

## Reorganisation, Redundancy and Redeployment Policy & Procedure

### Document Status

Date of creation/review	Reason for review	Date of next review	Reviewer/Approval Body
Feb 2018 Trust adopts all NYCC HR Policies – reporting structures changed to reflect YEAT SoD			Trustees SILG FRAR LGB LGB-Finance CEO Headteacher
April 2020	YEAT Policy Cycle	Spring 2023	

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## Appendix A - Redundancy Timescale Planner

Date action required	Event	Who is involved	Actions
<b>PRE CONSULTATION</b>	Liaise with FMS team, Human Resources and Schools Improvement Services. Review contractual status e.g. fixed term/temporary contracts, etc.  Take HR advice on legal aspects of temp contracts and a meeting with HR prior to commencing the next steps is advised	Governors and Head  HR for initial conversation with Head	
	<b>Full Governing Body meet to:</b> 1. agree savings/reduction and need for possible redundancies. 2. ensure Policy is adopted 3. appoint Selection (Dismissals) Committee 4. appoint Appeals Committee 5. delegate responsibility to Committees	Governors Head	Agree parameters for redundancy
	Complete and <b>submit business case</b> to HR to request underwriting of redundancy costs.	Head	Appendix B
	<b>Compile draft consultation pack</b> to include proposal, rationale, current and proposed structures, staff affected, budget information, draft selection criteria, etc	Head HR	Redundancy plan /consultation pack drafted by Head - checked by HR
	<b>Selection Committee meet</b> to agree proposals, selection criteria and agree dates/times for key meetings during the process and discuss their roles and responsibilities.	Selection Committee Head HR if required	
<b>Give 2 working weeks notice of meeting where possible</b>	<b>Invite unions to preliminary consultation meeting</b> (enclose consultation pack)	Head	Letter out from school to unions and staff inviting to commence consultation (Appendix C & D)
	<b>Invite staff to consultation meeting</b>	Head	Appendix E
	<b>Meet with unions</b> (ideally same day and before staff meeting).	A member of the Selection Committee Head HR	
<b>Minimum 30 calendar days</b>	<b>COMMENCE CONSULTATION</b> <b>Meet with staff</b> – present proposal on behalf of the Selection Committee	Head A member of the Selection Committee HR Employees	Letters sent out by Head from Chair of Selection Committee: <ul style="list-style-type: none"> <li>Section 188 (Appendix F)</li> <li>letter to staff (Appendix H1, H2 or H3)</li> </ul>
<b>During early stages of consultation period</b>	If not completed pre-consultation, <b>Selection Committee, Head and HR meet</b> to draft selection criteria to be used in the case of compulsory redundancy.	Selection Committee Head HR	If appropriate, circulate to staff during the consultation period. Otherwise circulate at next step of the process.
<b>During 30 day period</b>	If possible, <b>Selection Committee meet</b> during consultation to consider feedback/ applications for voluntary redundancy received at that point. Notify staff and unions of any changes to the proposals.	Selection Committee Head HR	Volunteers: Letters confirming volunteers sent out by school (Appendix I1, I2or I3)
	<b>END OF CONSULTATION</b>		

## Appendix A - Redundancy Timescale Planner

<b>Meeting immediately after consultation period ends</b>	<p><b>Selection Committee meet</b> to consider feedback from staff and any applications for voluntary redundancy, reduction in hours, etc.</p> <p>If compulsory redundancies are necessary, or there is competition for posts in the new structure finalise selection criteria and skills audit and notify staff and unions.</p>	Head Selection Committee HR	Volunteers: Letters confirming volunteers sent out by school (Appendix I1, I2 or I3)
	<p><b>Head to meet with staff</b> affected and explain process of completing audits. Provide skills audit forms to staff to complete as appropriate (with return date – ideally allow 10 working days to complete if possible).</p>	Head Employees	Compulsory: Letter/criteria/skills audit form sent out to all staff by school - Appendix J & K
	<p><b>Head to validate skills audits</b> and anonymise for Selection Committee.</p>	Head	
	<p><b>Selection Committee meet</b> to select posts for compulsory redundancy/ select individuals for assimilation to posts in the revised structure.</p>	Head Selection Committee HR	Appendix L
	<p><b>Notify employees</b> (verbally and in writing):</p> <ul style="list-style-type: none"> <li>• that their post has been nominated as redundant or</li> <li>• of the offer of an alternative post/working pattern</li> <li>• of right to representation and appeal or</li> <li>• that their post has not been nominated as redundant</li> </ul>	Head Chair of Selection Committee	Letters out from school to staff (inc min 10 days notice of date of representation and appeal) Appendix M1, M2, M3 or M4
	<p><b>Commence redeployment process</b> for employees in a redundancy situation</p>	HR	
<b>Must give 10 working days notice of hearing date</b>	<p>If required, <b>Selection Committee meet</b> to consider any representations and notify staff of their decision.</p>	Selection Committee HR Employee(s)	Appendices N, O and P
<b>Allow gap of time between representation and appeal hearing</b>	<p>If required, <b>Appeals Committee meet</b> to consider appeals and notify staff of their decision.</p>	Selection Committee Chair Appeals Committee HR Employee(s)	Appendices N, O and Q
	<p>Governors <b>notify HR of redundancies</b> and reasons for them School to <b>notify the Employment Support Service</b> of relevant changes</p>	Governors  Head	
	<p><b>Notice Issued</b> for redundancy situations to Employee/Red2 Form</p>	HR	VA/Foundation Schools only: Appendix R if applicable  <u>Please adhere to the key notice dates for teaching staff</u>
	<p>Redundancy payment process (if applicable)</p>	HR ESS	

**Appendix B**

<p><b>BUSINESS CASE FOR REDUNDANCY - SCHOOLS</b></p>
<p><b>NAME OF SCHOOL</b></p>
<p><b>POST(S) PROPOSED FOR REDUNDANCY AND ESTIMATED COST OF REDUNDANCY</b></p>
<p><b>OUTLINE REASONS FOR REDUNDANCY</b></p>
<p><b>DETAILS OF CURRENT AND REVISED STRUCTURE (attach if applicable)</b></p>
<p><b>PROVIDE DETAILS OF SCHOOL BUDGET WITH AND WITHOUT PROPOSED STAFFING REDUCTION FOR THE CURRENT YEAR AND FOLLOWING TWO YEARS (attach if applicable)</b></p>
<p><b>OUTLINE MEASURES TAKEN TO AVOID REDUNDANCY AND WHY THESE HAVE NOT WORKED</b> (eg has consideration been given to alternative models of provision / natural wastage / vacancy management / workforce planning / reduction of hours / redeployment))</p>

**SCHOOL**

I confirm that:

- The school have adopted and followed YEATs RR&R policy
- The school will meet any pension costs associated with redundancy for support staff
- The school understand that if we appoint to a similar role within one year we may be liable for the associated redundancy costs

Signed ..... (Headteacher / Chair of Governors)

Date .....

**FINANCE (please send to YEAT Finance)**

I can confirm that the reductions are necessary to set a balanced budget or to meet the conditions of a licensed deficit

Comments:

Name ..... Date.....

**HR Advisor**

I have no reason to believe that the redundancy situation has arisen as a result of factors within the school's control.

Comments:

Name.....(HR) Date.....

Rejected/Approved:.....Date.....

Principal Adv.....

## **GUIDANCE FOR SCHOOLS**

### **SCHOOL BUSINESS CASE FOR NORTH YORKSHIRE COUNTY COUNCIL'S FUNDING OF REDUNDANCIES**

#### **1. INTRODUCTION**

- 1.1 The guidance does not apply to academies.
- 1.2 As a consequence of financial challenges and the need to monitor all spending, there is now a new process for funding redundancies in schools. This guidance sets out the process that needs to be followed by schools.
- 1.3 This guidance should be read in conjunction with the business case pro-forma.

#### **2. REDUNDANCY COSTS**

- 2.1 Where the business case is approved, all costs associated with a redundancy will be met through a Lump Sum budget solely funded by the Dedicated Schools Grant (DSG).
- 2.2 Redundancy costs will only be met by the LA where:
  - 2.2.1 CYPS Finance has confirmed that the school is in financial difficulty and the school has a licensed deficit budget which requires staffing reductions.
  - 2.2.2 The Governing Body has confirmed in writing, by completing the Business Case proforma, that
    - Vacancy management and other voluntary measures (eg reduction in working hours and redeployment) has failed.
    - The number of similar posts in the school is not anticipated to increase within 1 year after the effective date of termination.
    - There is a headcount reduction in the schools staffing establishment.
  - 2.2.3 The LA will not be in a position to fund redundancies where:
    - The school has an excess surplus balance.
    - The school is not deemed to be in financial difficulty
    - The school has not followed advice from CYPS's Human Resources which may have avoided the need to make redundancies.
- 2.3 The LA will recover the costs associated with redundancies if the school employs anyone into a similar post within the one year period without having the rationale behind the appointment approved by Human Resources.

