

Redundancy Procedure For All School Based Staff

1. Introduction

The biggest part of a school's expenditure is its employees, therefore when facing budget cuts it is almost inevitable that reductions will need to be made in staffing. When considering such a course of action, it is important that schools use the following procedure and guidelines in order to treat employees fairly, adhere to equal opportunities and reduce the risk of claims to Employment Tribunals.

Under the School Staffing (England) Regulations 2003, unless particular circumstances apply, the head teacher should have the delegated responsibility to make initial dismissal decisions (IDD), following which there will be an opportunity to appeal to a panel of governors. The Local Authority (L.A.) recommends to schools that dismissal decisions made in relation to redundancy are handled by a panel of governors, as detailed in this procedure as the head teacher is likely to have already had a major input into the process.

The L.A. as the employer has a responsibility to ensure that its employees are treated in a fair and consistent manner and therefore recommends this procedure for adoption by the Governing Body. It is an agreed document between the Authority and the professional associations/unions which represent staff in schools and must be made available to all affected staff.

2. The Legal Background

Redundancy is a dismissal, caused by the employer requiring fewer people to do a particular kind of work at the place they are employed.

The legal background to handling redundancies is aimed at making sure that the employer does not press ahead with these dismissals without thoroughly considering alternatives.

There are three areas of the law to consider:

- The need to treat each individual employee fairly ~ this means making sure all redundancies are bona fide and handled sensitively. This will ensure compliance with the right not to be unfairly dismissed.
- The need to consult the council's recognised trade unions/ professional associations about the proposals ~ this is aimed at trying to avoid redundancies in the first place.
- The powers that councils have to pay redundancy compensation ~ this ensures that they only pay out money when legally correct to do so. It is aimed at public probity, but reinforces good employment practice by

encouraging the council and schools to minimise redundancy or to redeploy staff wherever possible.

3. Governing Body Responsibilities

The procedure should be formally adopted by the governing body and copies of the procedure should be made readily available within the school. **It is strongly recommended that governing bodies follow this procedure when they are faced with the possibility of making staff redundant. Failure to follow these procedures or failure to seek and follow appropriate advice could potentially render the school liable for costs of redundancy, early retirement and costs relating to employment tribunals.**

Any action taken by the governors must be fair and consistent and only carried out after close consultation with staff and the recognised trade unions and professional associations.

At the earliest opportunity and before any formal procedures are started, governing bodies should notify the L.A. of the possibility of reductions in staffing levels. Governing bodies should seek professional advice from their HR provider and where appropriate their School's Finance Officer. Where there is a potential impact on the standards of education, the School Improvement Adviser should also be notified.

Governing bodies will need to set up two panels consisting of at least three governors on each, to serve on the redundancy committee and the dismissal appeal hearing committee. It is not appropriate for staff governors to be members and no one can serve on both panels. The redundancy committee has the responsibility for the process and would normally delegate the consultation exercise with staff and unions to the Head Teacher. The Head Teacher may be supported by the Chair of Governors or a representative of the redundancy committee during the consultation process.

The committees have fully delegated powers of decision in matters relating to formal hearings dealing with staff issues. All matters relating to a hearing are treated as strictly confidential to the members of the committee.

If governing bodies have difficulty in setting up panels they should seek advice from Governors' Services.

4. Head Teacher Responsibilities

The Head Teacher is responsible for the management of the school and therefore has a key role to play throughout the redundancy process. In the absence of the Head Teacher this responsibility would be delegated to the most senior nominated person. In particular the Head Teacher should assist:

- with the provision of information to the unions and professional associations;

- with consultation with staff and union representatives;
- in making recommendations relating to selection criteria to be used in the event of compulsory redundancy;
- by presenting the management's case to a hearing of the Redundancy Committee;
- by accompanying the Chair of the Redundancy Committee to any appeal hearing.

5. Definition of Redundancy

A redundancy may arise when:

- an employer has ceased or intends to cease (i) to carry on the business for the purposes of which the employee was employed or (ii) to carry on that business in the place where the employee was so employed.

or

- the requirements of that business (i) for employees to carry out work of a particular kind, or (ii) for employees to carry out work of a particular kind in the place where the employee was employed, have ceased or diminished or are expected to cease or diminish.

6. Redundancy Situations

Situations which may result in the need for redundancies could include:

- school closure/amalgamation;
- falling rolls;
- amalgamation or closure of facilities/departments;
- budgetary problems;
- a change in the demand from certain subject areas or job requirements;
- reorganisation of management or departmental structures.

7. The Procedure

Before starting the procedure, it is important to note the timescale of the whole process. (See *Appendix A Redundancy Timetable*)

Stage 1 Investigate all possible methods of avoiding compulsory redundancy

Normally the school will receive its indicative budget at the beginning of the Spring Term. If the budget indicates a deficit, the governing body will explore all possible methods of making savings other than compulsory redundancy, e.g.

- not filling vacancies (natural wastage),
- job sharing,
- reductions in hours,
- volunteers for redundancy as part of the consultation.

If there are concerns about the staffing costs, then the governing body must decide whether to plan for potential redundancies. Before formal procedures commence the governing body must agree and minute the proposed action at a meeting of the full governors. It may be necessary to call an extraordinary meeting of the governors in order to meet the time table.

