraining and/or redeployment within and across the Trust
 - (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 Trust.
- 4.5 Any measures we adopt will not adversely affect the Trust and the quality of teaching and learning provided to our pupils.

5. Making compulsory redundancies

- 5.1 If it is the case that compulsory redundancies will be required, all affected employees and the recognised trade unions or elected employee representatives will be advised of this. As part of the consultation process we will have consulted on the procedure that we will follow and the selection criteria that we will apply (where appropriate).
- 5.2 Where more than one employee is employed in an affected role, they will be ring fenced for consideration of the role and a process of selection will be carried out of those employees in the ring fence. The criteria used to select will be objective, robust, transparent, non-discriminatory and fair, and based on the skills required to meet our existing and anticipated School/Trust needs.
- 5.3 Individual employees who are provisionally selected for redundancy following the application of the selection criteria will be informed and (where appropriate), invited to a 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. This is the dismissal meeting and will be carried out by the relevant body as specified within the Scheme of Delegation. The employee attending such a meeting would be entitled to Trade Union representation at such a meeting.
- 5.4 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).
- 5.5 Employees will be given the opportunity to appeal against this decision. Details of the appeals process will be provided to the employees when the decision is made.
- 5.6 Depending on the circumstances, the Trust 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 We will make every effort to redeploy any employee who is selected for redundancy to suitable alternative work and inform them of any vacancies that we have until their termination date. The manner in which 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 Trust 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 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.
- 6.3 An employee will not be entitled to a redundancy payment if he or she unreasonably refuses an offer of suitable alternative employment. In this situation, the employee's contract would still be terminated by reason of redundancy

Time off

- 6.4 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 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 Trust's redundancy payments are calculated using the following formula:

- half a week's pay for each full year you were under 22
- one week's pay for each full year you were 22 or older, but under 41
- one and half week's pay for each full year you were 41 or older

Length of service is capped at 20 years

- 7.2 Employees will be notified of their entitlement upon request at any time during the process. This will enable employees to make informed decisions and may allow for voluntary options to take place, avoiding the need for compulsory redundancies. The sum will be paid along with the employee's final salary payment or a payment in lieu of notice will be made.

8. Review of policy

- 8.1 This policy will be reviewed and amended in consultation with the recognised trade unions. We will monitor the application and outcomes of this policy to ensure it is working effectively.

Appendix 1 Legal Definition of Redundancy Situation

An employee who is dismissed shall be taken to be dismissed by reason of redundancy if the dismissal is wholly or mainly attributable to -

(a) the fact that the employer has ceased or intends to cease the business for the purposes of which the employee was employed, or to carry on that business in the place where the employee was so employed, or

(b) the fact that the requirements of that business for employees to carry out work of a particular kind, or for employees to carry out work of a particular kind in the place where the employee was employed by the employer, have ceased or diminished or are expected to cease or diminish."

Format for redundancy appeal hearing

1. Chair of the appeals panel welcomes everyone and asks each person to introduce themselves
2. Chair of appeals panel confirms that it is an appeal hearing against decision to dismiss on ground of redundancy.
3. Employee (or representative) presents his/her appeal, in line with his/her grounds of appeal as set out in letter of appeal
4. The appeals committee ask questions of the employee (or representative).
5. The principal/headteacher/chair of decision making panel asks questions of the employee (or representative).
6. The principal/headteacher/chair of decision making panel presents the management case.
7. The appeals committee ask questions of the principal/headteacher/chair of decision making panel.
8. The employee (or representative) asks questions of the principal/headteacher/ chair of decision making panel.
9. The employee (or representative) sums up his/her case.
10. The principal/headteacher/chair of decision making panel sums up his/her case.
11. The employee (and representative) and principal/headteacher/chair of decision making panel all withdraw.
12. The appeal panel makes a decision and will respond to the employee within five working days' of the appeal.