#### **3. REDUNDANCY PAYMENTS**

- 3.1 Redundancy payments are outlined in NYCC's Re-organisation, Redundancy and Redeployment Policy.
- 3.2 Schools will meet any pension costs associated with redundancy (these apply to support staff only).

#### **4. SCHOOL RESPONSIBILITY**

- 4.1 The school will provide the following information to the LA for consideration:
  - 4.1.1 a completed Redundancy Business Case proforma, detailing why the redundancy is required.
  - 4.1.2. copies of the school's budget with and without the proposed staffing reduction.
  - 4.1.3. details of current and proposed class structures (if applicable).
  - 4.1.4 If applicable, letter from staff requesting voluntary redundancy.
- 4.2 The Redundancy Business Case must be made to Human Resources prior to the start of the Redundancy Process.

#### **5 LA RESPONSIBILITY**

- 5.1 Human Resources will administer the Lump Sum Fund on behalf of the LA.
- 5.2 An e-mail acknowledgement will be sent from Human Resources to schools on receipt of their completed Business Case proforma.

Applications should be submitted to NYHR, CYPS – Schools, North Yorkshire County Council, County Hall, Northallerton, DL7 8AE

This procedure is effective from 1 April 2014



## Appendix C

- send to Trade Unions on the list – Appendix D
- copies to HR Adviser

Date

Dear

### **SCHOOL NAME – PROPOSED REDUCTION\*/REORGANISATION\* IN THE TEACHING\* / SUPPORT STAFFING\* ESTABLISHMENT**

I am writing to advise you of a potential redundancy situation at this school, involving the teaching\*/support staff\*, arising from the following circumstances: - **(Give reasons for the redundancy situation).**

Prior to formal consultation with staff and unions, including the issuing of a 'Section 188 Letter', I am inviting you to attend a meeting with myself, a member(s) of the Governors' Redundancy Selection Committee, the school's Senior/HR Adviser and .....**(Detail anyone else due to attend e.g. FMS Officer)**, at which the reasons for this situation can be discussed, suggestions for avoiding or reducing redundancies can be considered (**Optional** - together with initial proposals for selection criteria) and your questions answered.

I enclose copies of the following documents, which should inform our discussions: -

- Financial Outturn Statement
- Current year financial plan plus two subsequent years (including pupil and staffing numbers assumptions) and indicating normal capitation funding and any additional time-limited funding
- Financial forecast including proposed staffing changes
- Curriculum plan (Secondary schools only) – existing and proposed
- Class structure plan – existing and proposed
- Staffing structures – existing and proposed
- Proposed 'pool' for consideration of redundancies (including names of affected staff)
- Proposed timetable for completion of process

(Plus any other relevant information connected with a reorganisation e.g. ring-fencing proposals).

The meeting is planned to take place on **(Date)** at **(Time)** at **(Venue)**. Would you please confirm by **(Date)** whether or not you (or an alternative representative) will be attending? If you do not respond by that date I will take it that you do not wish to be represented at this meeting.

It is proposed that following the above meeting you are invited to attend a further meeting at which the (appropriate) staff of the school will be informed of the situation, signalling the start of the formal consultation process.

*The proposals will be shared with staff at the start of consultation. Therefore, we request that you keep the information enclosed confidential at this stage. (Delete as appropriate)*

Yours sincerely  
HEADTEACHER

***\*Delete as appropriate***

## Appendix D

### NYCC – RECOGNISED TRADE UNIONS / PROFESSIONAL ASSOCIATIONS

**Note:** Contact list for Sect 188 letter and any restructure consultation meetings  
Circulation dependent on what type of staff are affected (note that most of the below are teaching unions)  
Only recognised unions should be invited to reorganisation, redundancy and redeployment meetings

Trade Union / Professional Association	Name of Representative	Address	Phone number	E Mail address
<b>ASCL</b> Association of School and College Leaders	<b>Mark Sutton</b> Regional Officer	130 Regent Road Leicester LE1 7PG	w. 0116 2991122 m. 07435 970303	<a href="mailto:Mark.sutton@ascl.org.uk">Mark.sutton@ascl.org.uk</a>
<b>NAHT</b> National Association of Headteachers (inc. Heads & Deputies)	<b>Chris Knowles</b> Secretary	Newby & Scalby Primary School, The Green, Newby, Scarborough N.Yorkshire, YO12 5JA	m. 07970 276746	<a href="mailto:northyorkshire@nahtofficials.org.uk">northyorkshire@nahtofficials.org.uk</a>
<b>NASUWT</b> National Association of School Teachers & Union of Women Teachers	<b>Chris Head</b> NASUWT North and West Yorkshire National Executive	NASUWT 241 Leeds Road Rothwell Leeds LS26 0GR	m. 07469 377785 w. 0113 201 4600	<a href="mailto:chris.head@exec.nasuwt.org.uk">chris.head@exec.nasuwt.org.uk</a>
<b>NEU</b> National Education Union	<b>Paul Busby</b> Branch Secretary	6 Laurel Rd Saltburn-by-the-Sea Cleveland TS12 1HU	m. 07788 504483	<a href="mailto:paul.busby@neu.org.uk">paul.busby@neu.org.uk</a>
<b>VOICE</b> The union for education professionals	<b>Stephen Payne</b> Regional Officer (North)	5 Stuart Grove Eggborough E.Yorkshire, DN14 OLY	w. 01977 661611	<a href="mailto:shpayne62000@yahoo.com">shpayne62000@yahoo.com</a>
<b>UNISON</b> Represents Support Staff	<b>Wendy Nichols</b> Branch Secretary	County Hall, Northallerton, N.Yorkshire, DL7 8AD	w. 01609 532496	<a href="mailto:unison@northyorks.gov.uk">unison@northyorks.gov.uk</a>

September 2019

## Appendix E

Send to those who you have identified as potentially at risk of redundancy (the redundancy pool, to include those on maternity leave, sick leave etc).

### LETTER INVITING STAFF TO THE MEETING

**Date**

Dear

The Governors are currently reviewing the staffing structure / budget for the next academic/financial\* year. This may result in a reduced number of staff being required which may lead to a potential redundancy situation.

This is due to **(give reasons e.g. falling roles, changes in curriculum, management restructure, budget etc)**.

It is not anticipated that natural wastage alone will enable the school to reach the proposed revised establishment.

A meeting will be held on **(give date, time, venue)** to discuss the impact on staffing and budget issues and to explore ways of addressing this situation.

The selection committee/a member of the selection committee and a representative from Human Resources will also be present. Union representative have also been invited to attend the meeting.

This meeting will form part of the consultation process.

Please let me know if you are unable to attend.

Yours sincerely

Head Teacher

**(name and contact details)**

cc HR Adviser

\* Delete as appropriate

## Appendix F

- send to Trade Unions on the list – Appendix D
- copies to HR Adviser

NOTE: Other than volunteers, criteria listed in paragraph 4 can be listed in whole or in part.

<p style="text-align: center;"><b>North Yorkshire County Council - SECTION 188 LETTER</b> <b>Consultation with recognised Trade Unions in accordance with the Trade Union and Labour Relations (Consolidation) Act 1992 (Redundancy)</b></p>
--

Date

Dear

**SCHOOL NAME –  
REDUCTION IN THE TEACHING / SUPPORT STAFFING ESTABLISHMENT**

I am writing to you formally on behalf of the Governing Body in accordance with Section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992 to inform you that with effect from **(date)** the Governing Body may require the Local Authority to dismiss as redundant **(number)** members of the **(teaching, support staff – state which group or both)** staff from the establishment of this school.

Under terms of Section 188 of the Act, I have set out the required information in the following paragraphs:-

1. The reasons for the proposal stems from **(give reasons – e.g. the reduction in pupil numbers which leads to a reduction of the numbers of (state e.g. teachers, support staff, technicians) required in the (name of department).**
2. Details of the staff who may be affected are **(state e.g. 1 Art Teacher, 2 support staff).**
3. The number and type of staff of this description in this establishment is attached at Appendix 1. **(Appendix 1 should detail all posts, names, hours worked).**
4. Governors will consider using the following list of criteria. The selection criteria to be used will be:

- Volunteers

If there are no suitable and acceptable volunteers then the following criteria, which are not in any particular order, will be considered:

- area of responsibility
- relevant qualifications
- relevant skills and experience
- curricular and pastoral needs of the school, with reference to the school improvement plan
- termination costs

In the vast majority of cases, the above criteria will be sufficient to select individuals for redundancy. However, where further criteria are required to select between employees then consideration may be given to the following:

-  
Using the scores in one of the above criteria areas e.g. 'curricular and pastoral needs of the school' as the determinant i.e. the employee(s) with the lowest scores in this area would be selected for redundancy. If this fails to select between the candidates then a second area may be examined e.g. 'relevant skills and experience'.