Stage 2 Consultation

The Employment Rights Act provides trade union representatives with the opportunity of reasonable time for consultation and sufficient information to understand the requirement to reduce the workforce.

The school is required to disclose in writing to the recognised trade union representatives. The consultation document will include:

- the reasons for the proposals;
- the numbers and descriptions of employees proposed to be dismissed as redundant;
- the total number of employees of that description employed at the school;
- the proposed method of selecting the employees who may be dismissed;
- the proposed method of carrying out the dismissals, including the period over which the dismissals are to take effect;

and

- the proposed method of calculating the amount of any redundancy payments to be made.

The Employment Rights Act makes it clear that employers must undertake consultation with the recognised trade union representatives with a view to reaching agreement.

Consultation should take place between the Head Teacher and if required Chair of Governors or representative of the Redundancy Panel and the recognised trade unions and professional associations. The consultation period should commence from the date of the formal notification to the professional Associations/unions and should provide a minimum of 4 weeks for consultation. This period may be extended by mutual agreement. Consultation should cover;

- avoiding dismissals;
- reducing the number of employees to be dismissed;
- mitigating the consequences of any dismissals including consideration of applications for voluntary redundancy.

It is important that the consultation process is carried out thoroughly and that all the following action is taken. The above information is required to be given in writing to all representatives of the relevant union in the school and to area representatives.

All teaching and non teaching staff as appropriate should be invited to attend a meeting to hear the proposals and consider the following:

- the reasons for having to consider redundancies;
- an invitation for voluntary redundancy, making it clear that there is no automatic right to premature retirement or voluntary redundancy (see below, 'volunteers for redundancy');
- the date by which applications should be received;
- the procedures to be followed, including the right to make representation to the Redundancy Committee and Appeal Committee.

Volunteers for redundancy

During the process of seeking applications for voluntary redundancy, the Governing Body should ensure that:

- staff are made aware that there is no automatic entitlement to redundancy/early retirement benefits. Whilst every effort would be made to accept volunteers to avoid compulsory redundancy, the needs

of the school to meet the objectives of the School Development Plan should be given priority;

- the unions are given the opportunity to comment on the process of seeking volunteers;
- the timescale for receiving applications takes into account time required for potential volunteers to seek advice and information on their redundancy/ early retirement benefits;

and

- consideration is given to providing sufficient time for applications to be submitted during the consultation process versus the impact on staff morale if protracted.

A model letter to staff notifying the outcome of an application for voluntary redundancy is given in Appendix F1

Selection Criteria for compulsory redundancy

Wherever possible the selection criteria will be agreed with unions/professional associations during the process of consultation.

The first panel (The Redundancy Committee) will draw up proposed criteria with guidance from the Head Teacher. The criteria should not be finalised until after the closing date for receiving volunteers as this could affect the decision on the criteria. In any event the criteria will not be finalised until after the consultation period has been concluded.

The criteria must be objective and fair. Objective selection based on skills, qualifications and experience aims to retain the staff necessary to deliver the curriculum and the School Development Plan.

Where there are more posts within the pool of staff than the number of required redundancies, the selection criteria will be applied to determine which posts should be redundant. Selection criteria must be determined objectively.

The recommended method of selection is to match the skills profile of each member of staff against the needs arising from the School Development Plan. *Examples of skills profiles and matrices are given in Appendices B to E. Further guidance is given Appendix M*

Stage 3 Application of criteria

The first panel of governors (the Redundancy Committee) will need to match the skills profile of each member of staff against the needs of the school arising from the school development plan. This should be carried out by applying the criteria adopted by the committee after considering the views of the professional associations/unions and revising if necessary. The meeting should take place as soon as possible after the consultation period has ended.

The Head Teacher should be present to advise the committee. The committee may also have an HR Adviser in attendance in an advisory capacity only.

Notification

The chair of the Redundancy Committee will write a letter to each member of staff who has been proposed for dismissal by reason of redundancy. (See *model letter F2*) The letter should state:

- the reasons why it has been proposed to reduce or remove the post occupied by the employee;
- that the employee or his/her representative may make representations to the governors' Redundancy Committee.

Stage 4 Representations to Redundancy Panel

Notice of Hearing

The Clerk to the Governing Body should convene the hearing by the Redundancy Committee, allowing at least 10 working days written notice of the date of the hearing. Employees should be given adequate information to assist them in preparing representations, particularly on the criteria used to recommend the removal of their post, resulting in their dismissal by reason of redundancy.

People in Attendance

- The three governors appointed to serve on the Redundancy Committee.
- A Human Resources Adviser may attend to advise the committee.
- The Head Teacher (and if required a senior work colleague who may present the management case, and then withdraw from the meeting), who is present to explain the reason for recommending the dismissal of the employee by reason of redundancy.

- The employee making the representations, who must be given the opportunity to be accompanied to the meeting by a trade union representative or work colleague.

Representations

Before final decisions are made, the employee must be given the opportunity to make written and personal representation to the hearing by the Redundancy Committee. Any written representation should be sent to the Clerk of the Governing Body at least five working days before the date of the hearing.

