

Unclassified

HRS 52a



# **Schools' Model Redundancy Policy for School Based Staff**

This Policy has been formally adopted by the Governing Body of The Westminster School on 15/02/18.

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## **1.0 Introduction**

- 1.1 This Policy provides a framework to support Governing Bodies in managing organisational change in an effective and supportive manner. Instances may arise where a Governing Body faces challenges which may require the consideration of staff redundancies and it is recognised that this can lead to a period of anxiety and uncertainty for those involved and affected by this process.
- 1.2 Early identification of future need for staffing resources is essential and can be mitigated by forward planning thus ensuring that all reasonable alternatives to a reduction in posts have been fully explored. Projections of future pupil numbers, curriculum needs and financial resources will assist the Governing Body in this task. Similarly, assessing the longer-term staffing needs of the School or by reducing staff numbers through other means such as retirement or normal resignations will help to inform whether there is a likely gap.
- 1.3 The purpose of this Policy is to ensure there is a structured process for dealing with employment matters and supporting employees during periods of change in response to financial constraints, organisational or service reviews which may require rationalisation and a reduction in staffing numbers.
- 1.4 Through the application of this Policy, the School aims to:
- comply with its legal obligations, the Equality Act 2010 and any other relevant statutory requirements to ensure equality of opportunity for employees affected by any proposed changes.
  - provide staff and recognised trade unions with timely and relevant information and to seek their early engagement.
  - ensure any change is managed fairly, consistently and transparently.
  - seek to avoid compulsory redundancies where possible.
- 1.5 The Local Authority recommends Schools to adopt this Policy, especially where Sandwell MBC is the employer. This Policy will also be used for Unattached Teachers employed by Sandwell MBC.
- 1.6 Copies of this Policy should be made available to all employees who are subject to this process. They will also be provided, with a copy of the Schools' Model Redundancy Policy Guidance.

## **2.0 Scope**

- 2.1 This Policy applies to all School based employees (Non-Teaching and Teaching staff, including Head Teachers), as well as all employees of Pupil Referral Units (PRUs) who are employed, and part of that establishment.
- 2.2 In cases where a Head Teacher or equivalent is subject to this Policy, this

management role will be performed by a nominated Governor (usually the Chair of Governors or a senior representative of an equivalent body). References to the Head Teacher in this Policy should therefore be adjusted accordingly.

- 2.3 In PRUs the references in the procedure to Governing Body Committees will mean the Management Committees.

### 3.0 Exceptions

- 3.1 Once adopted by the Governing Body, this Policy applies to all levels of staff at the School including those employed on fixed-term contracts with two years' service or more. However, this Policy does not prevent a fixed term contract terminating at the end of its fixed term, on the completion of a particular task or on the occurrence of a specific event. In these circumstances the Procedures for the Appointment, Extending and Ending of Fixed Term Contracts – School Based Employees should be referred to.

### 4.0 Definitions

- (a) **Designated Person(s):** The Designated Person is the Head Teacher or equivalent, and if the matter concerns the Head Teacher, then the Designated Person is the Chair of Governors or a senior representative of an equivalent body).
- (b) **Representative:** an employee is entitled to be accompanied at each formal meeting by a recognised trade union representative or work colleague if they so wish.
- (c) **The Redundancy Panel:** means the Committee appointed by the Governing Body or equivalent with delegated powers to undertake the functions prescribed for a Committee in this Policy and consists of a minimum of 3 members.
- (d) **Appeals Committee:** means the Committee consisting of a minimum of 3, or equivalent to the number on the Committee. Members of the Appeals Committee must have had no prior involvement in the case.
- (e) **Personal File:** refers to the file relating to the specific individual concerned and where this is being maintained by and/or for the Director for Education, Skills and Employment.

### 5.0 General Principles

- 5.1 The Policy does not form part of the terms of an employee's contract with Sandwell MBC/the School which are provided separately.
- 5.2 This Policy should be read in conjunction with the Schools' Model Redundancy Policy Guidance and those affected will also be provided with a copy of this Guidance.
- 5.3 In determining whether or not changes faced by the School may lead to redundancies, the School will have due regard to the legal definition of

redundancy set out in paragraph 6.2.