In the extremely unlikely event of it still not being possible to make a selection for redundancy based on the above criteria then the selection committee will use a predetermined 'tie break' criterion in order to conclude the process.

If you have any comment to make, or suggestions to offer, as to the appropriateness of these criteria or the weighting that should be given to them, then please do not hesitate to contact me.

*(NOTE – At this stage, schools may be able to specify more precisely the proposed selection criteria/weightings to be used)*

5. When formulating the selection criteria, consideration must be given to the cost of each individual redundancy (particularly related to pension costs) whether voluntary or compulsory, as this may have a bearing on the selection outcome. In agreeing to fund the cost of any redundancy, the Local Authority will take into account as to whether less costly selection could have been introduced.
- 6 The Governing Body has requested the Local Authority to seek to offer alternative employment, if possible, and will investigate alternative posts within the school / LA. The proposed methods of carrying out the dismissal will have regard to the employee's period of notice and the statutory period of consultation. Please refer to the Schools' Reorganisation, Redundancy and Redeployment Policy.

The proposed dismissal (s) may take effect from **(date)**

7. Redundancy payments will be made in accordance with the Authority's Redundancy Schemes for Teaching and Support Staff.

Please contact myself or the Head Teacher **(name and contact details)** if you have any comments or representations concerning this proposal by **(give date. e.g. minimum of 30 days)**

Yours sincerely

Chair of Governors Selection Committee  
on behalf of the Governing Body

**(Name)**  
**(Address)**

*Note: This information sheet is to be used in compulsory redundancy situations where the proposal means that there will be no opportunity to volunteer or a selection process required.*

## Appendix G1

### NORTH YORKSHIRE COUNTY COUNCIL CHILDREN AND YOUNG PEOPLE'S SERVICE

#### INFORMATION FOR SCHOOL/COLLEGE STAFF REDUNDANCY AND REDEPLOYMENT

Where a school is proposing changes to staffing structures, it is important that there is good communication between all parties concerned. This information sheet aims to support the process and covers some of the key points that staff have raised in these situations in the past, which may be helpful to you now.

#### Can redundancy be avoided?

As part of the consultation process the school will look at alternative measures to compulsory redundancy which may include consideration of ; natural wastage, a recruitment freeze, retirement and redeployment.

#### Who will make the decisions in a redundancy process?

The Governors' Selection Committee consisting of members of **Governing Boards** from across the trust will make all the decisions during consultation concerning the proposals made and their implementation.

A Governors' Appeals Committee consisting of different members of **Governing Boards** from across the trust will make decisions about any appeals made in the final stages of the process.

Both Committees are advised by the Headteacher/**CEO** and supported by Human Resources throughout the process.

#### What happens now?

Consultation with staff and union representatives.

The purpose of consultation is to allow time to consider and explore alternatives to the proposal and the proposed implementation plan and timescale

For a minimum of 30 days, the Selection Committee will consider all alternatives raised with them. **This is the stage we are at now.** Any proposals you have for alternatives should be put in writing and submitted via the Headteacher or channelled through your union representatives.

You may, of course, seek the support/advice of your trade union representative throughout the process. You may also wish to seek an individual meeting with the Headteacher if you wish to discuss your own situation in detail.

Following the consultation process the Selection Committee will finalise the structure and communicate this to staff and union representatives.

### **Compulsory Redundancy and Redeployment**

Following consultation, where a post is deleted from the staffing structure, it is anticipated that this will result in staff being at risk of compulsory redundancy. The **LA Trust** will work with you to seek suitable alternative work and this process will commence during the consultation period on the basis that maximum time and effort needs to be given to seeking redeployment.

Both the employer and the employee are required to demonstrate that every reasonable effort has been made to carry this out. Redeployment is subject to a trial period. Unreasonable refusal to undertake a suitable redeployment appointment may result in the loss of any redundancy pay.

If you are selected for redundancy you will be provided with guidance, information and support in finding suitable alternative employment. The school **and Human Resources (Resourcing and Reward Team)** will support you through this process.

It must be recognised, however, that under Local Management of Schools legislation, each Governing Body is responsible for the employment of its own school's staff. The Authority can therefore, only recommend that individuals be considered and cannot place staff into schools.

Vacancies for potential redeployment may be found on the NYCC website [www.northyorks.gov.uk/jobopportunities](http://www.northyorks.gov.uk/jobopportunities).

Where alternative employment is taken up the individual is entitled to a 4 week trial period in the new post (the time period can be extended for up to a total of 3 months for training purposes only, provided this is made clear in advance of the new post starting and is recorded in writing). Either the employer or the employee can end the employment during or at the end of the trial period if they deem it unsuitable. If the employee unreasonably rejects the new post (or works in it beyond the end of the trial period) a redundancy payment will not be made.

### **Representation and Appeal**

If you are selected for compulsory redundancy, you have the right to make representation (present your case) to the Selection Committee and also subsequently to appeal against their decision to the Appeals Committee. You are entitled to bring a Trade Union representative or work colleague with you to both of these meetings.

### **Redundancy Pay**

**In order to be eligible for any type of redundancy payment the employee must have two years continuous service (with local government, in accordance with the Modifications Order) at the date the employment terminates.**

The calculation is based on age and length of continuous service and the amount of a week's pay in the post affected at the date of termination. It takes into account a maximum of 20 years service (working backwards in time from the date of redundancy) as follows:

- For service undertaken up to age 21yrs = ½ a weeks pay for each completed year of service
- For service undertaken between 22 – 40 yrs = 1 weeks pay for each completed year of service
- For service undertaken 41yrs plus = 1 ½ weeks pay for each completed year of service

For example, someone made redundant aged 56 with 25 years of continuous service would be eligible to receive:

$$\begin{array}{rcl} 15 \text{ weeks pay} \times 1.5 & = & 22.5 \text{ weeks} \\ +5 \text{ weeks pay} \times 1 & = & \underline{5 \text{ weeks}} \\ \text{TOTAL} & = & 27.5 \text{ weeks pay} \end{array}$$

For compulsory redundancy for teachers the statutory limit is applied to the calculation of a week's pay. *(The statutory limit normally changes annually - £525 as from April 2019). For support staff the calculation of an actual weeks pay is used for compulsory redundancy payments.*

Redundancy payments up to £30,000 are not normally subject to deductions for tax or national insurance..

**An employee selected for compulsory redundancy or accepted for voluntary redundancy will not be entitled to a redundancy payment if they are offered and accept employment with the Authority or an associated employer (as defined by the Local Government Modification Order) before their existing contract ends, to commence within 4 weeks of their existing contract ending.** In these circumstances, the new employment would be regarded as continuous service. You will be asked to sign a form (Red 2) to confirm that you understand this requirement.

### What is Continuous Service?

In Local Authority employment, continuous service includes all unbroken service in any post with this or another Authority and certain other named public bodies coming under the Redundancy Payments (Continuity of Employment in Local Government etc) (Modification) Order 1999 and Amendments (usually referred to as 'the Modification Order').

In order to break service there needs to be a gap of one clear calendar week when a contract of employment does not exist. A caveat to this is 'term-time only employment', where a gap caused by school holidays is likely to be regarded as a 'temporary cessation of work' which does not break the continuity of employment.

'Casual and relief work' will not normally count as continuous service unless there is a regular pattern of uninterrupted employment.

### What information and support will be available?

You can:



- Request a redundancy estimate from [NYHR@northyorks.gov.uk](mailto:NYHR@northyorks.gov.uk)
- Request a meeting with the Head Teacher and / or HR if you require clarification of any issues
- Seek advice from your Trade Union representative

A copy of the Reorganisation, Redundancy and Redeployment Policy is available from the school upon request.

It is appreciated that redundancy situations can be stressful to those directly and indirectly affected and may impact on both work and personal life. It is advised that you seek support where appropriate.

### **Health Assured**

This is a free and confidential support service available for employees of NYCC and their immediate family members and can be contacted via a 24 hour personal support service on 0800 030 5182.

If you are not sure who to contact for support and advice please ring Human Resources or contact your Head Teacher.