Documentation

The Clerk to the Governing Body sends to all parties attending the hearing, copies of all papers relating to the redundancy (unless they have already been sent). These papers would include:

- The original information sent to staff and union representatives explaining the need for redundancies.
- Details of the criteria used in the decision on redundancy including relevant information used for selection purposes e/g matrix summary.
- A copy of the letter sent to the employee recommending dismissal by reason of redundancy.
- Any written representation submitted by the employee or representative.
- The agenda for the hearing. (*see Appendix G1.*)

General guidance for the hearing

The chair of the committee is responsible for the conduct of the proceedings and for any variations considered appropriate. The chair of the committee:

- Welcomes those present and makes introductions
- Stresses that this is a private hearing and that all information brought to the committee is strictly confidential to the people present.
- Outlines and agrees the procedure to be followed during the hearing. (*see model agenda Appendix G1*)
- requests all attending the hearing to remain available to the committee for approximately one hour after they withdraw in case the committee needs to clarify any point.
- Explains how they will be informed of the committee's decision.

Adjournment

If new evidence is brought to the hearing which all parties have not had time to consider, or for some other good reason, the chair of the committee may decide to adjourn the meeting for a specified time or to another date. If there is an adjournment, the reconvened committee must comprise the same membership.

Several redundancies

Where there is more than one employee nominated for redundancy, the same committee must consider all the proposed redundancies. Each redundancy should be considered separately, unless they are represented by the same union representative and elect to have their cases heard together rather than separately. Each employee should still be given the right to make individual representations, even if in the presence of others.

Notification of decision

At the end of the hearing the panel will make its decision and notify the employee of the decision either by recalling the employee and their representative and/or writing to the employee. Written notification will include details of any right of appeal. (See *Appendix F3*)

Stage 5 Appeal Hearing

Notice of appeal (*See Model letter Appendix F4*)

If the employee wishes to appeal against the decision of the Redundancy Committee, such an appeal must be received in writing by the Clerk to the Governing Body within ten school days of the date of the notification of the committee's decision. **Meeting of Appeal Committee**

The Appeal Committee should consist of 3 nominated governors. No member of the Redundancy Committee may serve on the Appeal Committee.

The committee should meet within ten school days of the date of the letter of request for the appeal.

Documentation

The Appeal Committee receives copies of all papers relating to the redundancy. These papers should include:

- Information sent to staff and unions explaining the need for redundancies.
- The criteria used in the decision on redundancy.
- The letter sent to the employee notifying they have been nominated for redundancy.
- Any written representation submitted by the employee or their representative.
- The Redundancy Committee's written reasons for recommending dismissal by reason of redundancy.

Each member of the Appeal Committee must read the documentation carefully before the meeting.

Procedure for Appeal Committee

The Chair of the Redundancy Committee will normally present the case for the dismissal by reason of redundancy and be accompanied by the Head Teacher. The Head Teacher may in some instances present the case on behalf of the Redundancy Committee.

Outcome of Appeal *(See model letter Appendix F5)*

The possible outcomes of an appeal are:

Appeal rejected and no change to the decision to dismiss on the grounds of redundancy.

Appeal successful, in which case the governors may have to return to stage 1 of the procedures.

Notification of decision

The parties concerned are notified by being recalled to hear the decision of the committee and /or by letter.

8. Notice of dismissal

After the selection process and representation hearings to the Redundancy Panel have been completed, but before any appeal hearing takes place, notice will be served to the employee by the County Council upon receipt of notification from the governing body. In the case of Voluntary aided and Foundation schools, notice will be served by the Governing Body. Notice periods will be in line with contractual notice or statutory notice, whichever is

the greater. Statutory notice is one week for each year of service up to a maximum of 12 weeks. Contractual notice is stated in the contract of employment. Should an appeal against dismissal be successful, the dismissal notice would be withdrawn.

9. Entitlements of Redundant Employees

Where applications for voluntary redundancy have been accepted by the school's governing body and the L.A, or where redeployment has been unsuccessful, redundant employees will be entitled where applicable to the following:

- written notice of termination of employment in line with their conditions of service or by mutual agreement;
- a statutory redundancy payment calculated in accordance with the Employment Rights Act 1996, but based on actual gross pay rather than subject to the statutory maximum wage. (*See Appendix K*).
- entitlement to a redundancy payment depends on having at least two years' continuous service with organisations listed in the Redundancy Payments (Continuity of Employment in Local government, etc) (Modification Order) and be under 65 years of age by the termination date. Further clarification on continuity of service can be obtained for your schools HR provider.
- premature retirement benefits for employees in the Teachers Pension Scheme with at least 2 years' service, subject to arrangements under The Teachers' Pensions (Miscellaneous Amendments) Regulations 2006
 - The minimum pension age (MPA) at which premature retirement benefits may be awarded has been increased to 55 for people first entering pensionable employment on or after 6 April 2006.
 - MPA of 50 will continue to apply until 2010 to existing scheme members. Existing scheme members include those who re-join the scheme on or after 6 April 2006, provided the previous service remains to their credit (i.e. the service has not been cancelled by a repayment of contributions or by payment of a transfer value). Scheme members who enter pensionable employment for the first time on or after 6 April 2006 but had previously been in comparable British service (CBS) will maintain an MPA of 50. This is provided the previous service has not been cancelled by a repayment or a transfer value, except where the transfer value has been paid in to the TPS (England & Wales). (CBS is pensionable service under the schemes for teachers in public employment in any part of the British Islands outside England and Wales.)