- 5.4 The employer will ensure that measures are implemented to avoid redundancies where possible and, the total number of redundancies is kept to a minimum whilst taking into account the needs of the School.
- 5.5 Effective communication and consultation will take place with employees and their representatives at the earliest opportunity.
- 5.6 The redundancy process is conducted with fairness, transparency and confidentiality.
- 5.7 Access to appropriate and reasonable support/assistance will be made available as set out in paragraphs 7.2 and 7.3.
- 5.8 An employee who is at risk of redundancy has a responsibility to accept suitable alternative employment where it is available. A refusal to accept an offer of suitable alternative employment may result in the employee forfeiting their right to a redundancy payment.
- 5.9 This Policy takes into account current employment legislation, good practice and appropriate guidance issued by ACAS (Advisory, Conciliation and Arbitration Service).
- 5.10 In accordance with the Equality Act 2010 reasonable adjustments will be made on request to enable employees to fully participate in the process.
- 5.11 The employee has the right to be represented by a work colleague or trade union representative to each formal meeting.
- 5.12 All parties will deal with issues promptly and not unreasonably delay meetings/hearings, decisions or confirmation of those decisions.
- 5.13 All matters will remain confidential in accordance with the Data Protection Act 1998, except in circumstances where there is a legal obligation to disclose such information.
- 5.14 Employees selected for redundancy will be given the opportunity to make representations and to appeal. There is no right of appeal against non-acceptance of a request to volunteer for redundancy. The decision of the Appeals Committee exhausts the internal process.
- 5.15 If an employee submits a grievance relating to this process then the grievance will be dealt with through the redundancy appeals process and the relevant Committee.
- 5.16 All formal records and copies of correspondence will be retained on the employee's personal file.

## 6.0 Redundancy Overview

The Schools' Model Redundancy Policy Guidance provides additional detail and the points below outline the intent, key areas and stages to be followed:

### 6.1 Statement of Intent

6.1.1 The School, in consultation with the relevant recognised trade unions or nominated work colleague/s if they are not members of a trade union, will seek to minimise the need to make posts redundant by careful management and planning.

6.1.2 Where redundancy is unavoidable the School will handle the redundancy fairly, consistently and transparently. Selection for redundancy will not be undertaken because of trade union membership or other representational activity, for asserting employment or other rights, for maternity related reasons or for other grounds that prohibit discrimination as set out in the Equality Act 2010.

### 6.2 Definition of a Redundancy

6.2.1 Redundancy is a potential fair reason for dismissal. The relevant definition of redundancy is set out in Section 139 (1) of the Employment Rights Act 1996 and an employee is dismissed for redundancy if the dismissal is wholly or mainly because:

- a) the employer has ceased, or intends to cease, to carry on the business for which the employee was employed, or carry on that business in the place where the employee was employed; or
- b) the requirements of the business for employees to carry out work of a particular kind, or to carry it out in the place in which they are employed, have ceased or diminished, or are expected to cease or diminish.

### 6.3 The Business Case

6.3.1 At the outset of any anticipated change that may result in a redundancy, it is the responsibility of the Head Teacher to draw up a comprehensive business case to justify the proposed strategy and this is likely to include:

- the School Development Plan and three-year financial planning
- the actual and projected pupil numbers
- the use of unallocated reserve/carry forward to support staffing costs
- the projected "clawback" if pupil numbers have not reached the numbers projected when the current budget was set
- an anticipated curriculum change which could lead to a limited adjustment in the structure/establishment
- any steps taken by the School to secure alternative funding
- details of any steps taken to avoid and/or minimise redundancies
- an impact assessment measuring any change or development plan

## 6.4 The role of the Governing Body

6.4.1 Prior to commencing a redundancy process, the Head Teacher will present all the information relevant to the business case to the Governing Body for their consideration and recorded decision. If the Governing Body decides to proceed, and no other reasonable alternatives exist at that time, they will instruct the Head Teacher to begin a consultation process.

6.4.2 The Governing Body will also identify an appropriate 'Redundancy Panel' who will have delegated responsibility for key decisions arising from this process. The Redundancy Panel will have delegated responsibility for staffing issues and will comprise of no less than three governors who have had no prior direct involvement in the individual matter under consideration with the exception of any decision in principle as set out in 6.4.1 above.

6.4.3 The Governing Body at the same time will ensure that members of the Appeals Committee are identified and that they have no further involvement in any discussions that could result in redundancies at the School until the Appeals Stage.