**NORTH YORKSHIRE COUNTY COUNCIL**

**INFORMATION FOR STAFF**

**REORGANISATION, REDEPLOYMENT and REDUNDANCY**

When a reorganisation is proposed, a process is followed which allows members of staff and their trade union representatives to comment on the proposals and ask questions for clarification. This document covers the various stages of the process including what happens when redundancies are necessary and the measures that are taken to try to identify redeployment opportunities. Good communication between all parties concerned is very important and this information sheet aims to support the process and covers some of the key points that staff have raised in these situations in the past, which may be helpful to you now.

**Why is there a proposed reorganisation?**

Change is a fact of working life and comes about through a variety of reasons, such as Government initiatives, targets and priorities, changing working practices, meeting pupils needs, revised funding arrangements and the need for efficiencies.

Your school is undertaking a proposed staffing reorganisation, reasons for which are included in the rationale which will have been given to you by the Headteacher today.

**Who will make the decisions in a reorganisation process?**

The Governors' Selection Committee consisting of members of the Governing Body will make all the decisions during consultation concerning proposals made and their implementation.

A Governors' Appeals Committee consisting of different members of the Governing Body will make decisions about any appeals made in the final stages of the process.

Both Committees are advised by the Headteacher and supported by Human Resources throughout the process.

**What consultation will take place?**

Consultation will take place with all staff affected by the proposed changes and with their trade union representatives. The purpose of the meeting today is for the proposals to be outlined and for you and your union to ask questions you may have.

- Today is the start of the formal 30 day consultation. The purpose of the consultation is to consider and explore alternatives to the proposal and the proposed implementation plan and timescales.
- Consider any expression of interest in voluntary redundancy, reduction in hours

For a minimum of 30 days, the Selection Committee will consider all alternatives raised with them. Any proposals you have for alternatives should be put in writing and submitted via the Headteacher or channelled through your union representative

You may, of course, seek the support/advice of your trade union representative throughout the process. You may also wish to seek an individual meeting with the Headteacher if you wish to discuss your own situation in detail.

Following the consultation process the Selection Committee will finalise the structure and communicate this to staff and union representatives.

### **How will the plan be implemented?**

When a reorganisation is proposed, the key implications for staff will be in moving from the old structure to the new one. Depending on the size and scope of the reorganisation this may affect a large number of employees or only a few. The new structure may be considerably different from the old one or there may only be minor changes.

A Governors' Selection Committee has been established to agree the new structure and methods by which staff will be appointed into the new structure. In some cases employees may be able to be 'slotted in' to the new structure in the same or very similar roles. Other posts may require a competitive selection or suitability process.

It is proposed that each post in the current structure will be either:

- Unchanged – and the postholder directly assimilated into the corresponding post in the new structure
- Unchanged but with a reduction in number – and the postholders will be ring-fenced to these posts.
- Changed – and the postholder will be ring-fenced for any other suitable posts in the structure.
- Deleted – and the postholder will be ring-fenced to other suitable posts in the new structure or if no suitable posts exist the postholder will be identified as at risk of compulsory redundancy.

The proposals indicate the proposed details of posts and ring-fencing.

Staff will therefore be at risk of compulsory redundancy;

- where a post is deleted and there are no other posts for them to be ring-fenced against, or
- where the individual has been ring-fenced but is not successful in being appointed into a new post
- if no other suitable alternative work can be secured via redeployment.

### **What is ring-fencing?**

In a reorganisation the intention is, as far as possible, to avoid or minimise job losses. Therefore it is usual to 'ring-fence' affected posts in the old structure so that the staff in those posts have priority in recruitment to the new structure.

There can be different levels of ring-fencing, depending on the breadth of the reorganisation and there can be more than one ring-fence within the overall ring-fence of the structure.

When the new structure /is agreed the selection process will begin. This will take place top down, appointing to the higher banded posts first in most instances. Depending on the changes involved, selection will take place on the basis of ring-fenced groups. Ring-fence eligibility will include those employees who may be in unchanged posts that are reduced in number.

In some instances, employees in ring-fenced groups will have more than one post they can apply for. Where this is the case they will be given preference forms to indicate their choice.

### **Voluntary Redundancy**

If you wish to volunteer for redundancy, you will need to put your request in writing to the Selection Committee during this consultation period. They will consider your application and respond to you in writing. We would strongly advise if you are interested in this option that you ensure that you have gained all the necessary information to inform your request as if accepted by the Selection Committee it will be assumed that this will become a mutually agreed arrangement. This information sheet outlines much of the key information and if you have any questions about its interpretation please ensure that you have clarity prior to putting a request forward for voluntary redundancy to the Selection Committee.

**Applications for voluntary redundancy are not always accepted**, e.g. where the school would need to retain certain skills and experience. The cost of the redundancy will also be taken into account (including pension costs).

If your application for voluntary redundancy is accepted, the Selection Committee will write to you to notify you of this. You will receive notice to end your employment at the appropriate date.

If you volunteer to reduce your working hours/weeks and this is accepted, you are not entitled to any redundancy payment as your employment would be continuing.

### **How does selection for posts in the new structure take place?**

The process used to select and appoint to posts can be through competitive interview, the application of selection criteria (in which case you will need to complete a skills audit form) and/or assessment tests. Information gathered from you at interview (which may include the prior completion of a simplified application form) or taken from your completed skills audit will provide the sole source of information from which the Selection Committee will make their selection decision. It is therefore important that you engage fully with these methods of selection.

The Selection Committee will apply criteria in relation to the information presented to them. As a result of any selection process you will be notified verbally and in writing if you have been nominated for redundancy or offered a post within the school structure.

#### **Selection Criteria**

Where it is anticipated that there will be staff at risk of compulsory redundancy, a range of criteria may be used for selection. The proposed criteria will be the subject of consultation and may include the following:

- **Volunteers**

If there are not suitable and acceptable volunteers then the following criteria, which are not in any particular order, will be considered.

A range of criteria may be considered as part of the selection process and the following may be considered:

- Relevant Skills
- Relevant Qualifications
- Relevant Experience
- Area of responsibility
- Evidence from performance appraisals
- Curricular and pastoral needs of the school,
- Termination costs

In the vast majority of cases, the above criteria will be sufficient to select individuals for redundancy/offer of a post in the new structure. However, where further criteria are required to select between employees then a pre-determined 'tie break' criterion will be used to conclude the process.

The criteria adopted will be chosen in light of the school's own context and needs, e.g. with reference to the school improvement plan and other documents which identify school objectives and priorities, and may be given particular weightings.

#### **What if I am not offered a post in the new structure?**

If it is not possible to offer you any post in the new structure then you will be given notice, both verbally and in writing that your employment will terminate on the grounds of redundancy and will become eligible to be reconsidered for redeployment.

#### **Representation and Appeal**

If you are selected for redundancy, you have the right to make representation (present your case) to the Selection Committee and subsequently also to appeal against their decision to the Appeals Committee. You are entitled to bring a Trade Union representative or work colleague with you to both of these meetings.

#### **Redeployment**

As soon as an individual is notified that they have been accepted for voluntary redundancy or selected for compulsory redundancy, the LA will work with them to seek suitable alternative work. This process will commence even if the individual is making representations/appeal against the decision on the basis that maximum time and effort needs to be given to seeking redeployment.

Both the employer and the employee are required to demonstrate that every reasonable effort has been made to carry this out. Redeployment is subject to a trial period. Unreasonable refusal to undertake a suitable redeployment appointment may result in the loss of any redundancy pay.

Staff selected for redundancy will be offered an individual discussion to provide guidance, information and support in finding suitable alternative employment. The

School and Human Resources (Resourcing and Reward team) will support you through this process.

It must be recognised, however, that under Local Management of Schools legislation, each Governing Body is responsible for the employment of its own school's staff. The Authority can therefore, only recommend that individuals be considered and cannot place staff into schools.

Vacancies for potential redeployment may be found on the NYCC website [www.northyorks.gov.uk/jobopportunities](http://www.northyorks.gov.uk/jobopportunities).

Where alternative employment is taken up the individual is entitled to a 4 week trial period in the new post (the time period can be extended for up to a total of 3 months for training purposes only, provided this is made clear in advance of the new post starting and is recorded in writing). Either the employer or the employee can end the employment during or at the end of the trial period if they deem it unsuitable. If the employee unreasonably rejects the new post (or works in it beyond the end of the trial period) a redundancy payment will not be made.