- premature retirement benefits for employees in the Local Government Pension Scheme with at least 2 years' service and over age 50 years.

Redundancy payments will be payable from the date of dismissal due to redundancy. All relevant documentation should be signed and returned by the redundant employee in sufficient time to process and in any event no later than 6 weeks after the effective date of dismissal.

10. Redeployment

Governing bodies should always look for suitable alternative employment within the school for employees at risk of dismissal by reason of redundancy. The L.A. will also endeavour to redeploy such employees to other maintained schools.

Whilst the L.A. undertakes to redeploy employees wherever practicable, in the case of schools it is a matter for governing bodies to decide whether it will accept a candidate who is at risk from another school of redundancy. The L.A. will nevertheless encourage governing bodies to consider 'at risk' candidates and offer any financial incentives currently available at any time, to any school offering employment which will avoid a redundancy and reduce costs to the authority for redundancy payments/pension benefits.

Employees who are redeployed are entitled to a trial period of 28 calendar days.

Employees who are under notice of redundancy will be entitled to reasonable time off with pay to look for alternative employment or to arrange training.

If a suitable job offer is made in terms of pay, grade, job content, status etc and the employee unreasonably refuses that offer, the employee may forfeit the right to a redundancy payment.

11. Support for Redundant Employees/Staff at Risk

Redundancy can be a traumatic experience for employees especially for staff who have worked for many years in a stable environment. The Governing Body should provide as much information, advice and help as possible. Further advice and support is available as follows:

- **Personal counselling -**

Employee Assist Tel: 01604 626787 E mail: nccemployeeassist@yahoo.com

- **Career counselling/job application and interview preparation -**
Contact your Senior HR Adviser(Schools)
- **Your trade union or professional association.**

Appendix A Redundancy Timetable

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Autumn Term No later than:	Spring Term No later than:	Summer Term No later than:	Action:
May	October	February	Full governors meeting – staffing review and decision to re Committee and Appeals Committee formed; advice sought
June/July	Nov/December	March/April	Formal consultation with staff and unions
End July/early September	End December/early January	End April	Consultation period ends. Redundancy Committee meet to adopt and apply selection
Mid September	Mid January	Mid May	Representations to Redundancy Committee (Hearings)
30 September* /31 October (see below)	31 January*/28 February (see below)	31 May (see below)	Notice of dismissal issued by NCC or Foundation/V.A. sch
Mid December	Mid April	End of July	Appeals
31 December	30 April	31 August	Contracts terminated

*Points to consider in setting timeline:

1. Date of issue of Contractual notice periods for teachers are 31 May, 31 October and 28 February. However continuous service they have a statutory entitlement of one week for each year of service up to a maximum plan for the maximum notice during the Autumn and Spring terms.
2. Notice periods for non teaching staff are based on either their contractual (normally one month) or statutory r up to a maximum of 12 weeks (see 1. above). It is advisable therefore to plan for the maximum period bu flexibility in the timetable, depending on an individual's notice entitlement.
3. Timing of stages needs to take into account where holiday periods fall year on year.

Appendix B1. Staff Profile - Teaching Staff (Primary Schools)

[NB below are suggestions for including in a staff profile - you may adapt these to suit your school's particular needs.]

You are invited to complete this profile to ensure that the Governors who make up the First Panel have a fully up to date profile of each member of staff. Although information is held within the school records, this invitation ensures that you have the opportunity to bring Governors fully up to date with any information you feel is relevant for the particular purpose. The profile will remain confidential and be retained on your personnel file after the exercise has been completed. You may like to retain a copy of this profile for future reference.

Please record your details against each of the criteria. Your name will be not be divulged to the panel.

Key A = Recent experience within last 3 years = 2 points (unless weighted as indicated)

Key B = Potential because of skills, qualification and experience from previous positions = 1 point (unless weighted as indicated)

Teaching experience			
	√ A	√ B	<i>Please give details</i>
Nursery			
Foundation Stage			
KS1			
KS2			

Qualifications: (relevant and specialist)	
Professional Development within last 3 years (give dates)	

Managing the school			
	√ A	√ B	<i>Please give details</i>
Member of SMT			
Key Stage Coordinator			
SENCO			
INSET/Staff Development Coordinator			

Responsibility for managing and developing the curriculum			
<i>* special weighting x 2 will be applied</i>	√ A	√ B	<i>Please give details</i>
English*			
Maths*			
Science*			
IT*			
Technology			
History			
Geography			
Art			
PE			
Music			
Modern Languages			
RE			
PHSE & Citizenship			
Other areas relevant to the school			

Any current formal warnings under capability or disciplinary procedures?	
Any other comments or information regarding your experience and achievements:	

I confirm that the information provided above is correct to the best of my knowledge.