6.4.4 The Redundancy Panel will meet with the Head Teacher and the School's HR provider [**1<sup>st</sup> meeting**]. At this meeting the Redundancy Panel will:

- be fully briefed on the business case and explore the options available
- identify the number of potential teaching and/or non-teaching posts that could be affected
- the projected date for achieving the required reduction subject to trade union consultation and notice requirements
- draft a provisional timeline to be distributed as part of the Early Consultation process: an 'Indicative Redundancy Timeline' is provided for this purpose (Appendix 1) and under normal circumstances for teaching staff, this should be no later than:

1 <sup>st</sup> March for potential dismissal on 31 <sup>st</sup> August
1 <sup>st</sup> July for potential dismissal on 31 <sup>st</sup> December
1 <sup>st</sup> November for potential dismissal on 30 <sup>th</sup> April

(NB In the case of a Head Teacher in a redundancy situation, consultation will need to commence 1 calendar month sooner to comply with notice provisions).

- propose the selection criteria which will be subject to consultation with trade unions and employees
- provisionally agree the date for its 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> meetings.

## 6.5 The role of the Head Teacher

6.5.1 The Governing Body will normally delegate the Head Teacher to facilitate and oversee the planning, consultation and implementation of the redundancy process in a transparent and sensitive way. Their role will be to:

- plan and comply with processes ensuring that a comprehensive

business case is presented to enable the Governing Body to make an informed decision whether there is no alternative to the possibility of redundancies

- lead the communication/consultation process with trade unions and employees with the necessary support of the HR provider
- on behalf of the Redundancy Panel, to consult with the trade union representatives regarding the proposed redundancy selection criteria and subsequently apply this and identify posts/employees for potential redundancy
- ensure employees are notified in writing that they are 'at risk' of potential redundancy
- be available to meet with employees who have been identified of being at risk of potential redundancy
- at any personal hearing, present the School case to the Redundancy Panel of their recommendation of selection for redundancy
- at any appeal hearing, support the Chair of the Redundancy Panel in presenting their case as necessary
- ensure that employees including those who may be absent from work due to maternity/paternity leave, sickness or secondments are consulted and kept informed.

## 6.6 The Consultation Period

6.6.1 The School will inform and consult trade unions and the directly affected staff as soon as practicable and in accordance with employment legislation. In all circumstances, there will be a minimum 15 working days early consultation and should this not result in agreement on avoiding a reduction in posts, this will be followed by a minimum 15 working days formal consultation. The purpose of consultation will be to:

- share information about the need for change and the draft proposals including the method of selecting those who may be dismissed
- engage with employees and their trade union representatives and provide an opportunity for them to contribute to the change process by inviting and considering views, ideas and alternative proposals
- ensure the consultation is sufficient so as to be meaningful taking account of the nature of the proposals and levels of consultation involved
- set reasonable timescales for each stage of the process with reference to the 'Indicative Redundancy Timeline' (Appendix 1).

6.6.2 Under Section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 (TULRA), there is no statutory timescale laid down where up to 19 employees are due to be dismissed due to redundancy in an establishment.

6.6.3 However, where it is proposed that less than 20 employees are affected, each employee has a right to be genuinely consulted about redundancy proposals and an indicative and reasonable timeframe will be a total of 30 working days i.e. this will be the minimum period consultation should start before notice of the first dismissal is issued. This period may be reduced to a shorter timescale taking account of the proposals subject to the agreement of the School and relevant trade union representatives.

#### 6.6.4 **Early Consultation (informal and minimum 15 working days):**

The School will inform and consult trade unions and the directly affected staff as soon as practicable to discuss the draft proposals. As a guide:

- employees and their representatives will be given not less than 5 working days' notice of this early consultation meeting
- copies of any documentation relevant to the proposals such as the business rationale, relevant budgetary information, pupil and curriculum information, list of affected staff and provisional timeline) should be circulated with the notification of this meeting
- the Head Teacher will explain the School's rationale, proposals for and the impact assessment of change, outline the process and timescales to be followed
- employees and their representatives will be invited to put forward their views and any alternatives for consideration by the Redundancy Panel including any requests for Voluntary Redundancy from the widest possible trawl within the School.