### How is Redundancy Pay calculated?

**In order to be eligible for any type of redundancy payment the employee must have a minimum of 2 years continuous service (in accordance with the Local Government Redundancy Modifications Order\*) at the date the employment terminates.**

The calculation is based on age and length of continuous service and the amount of a week's pay in the post affected at the date of termination and takes into account a maximum of 20 years service (working backwards in time from the date of redundancy) as follows:

- For service undertaken up to age 21yrs = ½ a week's pay for each completed year of service
- For service undertaken between 22 – 40 yrs = 1 weeks' pay for each completed year of service
- For service undertaken 41yrs plus = 1 ½ weeks' pay for each completed year of service

For example, someone made redundant aged 56 with 25 years of continuous service would be eligible to receive:

$$\begin{array}{rcl} 15 \text{ weeks' pay} \times 1.5 & = & 22.5 \text{ weeks} \\ +5 \text{ weeks' pay} \times 1 & = & \underline{5 \text{ weeks}} \\ \text{TOTAL} & = & 27.5 \text{ weeks' pay} \end{array}$$

For compulsory redundancy for teachers the statutory limit is applied to the calculation of a week's pay. *(The statutory limit normally changes annually - £525 as from April 2019). For support staff the calculation of an actual weeks pay is used for both voluntary and compulsory redundancy payments.*

Redundancy payments up to £30,000 are not normally subject to deductions for tax or national insurance.

**An employee selected for compulsory redundancy or accepted for voluntary redundancy will not be entitled to a redundancy payment if they are offered**

**employment with the Authority or an associated employer (as defined by the Local Government Redundancy Modification Order\*) before their existing contract ends, to commence within 4 weeks of their existing contract ending.** In these circumstances, the new employment would be regarded as continuous service. You will be asked to sign a form (Red 2) to confirm that you understand this requirement.

### **What is Continuous Service?**

In Local Authority employment, continuous service includes all unbroken service in any post with this or another Authority and certain other named public bodies coming under the Redundancy Payments (Continuity of Employment in Local Government etc) (Modification) Order 1999 and Amendments (usually referred to as 'the Modification Order').

In order to break service there normally needs to be a gap of one clear calendar week when a contract of employment does not exist. However, see the information on the Local Government Modification Order above. A further caveat to this is 'term-time only employment', where a gap caused by school holidays is likely to be regarded as a 'temporary cessation of work' which does not break the continuity of employment.

'Casual and relief work' will not normally count as continuous service unless there is a regular pattern of uninterrupted employment.

### **What information and support will be available?**

You can:

- Request a redundancy estimate, (from [NYHR@northyorks.gov.uk](mailto:NYHR@northyorks.gov.uk) ) without commitment at this stage
- Request a meeting with the Headteacher and / or HR if you require clarification of any issues
- Seek advice from your Trade Union representative

A copy of the Reorganisation, Redundancy and Redeployment Policy is available from the school upon request.

It is appreciated that redundancy situations can be stressful to those directly and indirectly affected and may impact on both work and personal life. It is advised that you seek support where appropriate.

#### **Health Assured**

This is a free and confidential support service available for employees of NYCC and their immediate family members and can be contacted via a 24 hour personal support service on 0800 030 5182.

If you are not sure who to contact for support and advice please ring Human Resources or contact your Head Teacher.

## Appendix H1

### SAMPLE LETTER – SENT TO STAFF FOLLOWING THE STAFF MEETING (REORGANISATION AND REDUNDANCY)

**(Note: a copy should be sent to all staff including those who are unable to attend the meeting for any reason. e.g. sickness, maternity leave etc).**

#### **Date**

Dear

Further to the staff meeting on **(date)**, I am writing to summarise the main points that were discussed. As you are aware, it has been identified that there is a requirement to restructure the teaching/support staffing establishment and reduce the staffing establishment at **(name of school)** school. This is due to **(give reasons e.g. the reduction in pupils numbers expected in (date))**.

The meeting on (date) was the beginning of the consultation with staff on the school's reorganisation proposals. The consultation ends on (date) and you are asked to submit any comments or proposals to the Headteacher as soon as possible (but in any case by (date)) for consideration by the Governors' Selection Committee. Following the end of the consultation period any proposals or comments that you put forward will be considered by the Governors' Selection Committee, following which final proposals will be communicated to staff and the selection/assimilation process will commence.

The proposed implementation date is (insert date)

It is the policy of the Governors to seek as far as possible, security of employment for staff. They will, in consultation with staff, the LA and Trade Union representatives, seek to minimise the effect of any reductions or redundancies.

To avoid the necessity to reduce staffing establishment by compulsory means, you are therefore asked to consider the following: -

#### **Voluntary redundancy**

If you wish to apply for voluntary redundancy you should let the Head Teacher know in writing as soon as possible, but no later than **(date)**. Your application will be considered by the appropriate committee of Governors when they meet.

Human Resources will provide a personal estimate of voluntary redundancy payment directly to you upon request. By expressing an interest in receiving information you are not committing yourself to volunteering for a redundancy, and the Authority is not committing to the acceptance of any application. If you would like an estimate, please contact [NYHR@northyorks.gov.uk](mailto:NYHR@northyorks.gov.uk).

#### **Voluntary transfer**

If you are interested in working in another school in North Yorkshire you should let the Head Teacher know and they can approach neighbouring schools to see if they have any vacancies and whether voluntary transfer is a potential option.



### **Voluntary reduction in hours**

If you wish to consider changes in your working hours, please discuss this with the Head Teacher as soon as possible.

### **Normal resignation or retirement**

If you wish to leave the school, for example in the circumstances of you obtaining another post, then the normal notice periods of your contract apply.

### **Timescales**

All expressions of interest for voluntary redundancy, voluntary reduction in hours etc, must be made in writing to me before **(end of consultation date)**.

The Governors Selection Committee will then meet to consider any volunteers for redundancy, and other relevant representations put forward during the consultation period.

Should there be insufficient volunteers, or should it not be possible for sound operational reasons to accept volunteers, the Committee will notify you of the selection criteria and selection method to be used. The Committee will subsequently nominate post(s) for compulsory redundancy.

I appreciate that this is a difficult time for all concerned and the school will do all that it can to seek to minimise a situation of compulsory redundancy.. It is advised that you seek support where appropriate and you may wish to contact the **Health**

### **Assured**

This is a free and confidential support service available for employees of NYCC and their immediate family members and can be contacted via a 24 hour personal support service on 0800 030 5182.

If you are not sure who to contact for support and advice please ring Human Resources or contact your Head Teacher.

An information sheet for staff was circulated at the meeting. If for any reason you did not receive a copy of this, then please contact me.

Yours sincerely

Chair of Governors / appropriate governor / Head Teacher

## Appendix H2

### SAMPLE LETTER – SENT TO STAFF FOLLOWING THE STAFF MEETING (RESTRUCTURE ONLY)

**(Note: a copy should be sent to all staff including those who are unable to attend the meeting for any reason. e.g. sickness, maternity leave etc).**

#### **Date**

Dear

Further to the staff meeting on **(date)**, I am writing to summarise the main points that were discussed. As you are aware, it has been identified that there is a requirement to restructure the teaching/support staffing establishment at **(name of school)** school. This is due to **(give reasons e.g. the reduction in pupils numbers expected in (date))**.

The meeting on (date) was the beginning of the consultation with staff on the school's reorganisation proposals. The consultation ends on (date) and you are asked to submit any comments or proposals to the Headteacher as soon as possible (but in any case by (date)) for consideration by the Governors' Selection Committee. Following the end of the consultation period any proposals or comments that you put forward will be considered by the Governors' Selection Committee, following which final proposals will be communicated to staff and the selection/assimilation process will commence.

It is the policy of the Governors to seek as far as possible, security of employment for staff. They will, in consultation with staff, the LA and Trade Union representatives, seek to minimise the effect of any reorganisation.

#### **Normal resignation or retirement**

If you wish to leave the school, for example in the circumstances of you obtaining another post, then the normal notice periods of your contract apply.

#### **Timescales**

The Governors Selection Committee will meet to consider any comments or proposals put forward during the consultation period.

If appropriate the Governors Selection Committee will notify you of the selection criteria and selection method to be used for assimilation purposes.

I appreciate that this is a difficult time for all concerned and the school will do all that it can to seek to minimise the impact on staff. It is advised that you seek support where appropriate and you may wish to contact the **Health Assured**. This is a free and confidential support service available for employees of NYCC and their immediate family members and can be contacted via a 24 hour personal support service on 0800 030 5182.

If you are not sure who to contact for support and advice please ring Human Resources or contact your Head Teacher.

An information sheet for staff was circulated at the meeting. If for any reason you did not receive a copy of this, then please contact me.