Signed (Employee) _____ Date _____

Signed (Head Teacher) _____ Date _____

Appendix B2 Example Teaching Skills Matrix – Primary Schools (Summary sheet)
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[NB weightings below are suggestions only]

A = Current = 2 points

B = Potential = 1 point

*** Weighting = x2**

Teacher no.	1		2		3		4		5		6		7		8		9		10	
	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B
Nursery																				
Foundation Stage																				
KS1																				
KS2																				
SEN coordination																				

Responsibility for managing and developing the curriculum

English*																				
Maths*																				
Science*																				
IT*																				
Technology																				
History																				
Geography																				
Art																				
PE																				
Music																				
Modern Languages																				
RE																				
PHSE & Citizenship																				

Other																				
Totals:																				
Teacher no.	1	2	3	4	5	6	7	8	9	10										
Qualifications																				
Professional Development																				
Current formal warnings																				
Total:																				

Signed (Chair of panel)_____ Date_____

Appendix C1. Staff Profile - Teaching Staff (Secondary Schools)

[NB below are suggestions for including in a staff profile - you may adapt these to suit your school's particular needs]

You are invited to complete this profile to ensure that the Governors who make up the First Panel have a fully up to date profile of each member of staff. Although information is held within the school records, this invitation ensures that you have the opportunity to bring Governors fully up to date with any information you feel is relevant for the particular purpose. The profile will remain confidential and be retained on your personnel file after the exercise has been completed.

Please record your details against each of the criteria. Your name will be not be divulged to the panel.

[NB weightings below are suggestions only]

Key A = Recent experience within last 3 years = 2 points (unless weighted as indicated)

Key B = Potential because of skills, qualification and experience from previous positions = 1 point (unless weighted as indicated)

Managing the school			
	√ A	√ B	<i>Please give details</i>
Member of SMT			
Faculty Head			
Department Head			
Year Head			
SENCO			
Assessment Coordinator			
INSET/Staff Development Coordinator			

Curriculum Areas			
<i>* special weighting x 2 will be applied</i>	√ A	√ B	<i>Please give details</i>
English*			

KS3			
GCSE			
A level			
Maths*			
Science*			
IT*			
Technology			
History			
Geography			
Art			
PE			
Music			
Modern Languages			
RE			
PHSE & Citizenship			
Other areas relevant to the school			
Qualifications: (relevant and specialist)			
Professional Development within last 3 years (give dates)			

Any current formal warnings under capability or disciplinary procedures?	
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Any other comments or information regarding your experience and achievements:	
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I confirm that the information provided above is correct to the best of my knowledge.

Signed (Employee) _____ Date _____

Signed (Head Teacher) _____ Date _____

Appendix C2 Example Teaching Skills Matrix – Secondary Schools (Summary sheet)

[NB weightings below are suggestions only]

A = Current = 2 points

B = Potential = 1 point

*** Weighting = x2**

Teacher no.	1		2		3		4		5		6		7		8		9		10	
	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B
SMT member																				
Faculty Head																				
Department Head																				
SENCO																				

Curriculum Areas

English*																				
KS3																				
GCSE																				
A level																				
Maths*																				
Science*																				
IT*																				
Technology																				
History																				
Geography																				
Art																				
PE																				
Music																				
Modern Languages																				
RE																				
PHSE & Citizenship																				
Other																				
Totals:																				

Teacher no.	1	2	3	4	5	6	7	8	9	10
Qualifications										
Professional Development										
Current formal warnings										
Total:										

Signed (Chair of Panel) _____ Date _____

Appendix D1. Staff Profile – Support Staff (Primary)

You are invited to complete this profile to ensure that the Governors who make up the First Panel have a fully up to date profile of each member of staff. Although information is held within the school records, this invitation ensures that you have the opportunity to bring Governors fully up to date with any information you feel is relevant for the particular purpose. The profile will remain confidential and be retained on your personnel file after the exercise has been completed.

Please record your details against each of the criteria. Your name will be not be divulged to the panel.

[NB weightings below are suggestions only]

Key A = Recent experience within last 3 years = 2 points (unless weighted as indicated)

Key B = Potential because of skills, qualification and experience from previous positions = 1 point (unless weighted as indicated)

Relevant Experience			
	√ A	√ B	<i>Please give details</i>
Managerial*			
Supervisory*			
Financial*			
Admin			
Classroom support for Literacy and Numeracy			
Special Needs support			
Cover supervision			
Understanding of the curriculum			
Planning pupils work with teacher			

Qualifications:	
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<i>(relevant and specialist)</i> First Aid at Work certificate Minibus driving certificate Hygiene certificate	
Professional Development within last 3 years (Please indicate how you have put this into practice)	

Other specific areas			
	√ A	√ B	<i>Please give details</i>
Fund raising			
Creativity			
Musical			

Any current formal warnings under capability or disciplinary procedures?	
Any other comments or information regarding your experience and achievements:	

I confirm that the information provided above is correct to the best of my knowledge.