#### 6.6.5 At the end of the early consultation period, the Redundancy Panel will meet to consider comments, counter proposals and any requests for Voluntary Redundancy which have been received and respond in writing as appropriate **[2<sup>nd</sup> Meeting]:**

- the Redundancy Panel will consider any requests for Voluntary Redundancy and whether these can be accepted. The Panel will retain the right to decline requests in circumstances where this may be detrimental to the business and future needs of the School
- should avoidance measures be insufficient or unsuitable including those requests for Voluntary Redundancy, then the Redundancy Panel shall authorise the commencement of the formal consultation process.

#### 6.6.6 **Formal Consultation (minimum 15 working days)**

The relevant trade union and employee representatives should be informed in writing of the following information (Section 188 Notice). This should be completed by the appropriate HR provider in conjunction with the School and a copy must be forwarded to the Director for Education, Skills and Employment. The Section 188 Notice will include:

- reasons for the proposals and any proposed redundancies
- numbers and descriptions of employees it is proposed to make redundant (including those employed on fixed-term contracts where it is proposed the contract will terminate early and on the grounds of redundancy)
- the total number of employees of this description employed at the School
- the proposed method of selecting those who may be dismissed
- the proposed method of carrying out the dismissals, including the period over which dismissals will take place
- the proposed method of calculating redundancy payments
- timescales for the process

- other options for consideration and ways in which compulsory redundancies may be reduced or mitigated

6.6.7 Employees and their representatives will be given as much notice as possible and not less than 5 working days' notice of any consultation meeting. There will be an opportunity for representatives to attend a pre-meeting with the Designated Person (usually the Head Teacher) immediately before the consultation meeting. Staff will be given the opportunity to meet with their representatives at the end of the consultation meeting.

6.6.8 Affected employees on maternity/adoption leave, long-term sickness absence, secondments or any other leave will also be consulted and appropriate arrangements will need to be put in place such as inviting them to meetings, sending information to home addresses, visiting employees at home or communicating through nominated representatives.

6.6.9 There is a statutory duty for Schools to notify the Department for Business, Innovation and Skills (BIS) in instances where they propose to make 20 or more employees redundant at one establishment within a 90-day period or less. Form HR1 is obtainable from a Redundancy Payments Office or Job Centre and should be completed by the appropriate HR provider in conjunction with the School and a copy must be forwarded to the Director for Education, Skills and Employment.

<b>Employees to be dismissed at the establishment over a 90-day calendar period</b>	<b>Minimum period consultation should start before notice of first dismissal is issued</b>
20 to 99 employees	30 calendar days
More than 100 employees	45 calendar days

## 6.7 Avoidance Measures

6.7.1 Where a potential redundancy situation arises, the School will endeavour where at all possible, to preserve employment and mitigate against the need for any job losses, by exploring all of the following:

- restrictions on recruitment (non-recruitment to vacant posts, internal recruitment only etc)
- seeking volunteers for redundancy / early retirement (within the provisions of the Teacher's Pensions Scheme and Local Government Pension Scheme) with due regard to the costs and the needs of the School
- cessation of temporary / fixed term contracts / secondments where this is lawful and fair
- reduction in the use of agency, casual and/or supply staff
- exploring other options with employees such as a reduction in hours / additional hours / overtime / job share opportunities
- unpaid leave
- redeployment to alternative posts in the School/Council as appropriate

6.7.2 Exploration of the above measures will continue during the consultation process and should the feasibility of one or more of the above change then the Redundancy Panel may halt the process at any stage.

## 6.8 Closure of the Formal Consultation Period

6.8.1 At the end of the formal consultation period, the Redundancy Panel will meet to consider any comments and counter proposals which have been received from employees or their trade union representatives and respond in writing as appropriate [**3<sup>rd</sup> Meeting**].

6.8.2 Should the School's proposals be amended as a result of the consultation process, employees and their trade union representatives will be notified.

6.8.3 Should no alternatives to the proposed redundancies have been identified, employees in the selection pool will be:

- notified in writing by the Redundancy Panel of their decision that they are formally 'at risk' and
- advised of the details of the redundancy selection process.

