



# Staffing Adjustment Policy

Date: October 2023

Review date: October 2025

Approved by Advisory Board: October 2023

Linked with other policies:

- Data Protection

Signed:

A handwritten signature in blue ink, appearing to read "S. Day".

## Version Control

Version	Date of review/change(s)	Page and paragraphs affected	Summary of update
New policy	October 2022		
V2	September 2023	P3 Introduction	Added: possible reductions in hours
		P3 Measures to avoid..	reduction in hours – added to bullet points

## **Introduction**

As Directors of the school we value our employees and are committed to providing long-term job security and managing the school in the best way possible to safeguard your employment.

There may be occasions when financial pressures, changes in our working practices, advances in technology or external factors, have an impact on our workforce. Where this is the case, we will explore alternative measures such as placing restrictions on recruitment, reducing overtime, redeployment, possible reductions in hours and the non-renewal of fixed-term contracts to avoid a redundancy situation. Where appropriate, we will initially seek [volunteers for redundancy](#). However, despite our best efforts, certain business situations may arise where redundancies are unavoidable.

This policy sets out our approach to dealing with potential redundancies. It does not form part of your terms and conditions of employment and may be subject to change at the discretion of the Directors. The policy will be applied fairly and equally to all employees, and without any form of discrimination.

We understand that redundancy situations can be extremely difficult for those affected. This policy aims to set out clearly the process involved and signpost the help and support available.

## **Measures to avoid or minimise redundancy**

We will consider possible alternative measures to minimise or avoid a redundancy situation. Depending on our business needs at the time, we may explore:

- natural wastage - we would not replace employees who have resigned or retired;
- freezing recruitment - we would not recruit new permanent members of staff;
- stopping or reducing the use of temporary workers;
- stopping or reducing overtime;
- freezing or reducing pay;
- offering career breaks or other types of unpaid leave;
- flexible working arrangements;
- retraining employees & developing skills or redeploying employees;
- reduction in hours

## **Voluntary redundancy**

To reduce the need for compulsory redundancies, we may seek volunteers for redundancy. Whether or not additional payments will be offered in relation to voluntary redundancies will be a matter for consultation and will depend on the circumstances.

We will send voluntary redundancy invitations to relevant employees by letter/email together with an application form. This opportunity will be available for a defined period and we will confirm the closing date for applications in our letter/email. Applications will be assessed against a set of objective criteria decided at the organisation's discretion.

Unfortunately, we may not be able to accept all applications for voluntary redundancy.

We will let you know by letter/email whether or not you have been successful.

A request for information does not commit an employee and will not be taken into consideration should compulsory redundancy selection become necessary.

## Consultation

If a staffing adjustment is required information on the reasons for reductions, the proposals for change and timescale will be shared with all employees potentially affected and not just those who are at direct risk. Consultation will take place where the staffing structure of the school is being adjusted even if redundancy dismissal may not be involved e.g. removal of allowances, restructure of a group of support staff etc).

The purpose of consultation is to :

- make the affected employee group and their recognised trade unions/professional associations aware of the problem
- provide information to help them understand why change needs to happen
- share the Directors proposals for solving the problem
- consider any counter-proposals for resolving the problem
- clarify any uncertainties and to reply fully to any written responses to the consultation.

Consultation will be clear on a number of issues which will form the basis of the formal consultation document. These are:

- The reasons for the proposed changes;
- The number and descriptions of posts it is proposed should be dismissed (i.e. the selection pool);
- The total number of employees employed by the school in such posts (i.e. size of the selection pool);
- The selection criteria to be used including the method of applying the criteria and any weightings;
- The method of carrying out the dismissals, including any agreed procedure and the intended date of dismissal;
- Ways in which the impact and number of redundancies can be reduced;
- The proposed method of calculating redundancy pay.

Normally, formal consultation and the search for voluntary solutions will take place concurrently. In some cases, it may be possible to identify voluntary solutions early on, avoiding the need for a formal process to take place. Examples of this might include an approach from an employee to reduce their hours, an employee who indicates they do not wish to return to work following a period of maternity leave or a decision by an employee to resign or retire.

We will consult with the recognised teaching and school support staff trade unions on the general process to be followed, our redundancy proposals, and any alternative measures that could be taken to avoid or minimise the redundancy situation. We will also consult with you individually in respect of your own particular circumstances.

Where it is not possible to hold a face-to-face meeting, we will conduct the consultation process remotely. We will ensure that you have access to the necessary technology for participating in the process.

In order that consultation is deemed meaningful, selection for redundancy will take place only when the consultation process has been completed (i.e. the formal consultation period has ended and any responses received have been considered and responded to).

## **Redundancy selection**

### *Selection pool*

In a redundancy situation, we will identify how many roles are at risk and will determine a fairly defined pool from which we will select employees for redundancy. The pool will normally consist of employees who carry out the same, or similar, work and perform jobs that are interchangeable. However, this may not always be the case, for example where redundancies are expected to involve the whole organisation or just one specific role.

### *Selection criteria*

We will, as far as is possible, ensure that selection criteria are objective and supported by documentary records, data or other evidence such as attendance records. We will take all reasonable steps to construct a fair and robust set of criteria following appropriate consultation.

The selection criteria used will be at our discretion, subject to factors such as organisational needs at the time and the roles under consideration.