Signed (Employee) _____ Date _____

Signed (Head Teacher) _____ Date _____

**Appendix D2 Example Skills Matrix – Support Staff in Primary Schools
(Summary sheet)**

[NB weightings below are suggestions only]

A = Current = 2 points

B = Potential = 1 point

*** Weighting = x2**

Support Staff no.	1		2		3		4		5		6		7		8		9		10	
	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B
Managerial*																				
Supervisory*																				
Financial*																				
Admin																				
Classroom support for Literacy and Numeracy																				
Special Needs support																				
Cover supervision																				
Planning pupils work with teacher																				

Qualifications	1	2	3	4	5	6	7	8	9	10
NVQ Accredited qualifications										
First Aid at Work certificate										
Hygiene certificate										
Minibus driving certificate										
Other relevant and/or specialist qualifications										

Professional Development										
Other specific areas										
Current formal warnings										
Total:										

Signed (Chair of Panel) _____

Date _____

Appendix E1 Staff Profile - Support Staff (Secondary Schools)
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You are invited to complete this profile to ensure that the Governors who make up the First Panel have a fully up to date profile of each member of staff. Although information is held within the school records, this invitation ensures that you have the opportunity to bring Governors fully up to date with any information you feel is relevant for the particular purpose. The profile will remain confidential and be retained on your personnel file after the exercise has been completed. Please record your details against each of the criteria. Your name will be not be divulged to the panel.

Key A = Recent experience within last 3 years = 2 points (unless weighted as indicated)

Key B = Potential because of skills, qualification and experience from previous positions = 1 point (unless weighted as indicated)

Weighting = x2

Relevant Experience			
	√ A	√ B	<i>Please give details</i>
Managerial*			
Supervisory*			
Financial*			
Admin			
Classroom support			
Special Needs support			
Cover supervision			
Planning pupils work with teacher			

<p>Qualifications:</p> <p>Degree or NVQ Level 4 equivalent</p> <p>Accredited qualification(s)</p>	
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First Aid at Work certificate Minibus driving certificate Hygiene certificate Other relevant and/or specialist qualifications	
Professional Development within last 3 years (Please indicate how you have put this into practice)	

Any current formal warnings under capability or disciplinary procedures?	
Any other comments or information regarding your experience and achievements:	

I confirm that the information provided above is correct to the best of my knowledge.

Signed _____ Date _____

Appendix E2 Example Skills Matrix – Support Staff in Secondary Schools (Summary sheet)

[NB weightings below are suggestions only]

A = Current = 2 points

B = Potential = 1 point

*** Weighting = x2**

Support Staff no.	1		2		3		4		5		6		7		8		9		10	
Experience	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B	A	B
Managerial*																				
Supervisory*																				
Financial*																				
Admin																				
Classroom support																				
Special Needs support																				
Cover supervision																				
Planning pupils work with teacher																				

Qualifications																				
Degree or NVQ Level 4 equivalent																				
Accredited qualification(s)																				
First Aid at Work certificate																				
Minibus driving certificate																				
Hygiene certificate																				
Other relevant and/or specialist qualifications																				

Professional Development										
Current formal warnings										
Total:										

Signed (Chair of Panel) _____

Date _____

Appendix F Model Letters

F1. Notification of result of application for voluntary redundancy

School's headed note paper

Dear.....

Date.....

Application for Voluntary Redundancy

Thank you for your letter of application for voluntary redundancy. The Redundancy Committee of the governing body considered your application at its meeting on.....(date) and I am writing to inform you that subject to the approval of the release of redundancy payment/ and early retirement benefits by the Local Authority (L.A.), the governing body has accepted your application.

However, the L.A.'s decision to release payments to you will depend on whether the school's need for redundancy ceases or there is an alternative solution to redundancy e.g. the receipt of a resignation from a member of staff in a similar role, or redeployment. If there are no alternative solutions you will receive a letter from the L.A. to terminate your employment as a result of redundancy no later than(*see below)

If there are any matters you would like to discuss with regards to your voluntary redundancy, please do not hesitate to get in touch with me.

Yours sincerely

Chair of Redundancy Committee

Cc Head Teacher

L.A.

**Teaching staff will normally be entitled to a minimum of 2 months notice before the end of the spring and autumn terms and three months notice before the end of the summer term, however teachers with more than 8 years service will be entitled to one week for each year of completed service up to a maximum of 12 weeks.*

Support staff will normally be entitled to a minimum of 4 weeks notice any time of the year and for those with more than 4 year's service one week for each year of completed service up to a maximum of 12 weeks' notice.

Appendix F Model Letters

F2. Notification of recommendation for redundancy/right to a Hearing

School's headed note paper

Dear.....

Date.....

Proposed Redundancy

I am sorry to have to write and inform you that at its meeting on..... the Redundancy Committee of the governing body nominated the post you currently occupy to become redundant on..... The implementation of this recommendation would result in your dismissal by reason of redundancy.

The reasons for selecting your post are based on the application of the criteria for selection, a further copy of which is enclosed for your information.

You have a right to a hearing before the Redundancy Committee at which you may make representations concerning the committee's recommendation. If you wish to exercise this right you should write to the Clerk to the Governors within ten days of the date of this letter.

The date for a hearing, if required will be..... Members of the Redundancy Committee are:

.....You may be accompanied by a representative from your union/professional association or a colleague at the hearing.

I must stress that at this stage this is only a recommendation and that a decision will be taken at the meeting.

Yours sincerely

Chair of Redundancy Committee

Cc Head Teacher

L.A.

Appendix F Model Letters

F3. Notification of decision of Redundancy Committee

School's headed note paper

Dear.....

Date.....

Decision of Redundancy Committee

I regret to have to inform you that at the hearing by the Redundancy Committee of the governing body held on..... it was decided that you should be dismissed by reason of redundancy.

The reasons for your dismissal are

.....