## 6.9 Redundancy Selection Process

6.9.1 If, having taken the above steps, it has not been possible to avoid a compulsory redundancy situation; the School will use objective criteria to establish at the outset those employee(s) who will be in the selection pool. The precise pool(s) will be determined by the circumstances and may comprise of the whole School / a department or a particular group of employees or individual employees who undertake the same or similar work.

6.9.2 The School will establish a suitable, objective and fair method of selecting employees whose posts will be made redundant. The proposed selection criteria will be subject to consultation with the recognised trade union representatives and will include:

- a clear definition of the workgroup(s) where reductions are required
- that the operational needs of the School will be considered first
- the possible criteria excluding any other age related criteria that cannot be justified as proportionate
- the method by which the selection criteria will be assessed.

## 6.10 Notification of Selection for Redundancy

6.10.1 The Redundancy Panel will consider the outcome of the selection process and will make the final decision of those staff who will be selected for redundancy [**4<sup>th</sup> Meeting**].

6.10.2 The Local Authority, through a representative of the Director of Education, Skills and Employment, has an entitlement to attend for the purposes of giving advice where dismissal may be a possibility. The Local Authority must receive reasonable notice of this meeting.

6.10.3 Employees will be notified in writing of the outcome of the selection process and, if provisionally selected for redundancy, the reasons for their selection and proposed dismissal on the grounds of redundancy. Employees must be notified of this decision within 5 working days and informed of their right to have a personal hearing with the Redundancy Panel.

#### 6.11 Personal Hearing

6.11.1 Employees will be required to confirm their intention to have a personal hearing with the Redundancy Panel within 5 working days of receiving written notification and the hearing should normally be convened within 7 working days of their response [**5<sup>th</sup> Meeting**].

6.11.2 The purpose of this meeting is for the Head Teacher to explain the reasons for the employee's selection and for the employee to ask any questions relating to this. The employee may make representations in relation to any of the following:

- redundancy proposals
- provisional redundancy decisions
- the offer of a post which the employee deems to be an unsuitable alternative to redundancy

6.11.3 However, it should be noted that the personal hearing is not an opportunity for the employee to add to information already provided during the selection process or to comment on the performance of other employees in the pool.

6.11.4 Any documentation that either party wishes to present at the meeting should be issued not less than 3 working days in advance.

6.11.5 The Redundancy Panel may adjourn the personal hearing should the employee present information requiring further investigation.

6.11.6 Employees have a right to be represented by a trade union representative or a work colleague at this meeting.

6.11.7 The Redundancy Panel shall either confirm the original selection or return to the previous stage of the process to select another member of staff for compulsory redundancy.

6.11.8 The decision of the Redundancy Panel will be confirmed in writing to the employee within 5 working days.

#### 6.12 Notice Period

6.12.1 The dates teaching staff can be issued with notice are outlined in the conditions of service for School Teachers in England and Wales, the 'Burgundy Book', and in order for the dismissal to be effective the deadline dates must be met. A contract may be terminated on three fixed dates only in the year as tabulated:

End Date	Length of Notice
Summer Term (31 <sup>st</sup> August)	3 months' notice given by 31 <sup>st</sup> May
Autumn Term (31 <sup>st</sup> December)	2 months' notice given by 31 <sup>st</sup> October <i>plus 1 further week for each additional year beyond 8 years' service</i>
Spring Term (30 <sup>th</sup> April)	2 months' notice given by 28 <sup>th</sup> /29 <sup>th</sup> February <i>plus 1 further week for each additional year beyond 8 years' service</i>
	12 weeks in total for 12 years' service and over

6.12.2 In the case of a Head Teacher, the notice period will usually be 3 months and 4 months to terminate employment at the end of Summer Term.

6.12.3 Non-teaching staff must be issued either their contractual or statutory notice entitlement, whichever is the greater amount up to a maximum entitlement of 12 weeks' notice depending on their length of service.

## 7.0 Dismissal and Appeals

### 7.1 Appeals

7.1.1 An employee may appeal against the decision to terminate their employment by reason of redundancy. Appeals must be made in writing to the Chair of the Redundancy Panel within 10 working days following formal notification clearly stating the grounds of their appeal.

7.1.2 The appeal will be considered by the Appeals Committee of the Governing Body normally within 10 working days of receiving the appeal notification. The Appeals Committee will have delegated responsibility for hearing appeals from staff against the decisions of the Redundancy Panel and will have had no prior involvement in any selection decision taken by that Panel.