Yours sincerely

Chair of Governors / appropriate governor / Head Teacher

## Appendix H3

### SAMPLE LETTER – SENT TO STAFF FOLLOWING THE STAFF MEETING (COMPULSORY REDUNDANCY ONLY)

**(Note: a copy should be sent to all staff including those who are unable to attend the meeting for any reason. e.g. sickness, maternity leave etc).**

#### Date

Dear

Further to the staff meeting on **(date)**, I am writing to summarise the main points that were discussed. As you are aware, it has been identified that there is a requirement to reduce the staffing establishment at **(name of school)** school. This is due to **(give reasons e.g. the reduction in pupils numbers expected in (date))** which directly affects your post of **(insert post title)**

It is the policy of the Governors to seek as far as possible, security of employment for staff. They will, in consultation with staff, the LEA and Trade Union representatives, seek to minimise the effect of reduction or redundancies.

The meeting on the (insert date) was the beginning of the consultation on the proposal that has been put forward. The consultation ends on (insert date) and you are asked to have any comments or proposals to the Headteacher as soon as possible for consideration by the Governor Selection Committee. Following the end of the consultation period any proposals or comments that you put forward will be considered by the Governors committee, and then the final proposals will be communicated to you. However, should the proposal remain as it is, you will be issued notice to end your post on the (insert date)

Human resources will provide a personal estimate of compulsory redundancy payment directly to you on request. If you would like an estimate please email [NYHR@northyorks.gov.uk](mailto:NYHR@northyorks.gov.uk).

If you wish to leave the school, for example in the circumstances of you obtaining another post, then the normal notice periods of your contract apply.

If you require any further information or advice please contact the Head Teacher.

I appreciate that this is a difficult time and the school will do all that it can to seek to minimise a situation of compulsory redundancy. It is advised that you seek support where appropriate and you may wish to contact the **Health Assured**. This is a free and confidential support service available for employees of NYCC and their immediate family members and can be contacted via a 24 hour personal support service on 0800 030 5182.

If you are not sure who to contact for support and advice please ring Human Resources or contact your Head Teacher.

Yours sincerely,  
Chair of Governors / appropriate Governor / Head Teacher

## Appendix I

### Letter from Governors confirming acceptance of voluntary redundancy

#### Date

Dear

I am writing on behalf of the Governors to thank you for your offer of voluntary redundancy with effect from **(implementation date)**.

I would like to confirm our acceptance of this offer subject to the condition that the school is still within a redundancy situation on **(date on which notice will be issued)**.

Your formal notice will follow in due course.

As you have volunteered to be dismissed by reason of redundancy you have the right to a Representations Hearing and then a subsequent Appeal Hearing, with separate Governors' Panels, against the dismissal. If you wish to take up this right please let me know in writing within five working days of receipt of this letter. If you do not choose to request a representations Hearing you may not then request an Appeal Hearing.

You are entitled to be accompanied by a Trade Union Representative or work colleague to both the representations and the appeals hearings.

You should be aware that if the school's circumstances change, or another member of staff were to leave which negated the redundancy situation, your application for voluntary redundancy would be reviewed and could possibly be turned down.

*\*\* As confirmed during the consultation the school require a **(insert FTE amount, e.g. 0.6)** reduction in **(Subject/Key Stage)** Teachers/Support Staff , therefore the school would like to offer you the **(insert FTE amount, e.g. 0.4)** post in school if you wish to accept it. If you chose to accept the **(insert FTE amount, e.g. 0.4)** post you will not be entitled to a redundancy payment and any future redundancy payments would be calculated on 0.4fte contract. Please ensure that you check what implications this may have on your pensions etc and if you wish to accept this offer confirm your decision in writing to me by **(date)**.*

If you have any queries about this, please contact School's HR Adviser **(Name)** on **(contact number)**.

If you have any queries regarding any of the above, please do not hesitate to contact me.

Yours sincerely

Chair of Panel of Governors

**\*\* Delete if not required**

## Appendix J

### LETTER NOTIFYING STAFF OF THE SELECTION CRITERIA AND REQUESTING COMPLETION OF SKILLS AUDITS

#### Date

Dear

Further to the end of the consultation period the Governor Selection Committee have met to consider the situation and finalise the staffing structure (please find enclosed). Unfortunately, it has not been possible to resolve the matter by voluntary means and therefore it is necessary to move to the compulsory process.

Following consultation the Governor Selection Committee have agreed that the selection criteria and weightings will be as per the attached document.

In order for the Governors to have the required and up to date information I would request you to complete and return the Skills Audit Form *\*and indicate your preferences within the specific ringfence on the enclosed form* by (date). Upon receipt of the completed form the Headteacher will verify the information you have provided and will discuss any points of clarification with you if required.

Your Skills Audit form will then be anonymised prior to the Selection Committee receiving them. The Selection Committee will then meet to score your Skills Audit against the agreed criteria; the outcome will then be confirmed to you in writing.

Please note the information you provide should be evidence based and effectively demonstrate your skills and experience in the relevant areas. If you do not complete the Skills Audit Form you will be scored zero. Acceptance of late submissions will be at the discretion of the Governors' Selection Committee.

In the event that you are not appointed to one of the posts you would be at risk of redundancy and notice would be given to that effect. However, we would seek to redeploy you to a suitable alternative post, should this be the case.

If you have any queries about this process, or any other aspect of the redundancy situation, please do not hesitate to contact me.

Yours sincerely

Headteacher/Selection Committee

**\*Delete if not required**

**Enc:**

**Final staffing structure**

**Skills audit form**

**Preference form (if applicable)**

**Appendix K**

**Office use only: Please note this is a sample skills audit. You will need to amend the appropriate sections so the form correlates with the agreed selection criteria to allow staff to complete this appropriately**

**Skills Audit form**

**NAME:** ..... **Signed** .....

**Dated**.....

.....

**Candidate no.**.....(to be completed by Headteacher)

.....

**Post preference – Please indicate your preference for the posts within the ringfence you are allocated to.**

**Preference 1:**

**Preference 2:**

**Preference 3:**

**Please complete this form and return it to:  
The Selection committee,**

**Closing date for return of forms –**

**Please complete this form in line with the selection criteria for the post(s) you have preferred for**

**Please provide as much information as possible on the areas detailed within the selection criteria provided to you to enable the selection panel to score your skills audit effectively.**

<b>Qualifications and Training</b>	<b>Evidence/Examples</b>	<b>Points</b>
<i>Example: Evidence provided of personal professional learning such as courses relevant to post and explain how this has impacted on your practice</i>		
<b>Experience</b>		
<i>Example: Experience of working with children with specific individual needs e.g. speech and language, autism</i>		
<b>Skills and Knowledge</b>		
<i>Example: Ability to demonstrate use of ICT/Technology in supporting learning</i>		
<b>Personal Qualities</b>		
<i>Example: Give examples of using you initiative such as problem solving, dealing effectively with a challenging situation, such as an accident</i>		

<b>Any other relevant information</b>		

**N.B IN THE EVENT OF SCORES BEING THE SAME, THE TIEBREAKER (AS STATED IN THE SELECTION CRITERIA) WILL BE USED TO DETERMINE THE SELECTION COMMITTEE'S DECISION**



For office use only – Candidate number =

**Appendix L**

**Office use only: Please note this is a sample scoring matrix. You will need to amend the appropriate sections so the form correlates with the agreed selection criteria to allow the committee to complete this appropriately**

**SAMPLE SCORING MATRIX FOR SELECTION FOR REDUNDANCY – SUPPORT STAFF**

**SCHOOL:**

**SELECTION COMMITTEE (names)**

**DATE COMPLETED:**

<b>SELECTION CRITERIA</b>	<b>EMPLOYEE 1</b>	<b>EMPLOYEE 2</b>	<b>EMPLOYEE 3</b>	<b>EMPLOYEE 4</b>	<b>EMPLOYEE 5</b>	<b>EMPLOYEE 6</b>	<b>EMPLOYEE 7</b>
<b>QUALIFICATIONS</b> Relevant Teaching Assistant and other qualifications							
<b>EXPERIENCE</b> Recent and relevant teaching experience Specialisms  (inc age groups supported)							
<b>SKILLS AND KNOWLEDGE</b>							
<b>SPECIAL NEEDS RESPONSIBILITIES</b>							

<b>SUBJECTS SUPPORTED</b>							
<b>OTHER RELEVANT INFORMATION</b>							

Appendix L

**SAMPLE SCORING MATRIX FOR SELECTION FOR REDUNDANCY – TEACHING STAFF**

**SCHOOL:**

**SELECTION COMMITTEE (names)**

**DATE COMPLETED:**

<b>SELECTION CRITERIA</b>	<b>EMPLOYEE 1</b>	<b>EMPLOYEE 2</b>	<b>EMPLOYEE 3</b>	<b>EMPLOYEE 4</b>	<b>EMPLOYEE 5</b>	<b>EMPLOYEE 6</b>	<b>EMPLOYEE 7</b>
<b>QUALIFICATIONS</b> Relevant Teaching and other qualifications							
<b>EXPERIENCE</b> Recent and relevant experience Specialisms							
<b>STAFF DEVELOPMENT UNDERTAKEN in past 5yrs</b>  <b>COURSES ATTENDED</b>							
<b>MANAGEMENT RESPONSIBILITY</b>							

<b>TEACHING &amp; LEARNING RESPONSIBILITY</b>							
<b>CURRICULUM AREA/S</b>							
<b>SUBJECTS TAUGHT</b>							
<b>PASTORAL RESPONSIBILITIES</b>							
<b>OTHER RELEVANT INFORMATION</b>							

## Appendix M1

**Send to staff who are in unchanged posts and have been directly assimilated (slotted in)**

Date #

Dear #

**Re-organisation of # (support/teaching staff) at (Name of School)  
Assimilation/Appointment details**

I am writing to advise you that the proposal to reorganise the (*insert department*) at (*Name of School*) has been agreed following consultation with the recognised trade unions and the affected staff.