Potential criteria include:

- qualifications and training;
- knowledge, skills and experience;
- attendance;
- disciplinary records;
- performance;

In cases where the 'at risk' group consists of only one employee, or the number of posts to be removed equals or is more than the number of individuals in the 'at risk' group, the proposal will normally be made through consultation that selection will be based on nothing more than occupancy of the post to be removed.

### *Provisional selection*

Successful application of the criteria will result in a 'provisional selection' for redundancy. We will inform you in writing by letter/email if you are provisionally selected for redundancy and invite you to a meeting at which you have a right to be accompanied by a trade union representative or work colleague. You will have the right to make representations at that meeting which will be given proper consideration before a decision about redundancy dismissal is taken.

### *Redundancy selection meeting*

Arrangements will need to be made to ensure appropriate individuals can be present for the redundancy selection meeting.

The provisionally selected individual should be asked who they wish to be supported by at the meeting so they can be approached about their availability.

Once a suitable date has been identified, a letter will be issued to the provisionally selected individual providing the following:-

- who will chair the meeting and be making the decision;
- date, time and place of the meeting;

- reference to any key documents that may form part of the meeting. This would include copies of consultation and selection stage documentation;
- the right of the employee to be accompanied by a trade union representative or work colleague;
- a statement about the possible outcomes of the meeting.

The employee will receive this letter at least five working days in advance of the meeting taking place.

#### *Procedure at a redundancy selection meeting*

Redundancy selection meetings will be conducted in accordance with the relevant procedure:-

- Where the Directors have delegated dismissal to the Headteacher, the *Redundancy Meetings (being heard by an individual) procedure* should be followed.
- Where the Directors have not delegated dismissal, the matter will be heard by the Directors and the *Redundancy and appeal panel hearings (panel) procedure* will be followed.

#### **Dismissal**

Dismissal decisions will be confirmed in writing to the employee within five working days of the Redundancy Selection Meeting taking place.

#### **Notice**

Any employee dismissed on grounds of redundancy is entitled to the period of notice provided by their contract or current employment legislation, whichever is the greater.

#### **Alternative work**

If you are selected for redundancy, we will take reasonable steps to find you suitable alternative employment within the school. We will consult with you about this and give you details about the application process, if there is one.

If we offer you suitable alternative employment, but you unreasonably refuse to accept it, you will lose your right to a statutory redundancy payment.

If you are on maternity leave, we will offer you any suitable alternative role that is available and you will not need to submit an application.

#### **Time off work for training or to look for a new job**

We recognise and understand the financial and emotional strains that come with redundancy. We support our employees during this difficult time by, where possible, giving you a reasonable amount of paid time off to look for alternative employment. This could include time off to arrange training, visit a job centre or attend a job interview.

We recognise and understand the financial and emotional strains that come with redundancy. You can request reasonable paid time off to arrange training or look for a new job, if you have a minimum of two years' continuous service with the school.

You should discuss the arrangements for taking time off with the Headteacher.

## **Additional support**

We understand that redundancy situations cause stress and feelings of insecurity. If you are concerned about your wellbeing or that of a colleague, you should speak to the Headteacher.

We also recommend the external support and information available at:

- [www.acas.org.uk/redundancy](http://www.acas.org.uk/redundancy), for free online and telephone information and advice on employment law issues; and
- [www.gov.uk/redundancy-your-rights](http://www.gov.uk/redundancy-your-rights), for free information from the government on employment law and rights.

## **Notice of redundancy**

If your selection for redundancy is confirmed, you will be given written notice of the termination of your employment in accordance with the notice period set out in your contract of employment or the statutory minimum notice period, whichever is greater.

Depending on the circumstances, we may give you a payment in lieu of notice instead of requiring you to work your notice period.

## **Right of appeal**

You have the right to appeal our decision to select you for dismissal on the grounds of redundancy.

An employee who wants to appeal against redundancy dismissal should inform the Headteacher within five working days of receiving the decision in writing. The employee must state the grounds for their appeal.

The purpose of an appeal is:

- to review the decision taken by the Headteacher or Directors;
- to consider whether the procedure has been followed correctly.

An appeal could be held as a re-hearing of the case or as a more focused review of particular elements of the process, depending on the nature of the appeal.

An appeal can be based on the grounds that you are dissatisfied with the way we applied the selection criteria, or that you believe you have been unfairly disadvantaged by the selection criteria, or that you consider you were not given a fair opportunity to put forward your representations.

The letter notifying dismissal will contain details about the appeal process.

The employee will be given at least five days' notice of the appeal hearing and will be given the following information in the call up letter:

- who will hear the appeal,
- date, time and place of the appeal hearing,
- a reference to any key documents that may form part of the hearing and, if appropriate, copies of these,
- the right of the employee to be accompanied by a companion,
- a statement that the employee must take all reasonable steps to attend the meeting,
- a statement of the possible outcomes of the hearing.

The Chair of the Appeals Panel must confirm the decision of the Panel in writing to the employee within five working days.

**Redundancy payment**

You are entitled to receive a statutory redundancy payment if you have worked for us for at least two continuous years. This payment will be calculated in accordance with the relevant statutory redundancy pay provisions in force at the time. You will receive a written statement showing how your redundancy pay has been calculated.

**Pension**

Please discuss any queries you may have concerning your pension options with Mrs Rachel Smith.

**Data protection**

We process your personal data, including special categories of your data, in accordance with our Data Protection policy at all stages of the redundancy process.