7.1.3 The Local Authority, through a representative of the Director of Education, Skills and Employment, has an entitlement to attend for the purposes of giving advice where dismissal may be a possibility. The Local Authority must receive reasonable notice of this meeting.

7.1.4 The decision of the Committee will be notified to the employee within 5 days of the hearing.

### 7.2 Redeployment and Pay Protection/Salary Safeguarding

7.2.1 The School will take all reasonable steps to ensure the continuing employment of staff who are subject to notice of redundancy, by seeking alternative job opportunities within the School. In such situations, following notification and supporting evidence from the School, affected staff will also be eligible to apply as 'at risk' applicants for Council vacancies, and be

considered ahead of external applicants. To support affected staff the School will contact the HR Administration Service within Payroll People Solutions (PPS) to make them aware of the 'at risk' staff so that their details can be recorded to ensure they receive preferential consideration when applying for alternate roles.

7.2.2 If an 'at risk' Teacher secures an alternative post, salary safeguarding arrangements apply and these will be in accordance with the School Teachers' Pay and Conditions Document.

7.2.3 For all other School based staff, if an 'at risk' employee is successful in obtaining a lower graded post, they will receive a protected salary, equivalent to their salary at the proposed date of redundancy, for a period of 12 months from their date of appointment. Protection relates to salary payments only and does not include protection of hours or payments for other allowances such as shift pay. At the end of the 12 months' salary protection period, the employee's salary will revert to the top point of the band.

### 7.3 Time off to look for other work and training

7.3.1 At risk employees are entitled to reasonable time off work during working hours to attend interviews with a prospective employer and to look for new employment (i.e. attendance at job centres or employment agencies) or to make arrangements for training for future employment.

7.3.2 In such circumstances, at risk employees must seek approval from the Head Teacher and to produce supporting evidence where possible. Each request will be considered in terms of its reasonableness, purpose and the amount of time being requested.

### 7.4 Redundancy Payment

7.4.1 Employees with two or more years' continuous service, as calculated in accordance with the Employment Rights Act 1996 and the Redundancy Payments (Continuity of Employment in Local Government, etc) (Modification) Order (Amendment) Order 2010, who are dismissed on grounds of redundancy, will be entitled to a redundancy payment based on their final salary. Payment is based on each complete year of service up to a total of 20 (counting backwards from the date of termination) on the following scale based on age during employment:

- age under 22, half a week's pay;
- age 22 to 41, a week's pay;
- age 41 and above, a week and a half's pay

7.4.2 Non-teaching staff may be eligible to receive Redundancy Payment Compensation exceeding the above entitlement and this calculation will be based on individual circumstances.

## Appendix 1 – Indicative Redundancy Timeline

Step	Para.	Action	Timeline
1	6.4.	<b>Governing Body meets</b> <ul style="list-style-type: none"> <li>• considers business case received from Head Teacher</li> <li>• business case approved and commencement of consultation process authorised</li> <li>• Redundancy Panel identified</li> <li>• Appeals Committee identified</li> </ul>	
2	6.4.4	<b>Redundancy Panel meets [1<sup>st</sup> Meeting]</b> <ul style="list-style-type: none"> <li>• identifies the potential number of teaching and non-teaching posts that could be affected</li> <li>• drafts the provisional redundancy timeline for achieving the reduction in posts subject to trade union consultation and notice requirements</li> <li>• proposes the selection criteria by which any selection decision for redundancy will be made subject to trade union consultation</li> <li>• provisionally agree dates for 2<sup>nd</sup>, 3<sup>rd</sup> &amp; 4<sup>th</sup> meetings</li> </ul>	Convened as soon as possible after notification of Governing Body's decision.
3	6.6.	<b>Commence Consultation with Trade Union Representatives and affected Employees and issue details and Section 188:</b> <ul style="list-style-type: none"> <li>• proposals explained by Head Teacher</li> <li>• share and exchange information including the method of selection</li> <li>• invite comments, seek alternative views and proposals</li> <li>• invite requests for Voluntary Redundancy</li> <li>• set reasonable timescales for each stage of the process ensuring meaningful consultation takes place</li> <li>• School to issue Section 188 notice to trade unions cc Director for Education, Skills and Employment</li> <li>• if proposing 20 or more redundancies, School to issue HR1 to Department for Business, Innovation and Skills cc Director for Education, Skills and Employment</li> </ul>	<p>At least 5 working days notice of meeting.</p> <p>At least 30 working days consultation (i.e. 15 days early consultation and 15 days formal consultation).</p>
4	6.6.5	<b>Redundancy Panel meets [2<sup>nd</sup> Meeting]</b> <ul style="list-style-type: none"> <li>• considers responses to early consultation and decides whether original proposals based on the business case should proceed or need to be amended including the redundancy selection criteria</li> <li>• considers any requests for voluntary redundancy and decides whether these are sufficient or suitable – applicants for voluntary redundancy notified accordingly in writing</li> </ul>	<p>Convened as soon as possible after early consultation period and before commencement of formal consultation period.</p> <p>Responses / letters issued as soon as possible.</p>
5	6.7	<b>Consider avoidance measures to avoid or minimise compulsory redundancies</b> <ul style="list-style-type: none"> <li>• explore all reasonable alternatives to avoid job losses</li> <li>• proceed if it is not possible to avoid compulsory redundancies</li> </ul>	During the formal consultation period.
6	6.8	<b>Closure of the Formal Consultation Period</b> <ul style="list-style-type: none"> <li>• collation of any comments and counter proposals</li> </ul>	Passed to Redundancy Panel immediately following