The new staffing structure has been finalised and approved \*\*and is included with this letter. Please note that the original proposals have been amended as a consequence of the consultation exercise.

The process of assimilating staff from the existing to the new staffing structure will now take place in accordance with the School's Re-organisation, Redundancy and Redeployment Policy.

I am pleased to inform you that your post has been designated as UNCHANGED. This means that you will continue to work to your current job description \*\* with the minor revisions, in accordance with your current contract of employment.

\*\*This offer is made provisionally and cannot be confirmed until the reorganisation/redundancy process has been completed.

\*\*You will not be invited to preference for any posts on the new structure.

Please do not hesitate to contact me if you require any further information.

Yours sincerely

\*\*Enc:  
Structure chart

**\*\*Delete as appropriate**

Appendix M2

**Send to staff who have been assimilated in to a changed post**

Date #

Dear #

**Re-organisation of # (support/teaching staff) at (Name of school)  
Assimilation/Appointment details**

I must now advise you that the proposal to reorganise the (teaching/support staff/department) at (insert school) has been agreed following consultation with the recognised trade unions and the affected staff.

The new staffing structure has been finalised and approved and has been circulated to all staff.

The process of assimilating staff from the existing to the new staffing structure will now take place in accordance with the School's Re-organisation, Redundancy and Redeployment Policy.

I have to inform you that your current post is to be deleted from the staffing structure with effect from (insert date). However, the Selection Committee would like to provisionally offer you the following post with effect from (insert date).

***Insert post details - post title, hours, band, TTO/full year etc, working days - inc job description.***

This offer is made provisionally and cannot be confirmed until the reorganisation/ redundancy process has been completed.

Please confirm your acceptance of this provisional offer on the reply slip below and return this to (insert name) by ..... (5 working days).

If you accept this provisional offer you will be issued with a variation letter/a new contract of employment in due course to confirm this appointment once the process is completed.

I appreciate that this process can be stressful to staff involved and would like to remind staff of the **Health Assured**. This is a free and confidential support service available for employees of NYCC and their immediate family members and can be contacted via a 24 hour personal support service on 0800 030 5182.

Please do not hesitate to contact the Headteacher if you require any further information or clarification on the content of this letter

Yours sincerely

Chair of Selection Committee

.....

I acknowledge receipt of the letter dated.....

I do\*/do not\* wish to accept the provisional offer of the post of .....  
(insert post title) with effect from (insert date).

\* delete as appropriate

If you do not wish to accept this offer, please indicate the reason for this below

.....  
.....  
.....  
.....  
.....  
.....

Name.....

Signed..... Date.....



Appendix M3

Send to staff who have been provisionally offered a new post

Date #

Dear #

**Appointment of # (post title)**

Following the selection process undertaken by the Governors' Selection Committee, I am pleased to offer you the new post of # (Job Title) at pay band #, for # hours per week.

This offer is made provisionally and can not be confirmed until the reorganisation/redundancy process has been concluded.

Your commencing salary will be £ # per annum, scp #.

**\*\*You will continue to be subject to increment review. \*\*You have been appointed at the top of the new pay band, therefore if the increment performance criteria have not been met, the spinal point will be reduced.**

The date of implementation for the new structure is # (insert date) and your new duties will commence on # (insert date).

**\*\* You will be entitled to a trial period of 4 weeks\* from this date. \*(this may be a longer period for training purposes only, if agreed in writing in advance of the commencement of the trial period). The purpose of the trial period is to allow both parties time to assess the suitability of the new role. If you unreasonably reject the new post of work in it beyond the end of the trial period, a redundancy payment will not be made. The trial period ends on (date) and a meeting will be arranged on (date) to confirm whether or not this post is suitable.**

I would be pleased if you would confirm your acceptance of this provisional offer by return. You will be issued with a statement of particulars (contract of employment) for signature in due course\*\*/when it is possible to confirm the offer\*\*.

If you wish to discuss any matter in relation to your appointment please contact me on the above number.

Yours sincerely

Chair of Selection Committee

**\*\* Delete as appropriate. Please seek HR advice as to whether inclusion of this paragraph is applicable**

.....

I acknowledge receipt of the letter dated.....

I do\*/do not\* wish to accept the provisional offer of the post of .....  
(insert post title) with effect from(insert date). \* delete as appropriate

If you do not wish to accept this offer, please indicate the reason for this below

.....  
.....  
.....  
.....  
.....  
.....

Name.....

Signed..... Date.....

## Appendix M4

### LETTER NOTIFYING EMPLOYEE THAT THEIR POST HAS BEEN NOMINATED AS REDUNDANT

#### Date

Dear

\*Further to our discussion, I am writing to confirm that at a meeting of the Governors Selection Committee on **(date)**, the redundancy situation regarding the school was considered and your post of **(post title)** was nominated as redundant.

#### Or

\*Further to our discussion, I am writing on behalf of the Governors Selection Committee to confirm in writing, that following the selection process, you were unfortunately unsuccessful in securing your preferred post. Therefore your post of (insert current post) at (insert school) is redundant with effect from (insert date)

You have the right to make representation to Governors about this proposal. It is the intention of the Governors to consider any such representation you or a representative on your behalf may wish to make. This meeting will be held on **(date, time and venue)**. *(note: give 10 working days notice)*

Please would you let me know if you intend to make any representation by returning one copy of this letter to me with the bottom portion duly completed, by **(date – the date is within 5 working days of the date of this letter)**.

Please note that if you anticipate any difficulty in letting me know your intention by this date, or if you are unable to attend the hearing on the date specified, you should contact me as soon as possible to let me know the reason for this.

Following the Representation Hearing, should you wish to make an appeal against the decision of the Selection Committee, the date of this Hearing will be **(give date, time, venue)**. I would also ask you to confirm as soon as possible if this date is convenient.

You are entitled to be accompanied by a Trade Union Representative or work colleague to both the representation and the appeals hearings.

Notwithstanding the above rights of representation and appeal, the Local Authority will commence the process of seeking redeployment and will contact you about this shortly. This is not pre-judging the outcome of any representations or appeal but is designed to make optimum use of the time available. Should you cease to be in a redundancy situation, the redeployment process can be terminated at that point.

*\*\* As discussed the school needed to reduce staffing by (insert FTE amount, e.g. 0.6) teaching/support staff in (Subject/Key Stage) therefore the school would like to offer you the (insert FTE amount, e.g. 0.4) post in school if you wish to accept it. If you chose to accept the (insert FTE amount, e.g. 0.4) post you will not be entitled to a redundancy payment and any future redundancy payments would be calculated on 0.4fte contract. Please ensure that you check what implications this may have on your*

*pensions etc and if you wish to accept this offer confirm your decision in writing to me by (date).*

If you would like to discuss the matter with me or have any queries regarding the letter, please do not hesitate to contact the Head Teacher. You may also wish to contact Human Resources on **(name and contact details)**

Please note that this letter does not constitute notice of the termination of your employment contract, which, if necessary, will be issued to you by the Local Authority. (Governing Body in the case of aided/foundation schools).

Yours sincerely

Chair of Panel of Governors.

---

**NAME**..... **SCHOOL**.....

I confirm that I have read and understood the contents of this letter notifying me of the proposal of Governors that I have been nominated as redundant from my post as **(post) at (workplace)**.

Having considered this matter I do\* / do not\* wish to make representation about the proposal

**If you do intend to make representation, please confirm the following:**

I do\* / do not\* intend to attend the meeting to make representation on **(date)**.