The governors very much regret having to make this decision and any difficulties this may cause you.

If you wish to appeal against this decision you may do so by writing to the clerk to the governors stating the grounds upon which you wish to appeal within ten working days of the date of this letter.

The Appeals Committee will convene, if required on..... You may be accompanied by a representative from your union/professional association or a colleague at the appeal.

Yours sincerely

Chair of Redundancy Committee

Cc Head Teacher

L.A.

Appendix F Model Letters

F4. Notification of Dismissal Appeal Committee Hearing

School's headed note paper

Dear.....

Date.....

Dismissal Appeal Committee Hearing

In response to your letter of..... stating that you wish to appeal against the decision of the redundancy committee of the governing body, notified to you on..... I write to inform you that the appeal hearing will be held at.....(*time*) on.....(*date*) at.....(*place*).

The procedures to be followed during the appeal hearing will be the same as those used during the hearing by the redundancy committee. The chair of the redundancy committee will present the case for dismissal by reason of redundancy.

During the meeting you may be accompanied by a representative of a union or professional association or a colleague. The chair of the redundancy committee will be accompanied by the Head Teacher.

I enclose copies of all documents to be presented to the appeal committee. If you wish to submit any further documents please send these to me as soon as possible.

The names of the governors serving on the committee will be.....

Yours sincerely

Chair of Redundancy Committee

Cc Head Teacher

L.A.

Appendix F Model Letters

F5. Notification of Outcome of Appeal

School's headed note paper

Dear.....

Date.....

APPEAL AGAINST DISMISSAL BY REASON OF REDUNDANCY

I am writing to inform you that at the meeting of the governing body's Dismissal Appeal Committee held on(date) it was decided to confirm your dismissal by reasons of redundancy. The reasons for this were

.....
.....

The governors much regret having to make this decision. They are very appreciative of your loyal service to the school would like to offer you as much support as possible in your search for employment. You have the right to take reasonable time off with pay to look for employment .

Yours sincerely

Chair of Dismissal Appeal Committee

Cc Head Teacher

L.A.

Appendix G Model Agenda for Committee Meetings

G1. Agenda for Redundancy Committee

1. Welcome and Introductions
2. Approval of agenda and checking of documents to be presented
3. The Head Teacher explains the need to remove a post, resulting in the dismissal of the employee by reason of redundancy. The Head Teacher may be accompanied by a senior work colleague who may present the management case and then withdraw from the meeting.
4. The member of staff and/or the representative of the professional association or union official may ask questions of the Head Teacher /senior work colleague.
5. Members of the committee may ask questions of the Head Teacher/senior work colleague.
6. The member of staff and /or the representative of the professional association or union official make representations against the proposed dismissal by reason of redundancy.
7. The Head Teacher may ask questions of the member of staff, the representative of the professional association or union official.
8. Members of the committee may ask questions of the member of staff, the representative of the professional association or union official.
9. The Head Teacher may make a final statement and sum up.
10. The member of staff and/or representative of the professional association or union official may make a final statement
11. The chair of the committee explains to both parties how they will be informed of the decision.
12. The parties withdraw to allow the committee to discuss the findings and come to a decision. The Clerk to the committee will remain, and the HR Adviser if in attendance, will remain in an advisory capacity only. The parties may be asked to remain for a short period in case the committee needs to clarify any points.

Appendix G Model Agenda for Committee Meetings

G2. Agenda for Dismissal Committee Hearing

1. Welcome and Introductions
2. Approval of agenda and checking of documents to be presented
3. The Chair of the Redundancy Committee explains the reason for the committee's decision to dismiss the employee by reason of redundancy. The Chair of the Redundancy Committee may be accompanied by the Head Teacher.
4. The member of staff and/or the representative of the professional association or union official may ask questions of the Chair of the Redundancy Committee and Head Teacher.
5. Members of the committee may ask questions of the Chair of the Redundancy Committee and Head Teacher
6. The member of staff and /or the representative of the professional association or union official makes representations against the proposed dismissal by reason of redundancy.
7. The Chair of the Redundancy Committee may ask questions of the member of staff, the representative of the professional association or union official.
8. Members of the committee may ask questions of the member of staff, the representative of the professional association or union official.
9. The Chair of the Redundancy Committee and Head Teacher may make a final statement and sum up.
10. The member of staff and/or representative of the professional association or union official may make a final statement
11. The chair of the committee explains to both parties how they will be informed of the decision.
12. The parties withdraw to allow the committee to discuss the findings and come to a decision. The Clerk to the committee will remain, and the HR Adviser if in attendance, will remain in an advisory capacity only. The parties may be asked to remain for a short period in case the committee needs to clarify any points.

