

# SHELDON SCHOOL

## Policy on Selection of Staff for Redundancy

### Rationale

The Governors will seek to avoid or minimise redundancy by effective planning and budget management. If redundancy is unavoidable, the Governors wish to operate a policy which is seen to be fair.

### Objectives

- 1 to consult fully with staff and professional associations/trade unions
- 2 to maintain the strongest team of staff with the best balance of skills and experience for the efficient management of the school and effective delivery of the curriculum
- 3 to clarify procedures
- 4 to have regard to the school's policy of equal opportunity
- 5 to offer as much help and support as possible to employees who are being considered for redundancy
- 6 to pay full regard to national pay and conditions documents

### Definition

Dismissal by reason of redundancy occurs when the dismissal is wholly or mainly attributed to:

- a) the requirements of the school that employees carry out work of a particular kind or carry out that work in the place that they were employed has come to an end or lessened or is expected so to do, eg a change in curriculum balance due to the introduction of the National Curriculum and curriculum adjustment, an organisational restructure or falling pupil numbers
- b) instances where the school intends to cease, or has ceased, the business for which the employee was employed, eg school closure or significant reorganisation
- c) the financial circumstances of the school necessitate a reduction in staffing levels in order that the school remain solvent and continue to deliver the curriculum

### Communication

The Governors will inform employees and representatives of their professional associations/trade unions at the earliest opportunity that the school is in a redundancy position.

### Guidelines

#### Identification of Areas for Redundancy

In determining the number and type of posts required in the school the Governors will take account of a range of factors:

- i) the number and age of pupils in the school

- ii) the priorities of the school, which will be identified in the School Development Plan (incorporating curriculum needs, pastoral organisation and management and administration needs)
- iii) the action plans which flow from the development plan (particularly the delivery of the curriculum)
- iv) the resources available to the school

### Consultation

The Governors will seek to avoid compulsory redundancies by commencing early consultation irrespective of the number of employees at risk. This consultation will be with the relevant professional association/trades unions and with employees likely to be affected by potential redundancy situations. Meaningful consultations will begin at the earliest opportunity.

The relevant professional associations/trades unions will be provided with information on all potential redundancy situations including timescales, numbers and types of employees likely to be affected, the proposed method of selection of employees for redundancy and the proposed method of implementing any necessary dismissals.

Once the school has identified the area in which redundancies may be necessary, steps will be taken to advise individual employees within the identified work group that they are at risk of redundancy and to provide them with all appropriate information relevant to their circumstances.

### Avoidance/Minimisation of Redundancy

The relevant professional associations/trades unions will be consulted on the measures that might be taken to avoid or reduce compulsory redundancies and to mitigate the consequences, with a view to reaching agreement with them.

These measures might include:-

- o considering the possibility of retraining staff to fill appropriate vacancies within the school
- o retirement of employees who are beyond the normal retiring age
- o reductions in working hours
- o seeking voluntary redundancies

During these consultations, consideration may be given, in an attempt to avoid compulsory redundancy, to seeking volunteers from employees outside the work group directly affected by the potential redundancy situation. This will be done on basis of the need to maintain a workforce with a suitable balance of skills and experience and having regard to the financial consequences for the school.

### **Process:**

#### Stage 1

##### *Temporary Contracts*

Temporary contracts, full or part-time, would be reviewed in order to determine whether termination of contract could achieve the necessary staffing reduction.

## Stage 2

### *Voluntary Redundancy (including early retirement)*

If termination of temporary contracts failed to achieve the necessary reduction, voluntary redundancy or early retirement would be sought from the identified groups of staff. This would not preclude staff from groups not so identified from volunteering for redundancy or early retirement, under which circumstances each case would be considered by the Governors' Staffing Panel, subject to the stated needs of the school being met.

## Stage 3

### *Selection Procedure*

- Where, after due consideration of all other options, the governors consider that the need for redundancies still remains, they will consult with the relevant professional associations/trade unions over the selection criteria to be adopted and will seek to agree these.
- The governing body acknowledges that there may be factors, special to each case, which need to be taken into account but which cannot be identified prior to a particular occasion. No public announcements will be made until all individual employees concerned have been informed.
- A provisional selection for redundancy will then be made by the Headteacher in consultation with the Governors' Staffing Committee on the basis that the selection will be made taking into account such criteria which will be non-discriminatory on grounds of gender, race, disability or trade union activity and which avoid discrimination on grounds of age, religion, marital status or sexual orientation, subject always to the school's needs at the time.
- As far in advance of the proposed termination as possible, the Headteacher will notify all employees that compulsory redundancies are proposed and that provisional selection has been made. It should be stressed that the selection is provisional only and may be subject to change. The Headteacher will then enter into immediate consultation on an individual basis with those employees provisionally selected for redundancy. In the course of consultation employees will be informed of the basis of their (provisional) selection and be given the opportunity to make representations on their proposed dismissals. The Headteacher will provide any employee selected for redundancy with a written analysis of why their post was selected and with any other relevant documents on which the decision was based.
- The Governors Staffing Committee will invite employees to make oral representations to them against the Headteacher's recommendations and will give full consideration to any such representations before a confirmed selection for redundancy is made by the governors.
- An employee selected for redundancy by the Staffing Committee has a right of appeal to an appeal committee of the governing body.
- Where selection has been confirmed and any appeal rejected or the time for lodging an appeal has expired, those selected for redundancy will be given notice of termination in accordance with contractual entitlements.
- The Governors will make every effort to seek alternative employment within the school and, where this exists, to consider redundant employees for

suitable vacancies. All redundant employees will be interviewed individually by the Headteacher to inform them of any available vacancies to establish individual requirements and to consider employees' suitability for particular jobs. In the course of individual consultation, employees will be informed in writing of any entitlements they may have to redundancy compensation in accordance with the statutory and any enhanced redundancy payments scheme.

- Where alternative vacancies are offered to redundant employees, the terms and conditions which will apply will be in accordance with the standard terms for the job in question.
- Redundant employees who accept alternative employment with the school will be entitled to a trial period in accordance with prevailing legislation and any national or local collective agreements.
- Compensation for loss of employment due to redundancy will be at least in accordance with statutory entitlement laid down in existing legislation. Currently statutory redundancy payments are based on an employee's age and length of service.
- All employees who receive redundancy payments will be given written notification of the way in which their redundancy pay has been calculated.

#### Assistance to Employees

- The school will grant reasonable paid time off to the employees identified as being 'at risk' and under notice of redundancy, in order that the employee may seek alternative work or make arrangements for training for future employment. Requests for such time off should be made as far in advance as possible to the Head Teacher. Permission will not unreasonably be withheld.
- The school will make appropriate arrangements for group or individual counselling and support to employees under notice.

March 2005

Review: March 2008