If attending, please confirm the name and status of any representative who will accompany you.

Name of Representative..... Status.....

Signed (employee) ..... Date .....

**\*Delete as appropriate**

**\*\* Include this paragraph if an alternative offer is available. Please seek HR advice if required**

## Appendix N

### LETTER INVITING STAFF TO HEARING

#### Date

Dear

Following confirmation of your decision to make representations/appeal against the decision to nominate your post of **(title)** as redundant, I am writing to confirm the details of the hearing as notified to you on **(date of comp red letter)**.

The meeting will be attended by the Selection/Appeal Committee as follows: **(name of governors)** and a representative from the Human Resources department **(name)**.

The meeting will be held on **(give date, time, venue)**.

*\*\*Enclosed is a copy of your individual score as awarded by the Selection Committee upon application of the selection criteria. \*\*if requested.*

You are entitled to be accompanied by a Trade Union Representative or work colleague to both the representation and the appeals hearings.

Please let me know if you are unable to attend.

Yours sincerely

Head Teacher

## Appendix O

### Order of Proceedings for Representations

- 1) Chair of meeting asks those present to introduce themselves, explains the proceedings and confirms that everyone is clear as to how the hearing will be conducted. Explain that an adjournment can be requested at any point during the hearing.
- 2) The Committee will explain the reason for the post being nominated as redundant and the criteria and information used to make this decision.
- 3) The individual (and their representative if appropriate) will put forward their representation against the decision to nominate the post as redundant.
- 4) Questions are put to the Committee by the individual
- 5) Questions are put to the Individual by the Committee
- 6) The Individual will be asked to summarise and conclude their representation
- 7) The individual will be asked to withdraw while the committee consider the representation\*.
- 8) The individual will be asked to return and the Committee will give its decision and explain the right of appeal.
- 9) The Committee will confirm its decision in writing.

\* A representative of the Corporate Director – Children and Young People's Service may remain to advise the Committee

## Appendix P

### LETTER TO EMPLOYEE FOLLOWING REPRESENTATION TO GOVERNORS

#### Date

Dear

#### Representation against selection for redundancy

Following the representation hearing on **(date)** against the proposal to make the post of **(post title)** at **(school)** redundant, I am writing to confirm that the decision to nominate this post as redundant remains unchanged.

As advised at the outcome of the hearing, I would like to confirm that:

- the scores that you were awarded were re-evaluated by the Governors Selection Committee following the additional information that you put forward throughout your verbal representation during the hearing.
- the Selection Committee felt that they were able to award e.g. two additional points under the **E.G. 'skills and experience' criteria** one for a) areas of specific responsibility, and one for b) skills of positive behaviour management; the points were awarded for the examples you gave for your work. This increased your overall score in this area from (x) to (y).
- you received maximum scores under the criteria **E.G. 'qualifications and professional development' and 'curriculum needs of the school'**; therefore no further scores could be awarded for these criteria.
- the Selection Committee felt that they were unable to award you any additional points under the **E.G. 'personal attributes and qualities' criteria** as the examples you provided did not add any additional detail, information or depth to the examples you had all ready provided in your hand written skills audit; therefore your score for in this area remained at (x).
- the additional points awarded increased your overall score from (x) to (y). The increase in your score did not change the final outcome; you still received the overall lowest score.
- there were no new examples and therefore I confirm your audit score remains the same. The information provided was considered under the other areas of scoring therefore your post of (name) is still nominated as redundant.
- the Selection Committee felt the score applied gave credit to the examples provided.
- the additional information provided at the hearing today reinforced the example provided.

You have the right to appeal against this decision to the Governor Appeals Committee. Should you wish to do so the appeal will be heard on **(date, time, venue)** as notified to you on **(date of comp red letter, app M4)**. You are entitled to bring a trade union representative / work colleague with you to the appeal hearing.

Please confirm whether or not you wish to appeal against this decision and the grounds for your appeal, by returning one copy of this letter to me with the bottom portion duly completed by **(date – 5 working days)**.

If you have any further queries, then please do not hesitate to contact the Head Teacher.

Yours sincerely

Chair of the Selection Committee

.....

Name ..... Post.....

School .....

I confirm that \*I wish to / do not wish (\*delete as appropriate) to appeal against the decision to nominate my post of ..... **(state post)** as redundant.

I will be accompanied by .....  
**(provide name and state whether Trade Unions Representative or work colleague).**

My Grounds for the appeal are:

.....  
.....  
.....  
.....  
.....

Signed ..... Date .....



## Appendix Q

### LETTER TO EMPLOYEE FOLLOWING THE APPEAL HEARING

#### Date

Dear

#### Appeal against Selection for Redundancy

Following your appeal on **(date)**, against the decision of the Selection Committee, I am writing to confirm the decision of the Appeals Committee.

You were represented at the hearing by **(name)** Trade Union / colleague.

The Appeals Committee was advised by **(name)**.

Having carefully considered all the facts, the information presented and the supporting comments of the Head Teacher, I regret to inform you that the Appeals Committee have reluctantly decided to confirm the original decision that the post is redundant.

The basis of this decision is that the Committee is satisfied that the process adopted by the Selection Committee was both thorough and fair and that the criteria for selection determined by them, following consultation with the Trade Unions, had been applied correctly.

#### OTHER OPTIONS:

As advised at the outcome of the hearing, I would like to confirm that:

- the scores that you were awarded were re-evaluated by the Appeal Committee following the additional information that you put forward throughout your verbal representation during the hearing.
- the Appeal Committee felt that they were able to award two additional points under the **E.G. 'skills and experience' criteria** one for a) areas of specific responsibility, and one for b) skills of positive behaviour management; the points were awarded for the examples you gave for your work. This increased your overall score in this area from (x) to (y).
- you received maximum scores under the criteria **E.G. 'qualifications and professional development' and 'curriculum needs of the school'**; therefore no further scores could be awarded for these criteria.
- the Appeal Committee felt that they were unable to award you any additional points under the **E.G. 'personal attributes and qualities' criteria** as the examples you provided did not add any additional detail, information or depth to the examples you had all ready provided in your hand written skills audit; therefore your score for in this area remained at (x).
- the additional points awarded increased your overall score from (x) to (y). The increase in your score did not change the final outcome; you still received the overall lowest score.

- there were no new examples and therefore I confirm your audit score remains the same. The information provided was considered under the other areas of scoring therefore your post of (name) is still nominated as redundant.
- the Appeal Committee felt the score applied gave credit to the examples you provided.
- the additional information provided at the hearing reinforced the examples you provided.

You will therefore be dismissed from your post as **(post title)** by reason of redundancy with effect from **(date)**.

We will however, continue to seek suitable alternative employment for you through the redeployment process.

This letter is not your formal notice. This will be issued by the LA in due course. (Directly in the case of aided/foundation schools).

It is with regret that Governors have taken the decision to confirm your post as redundant and would like to take this opportunity to thank you for your service to the **(name of school)** and to wish you every success for the future.

Yours sincerely

Chair of Appeals Committee

**Appendix R**

**To be sent by the Governing Body of Aided/Foundation schools to redundant staff. Please note the LA can issue notice on the behalf of Aided/Foundation schools is you wish**

**NOTICE LETTER FROM AIDED/FOUNDATION SCHOOLS**

Dear (insert name)

This letter is on behalf of (insert school name) (Voluntary Aided) School, to confirm the Governor Selection Committee have considered the redundancy situation regarding the school and your post of (post title) was nominated as redundant with effect from (insert date).

If you would like to discuss the matter or have any queries regarding this decision, please do not hesitate to contact the Head Teacher. You may also wish to contact Human Resources, your contact is (insert name)

Your redundancy payment is estimated to be £??? based on the information attached. If you believe any of the details to be incorrect please contact me as this could affect your redundancy payment. This includes the element of statutory redundancy pay. This will be paid in the month following your last day of service.

I would be grateful if you would sign and date the attached letter as acknowledgment of receipt of formal notice, and return it along with your completed RED 2 form in the envelope provided.

If you have any queries regarding the above, please do not hesitate to contact me. It is important that you understand the nature of the declaration that you are signing in that: if you accept any offer of alternative employment made by organisations included under the 'Local Government Modifications Order', prior to your contract terminating, to commence within 4 weeks of the end of your existing contract, you will become ineligible to receive a redundancy payment.

Yours sincerely,

.....  
.....

Name                    ?????  
Post                    ?????????  
School

I confirm that I have received formal notice and the RED 2 form and understand the terms of my notice and redundancy. The completed RED 2 form is enclosed.

Signed ..... Dated .....  
**Date**