			closure.
7	6.8.1	<b>Redundancy Panel meets [3<sup>rd</sup> Meeting]</b> <ul style="list-style-type: none"> <li>considers responses to consultation and decides whether original proposals based on the business case should proceed or need to be amended including the redundancy selection criteria</li> <li>if decision made to proceed 'at risk' notification letters sent and notified of redundancy selection process</li> </ul>	<p>Convened as soon as possible after closure of formal consultation period.</p> <p>Responses / letters issued as soon as possible.</p>
8	6.9	<b>Implement Redundancy Selection Process</b> <ul style="list-style-type: none"> <li>apply a suitable, objective and fair method of selecting employees</li> <li>undertake selection based on these criteria</li> </ul>	Allow 1-2 calendar weeks.
9	6.10.1	<b>Redundancy Panel meets [4<sup>th</sup> Meeting]</b> <ul style="list-style-type: none"> <li>considers the outcome of the selection process</li> <li>makes the final decision on who is selected for redundancy</li> <li>the Redundancy Panel notify employees in writing they are provisionally selected for redundancy</li> <li>informed of their right to a personal hearing</li> </ul>	<p>Convened as soon as possible after closure of selection process.</p> <p>Letters issued as soon as possible and by no later than 3 working days.</p> <p>Employee to confirm their decision within 5 working days.</p>
10	6.11	<b>Personal Hearing if requested with Redundancy Panel [5<sup>th</sup> Meeting]</b> <ul style="list-style-type: none"> <li>any documentation to be presented at the hearing should be issued at least 3 working days in advance</li> <li>Head Teacher sets out the reasons for the employee's selection</li> <li>employee makes representations</li> <li>decision to either confirm the original selection or return to the previous stage of the process to select another member of staff for compulsory redundancy</li> </ul>	<p>Normally convened within 7 working days of employee's decision.</p> <p>Employee informed of decision in writing within 5 working days and of right of appeal if original selection confirmed.</p>
11	6.12	<b>Notice Issued</b> <ul style="list-style-type: none"> <li>termination of employment letter sent in accordance with employee's notice entitlement</li> <li>informed of their right to appeal the decision of the Redundancy Panel</li> <li>appeal to be heard by the Appeals Committee</li> </ul>	<p>Employee to confirm their decision within 10 working days.</p> <p>Appeal convened normally within 10 working days of receiving the employee's notification.</p>
12	7.1	<b>Appeal Hearing</b> <ul style="list-style-type: none"> <li>employee makes representations on the grounds on which their appeal is based</li> <li>the chair of the Redundancy Panel / Head Teacher responds</li> <li>decision to either confirm the original selection or uphold the appeal</li> </ul>	Employee informed of decision in writing within 5 working days.
13	7.2 7.3	<b>Contract terminated on the grounds of redundancy</b> <ul style="list-style-type: none"> <li>unless appeal is upheld, redeployment or alternative employment is secured during the notice period</li> </ul>	