



REDUNDANCY HANDLING POLICY

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REVISIONS

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1.0		First approval	15.10.2020
1.1	Full Policy	Following significant changes to employment legislation and practice, a complete renewal of the policy has taken place.	14.10.2021
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1. Introduction

- 1.1. OWN Trust is committed to ensuring its workforce operates effectively and efficiently.
- 1.2. OWN Trust will exercise good practice and regularly review its organisational structure to ensure that it is fit for purpose and delivers the best possible outcomes for pupils and is financially sustainable longer term.
- 1.3. OWN Trust aims to ensure the security and stability of employment as far as possible. However, in light of funding limitations, service delivery requirements and external factors, redundancy may be necessary.

1.4. Definitions

"Headteacher" also refers to any other title used to identify the Headteacher where appropriate, where they have delegated authority.

"Employee" refers to any member of the staff, teaching and support, employed to work at the school to dismiss.

2. Scope of this Policy

- 2.1. This policy applies to all employees of OWN Trust.

- 2.2. This policy does not form part of the employee's contractual terms and conditions and may be amended from time to time.

3. Principles

- 3.1. When managing potential redundancies, OWN Trust will comply with all legislative requirements and operate in accordance with this policy.
- 3.2. OWN Trust is committed to a consistent, and ongoing, approach to resource planning. Non-pay spending will be continually reviewed in order to minimise budget-driven staffing reductions.
- 3.3. Employees who are affected by staffing reductions will be provided with appropriate information and support in a timely manner. This includes employees who are absent from work for any reason.

4. Scheme of Delegation

- 4.1. Those responsible for managing organisational change will do so in accordance with OWN Trust's Scheme of Delegation.

5. Equality and Equality Impact Assessment

- 5.1. OWN Trust will manage organisational change in accordance with equalities legislation and reasonable adjustments will be considered where required.
- 5.2. Although an Equality Impact Assessment (EIA) is not a legal requirement, we will automatically consider this when organisational change is being planned and a determination made as to whether or not an initial assessment is sufficient or identifies the need for a full EIA.
- 5.3. The appropriate ACAS EIA will be followed, where one is deemed necessary.
- 5.4. When an EIA is undertaken, this will be included in the business case submission.

6. Avoiding redundancies

- 6.1. Within the context of the needs of the Trust and its schools, OWN Trust will make every effort to avoid compulsory redundancy by achieving reductions through:
- Review of and, where appropriate, reduction of non-staffing costs
 - Review of genuine fixed-term contracts
 - Reduced use of agency workers or other contractors
 - Natural turnover and employee resignations.
 - Deletion of appropriate vacancies and/or recruitment freeze

- Voluntary redeployment of staff into other suitable posts within the School or Trust
- Voluntary transfer to part-time working, reduced hours or job-sharing arrangements
- Voluntary redundancy

7. Business Case

7.1. A business case will be produced and this will detail the proposed organisational change.

The business case proposal will include the following:

- Rationale for change
- Current and proposed staffing structure (including job descriptions, person specifications and salary levels)
- Identification of new and changed posts
- Implementation plan including slotting in the arrangement's selection process
- Timeline
- Any salary protection/safeguarding arrangements, as appropriate
- The appeals process, including specific grounds of appeal
- Equalities Impact Assessment consideration or detail, as appropriate

7.2. The proposed new structure will be assessed for suitability and sustainability, particularly in terms of cost.

7.3. Formal approval will be gained on the proposals, in accordance with OWN Trust's Scheme of Delegation, prior to the implementation of the redundancy proposals.

8. Implementation

Consultation

8.1. In the event that it is necessary to make a reduction in employees, a period of 30 days formal consultation will be held with employees directly affected and the recognised trade unions.

8.2. OWN Trust will carefully consider any representations made to it and respond to them. If there is a rejection of any representations, the reasons will be given in writing.

The consultation will include the following:

- a) The reasons for the redundancy
- b) The number and descriptions of the employees to be dismissed as redundant
- c) The total number of employees of any such description employed at the School or Trust
- d) The proposed method of selecting the employees to be dismissed
- e) The proposed method of carrying out the dismissals, including the period over which the dismissals are to take effect

- f) The method of calculating any compensation to be paid to redundant employees
- g) The number of agency workers working temporarily for and under the supervision and direction of the School or Trust
- h) The parts of the School or Trust in which the agency workers are working and the type of work they are carrying out
- i) The proposed timeline for the redundancy process

8.3. The selection criteria which will appear in (d) above and on which the employee and trade union/s will be consulted, will be determined by the Headteacher or CEO.

8.4. Any employee who seeks information on the benefits available as a result of volunteering to be selected for redundancy will be entitled to do so without prejudice to their position.

8.5. OWN Trust will decide if any requests for volunteering to be selected for redundancy can be accepted. If a request is accepted, an offer will be made to the employee identifying the level of compensation that will be paid if the employee is dismissed as redundant.

The offer will be in writing and include:

- a) The amount of any redundancy payment under the Employment Rights Act 1996
- b) The amount of any premature retirement compensation in accordance with the Trust's policy
- c) The date on which the redundancy would be effective
- d) Advice on accrued pension benefits, if appropriate
- e) Advice that the employee should consult their trade union

9. Compulsory Selection

9.1. If the necessary reduction is not achieved by the above means the Headteacher or CEO will, following the consultative process, and where they have the delegated power of dismissal, delegate a senior manager to meet individually with those employees who are identified as at risk in the category of employees to be reduced to confirm or clarify any selection information "skills audit" provided by the employee. Individuals will be given due notice of the meeting in writing and may be accompanied by a trade union representative or workplace colleague.

9.2. Following the meeting/s outlined in for compulsory selection, the senior manager will make the selection on the basis of all the information available and in accordance with the selection criteria. The employee/s selected will be informed in writing that the senior manager will recommend to the Headteacher (with power to dismiss delegated by the Governing Body) that the employee/s be dismissed on grounds of redundancy. The employee/s, who will be given at least 10 working days' notice of the meeting, will have the right to an individual hearing at which

they may be present and be accompanied by a trade union representative or workplace colleague.

- 9.3. Following the hearing to consider the senior manager's recommendation to dismiss the individual/s on the grounds of redundancy outlined in 9 (above), the Headteacher will inform the employee/s of their decision/s. If the decision is to dismiss, then the Headteacher will ensure that any employee to be dismissed is given written notice of dismissal which will include advice that the employee has the right of appeal against the decision. The employee/s will be given at least 10 working days' notice of the date for any appeal hearing and, if submitting an appeal, the employee/s must do so in writing by the date specified by the Headteacher. The period allowed by the Headteacher for the employee to decide whether or not to enter any appeal will not be less than 5 working days stating clearly their grounds of appeal.

10. Appeals

- 10.1. The appeals panel will consist of no less than two trustees or, where the decision to dismiss has been taken by the staff dismissal committee, at least the same number of governors who made the decision to dismiss and who have played no part in the selection of the employee/s for dismissal on the grounds of redundancy.
- 10.2. If the appeal panel decides to uphold the appeal against dismissal the notice of dismissal will be withdrawn and confirmed in writing.