Appendix H

Summary of Stages of Redundancy Procedure

STAGE 1

Head Teacher/Governing Body investigate ways of avoiding compulsory redundancy - including:

- natural wastage
- job sharing, reduction in hours
- invite applications from volunteers for redundancy



STAGE 2

Consultation with staff and unions:

- Reasons for proposals
- Numbers and description of employees
- Proposed method of selection – (criteria /voluntary applications)
- Proposed method of carrying out dismissals
- Proposed method of calculating payments



STAGE 3

Redundancy Committee

- Considers and accepts if appropriate, voluntary applications for redundancy
- Revises criteria if necessary following consultation with unions etc
- adopts criteria for selection
- meets formally to apply criteria
- notifies selected employee(s) and gives details of right to a hearing

STAGE 4

Hearing by Redundancy Committee

- Head Teacher presents case for redundancy
- Employee or union representative makes representations
- Redundancy Committee:
 - makes its decision
 - notifies decision to employee in writing giving details of right to an appeal against dismissal



STAGE 5

Notice of Dismissal

If redeployment is not successful by deadline for notice period notice - LEA will serve the requisite notice on the employee and arrange for entitlements to redundancy/pension benefits as applicable to be paid



STAGE 6

Appeal Hearing

- Chair of Redundancy Committee presents case for dismissal
- Employee or union representative presents appeal against dismissal
- Appeals Committee:
 - Makes its decision - which is final
 - notifies decision to employee in writing

Appendix I

Examples of criteria which would be automatically be classed as unfair selection for redundancy

Dismissal on grounds of redundancy will be unfair if:

- the employee was selected for redundancy when others in similar circumstances were not selected, and the reason for this was:
 - the employee's trade union membership or activities or non-membership of a trade union;
- that the employee had sought, in good faith, to exercise a statutory employment protection right;
- that the employee took, or proposed to take, certain specified types of action on health and safety grounds;
- the employee was selected for redundancy on maternity related grounds;
- the employee was selected for redundancy for taking or seeking to take paternity leave;
- the employee was selected for redundancy for taking or seeking to take adoption leave;
- the employee was selected for redundancy for requesting flexible working arrangements;
- the employee was chosen for redundancy for reasons relating to the national minimum wage;
- the employee was chosen for redundancy for reasons relating to the Working Time Regulations 1998;
- the employee was chosen for redundancy for making a protected disclosure within the meaning of the Public Interest Disclosure Act 1998;
- the employee was chosen for redundancy because he or she took or sought to take parental leave, time off for dependants, ordinary maternity leave or additional maternity leave;
- that the employee exercised or sought to exercise rights relating to trade union recognition procedures;
- that the employee was chosen for redundancy for performing or proposing to perform any duties relating to an employee's role as a workforce representative
- that the employee was chosen for redundancy for reasons relating to the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000;

- that the employee was chosen for redundancy for reasons relating to the Tax Credits Act 2002;
- that the employee was chosen for redundancy for reasons relating to the Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002;
- from 6 April 2005, because the employee was chosen for redundancy for reasons relating to the Information and Consultation of Employees Regulations 2004 for undertakings with 150 employees (from 6 April 2007 for undertakings with 100 employees and from 6 April 2008 for undertakings with 50 employees);
- from 6 April 2005, that the employee was chosen for redundancy for reasons relating to jury service.

Furthermore, dismissal on the grounds of redundancy may also be held to be unfair (depending upon the circumstances) for some other reason (for example, if the employer failed to give adequate warning of redundancy or failed to consider alternative employment for the employee).

Appendix J

Check list of documentation to be sent to Schools HR team

In order for the School HR team to process the any redundancy payments and/or pension benefits and to generate the necessary letters, the school is required to submit the following documentation:

- Copy of the consultation letter to staff and unions
- Copies of minutes from full governors meeting declaring the need to reduce staffing levels by way of redundancy, including the numbers and category of staff i.e. teaching or support staff.
- Copies of the minutes taken at Redundancy Committee meetings – selection for redundancy.
- Copies of notification letters sent to selected employees.
- Copies of any minutes taken at subsequent staff representation meetings (Hearings).
- Copies of letters from staff requesting voluntary redundancy.
- Copies of minutes from appeals panel (if appropriate).
- Written instruction to School HR team to issue dismissal notice by reason of redundancy. (To be received in sufficient time to issue within requisite notice period)

Further action to be taken by Head Teacher/governing body:

Make redundant employees (voluntary or compulsory) aware that should the staffing situation change e.g. a suitable resignation received from within the school, or redeployment be successful to another school, then the redundancy notice will be withdrawn. In such cases notify the Schools HR team in order for the redundancy notice to be withdrawn.

Appendix K

Redundancy Ready Reckoner - Statutory Redundancy Payments effective from 1st October 2006

	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
Age																				
18	1	1½	2																	
19	1	1½	2	2½																
20	1	1½	2	2½	3															
21	1	1½	2	2½	3	3½														
22	1	1½	2	2½	3	3½	4													
23	1½	2	2½	3	3½	4	4½	5												
24	2	2½	3	3½	4	4½	5	5½	6											
25	2	3	3½	4	4½	5	5½	6	6½	7										
26	2	3	4	4½	5	5½	6	6½	7	7½	8									
27	2	3	4	5	5½	6	6½	7	7½	8	8½	9								
28	2	3	4	5	6	6½	7	7½	8	8½	9	9½	10							
29	2	3	4	5	6	7	7½	8	8½	9	9½	10	10½	11						
30	2	3	4	5	6	7	8	8½	9	9½	10	10½	11	11½	12					
31	2	3	4	5	6	7	8	9	9½	10	10½	11	11½	12	12½	13				
32	2	3	4	5	6	7	8	9	10	10½	11	11½	12	12½	13	13½	14			
33	2	3	4	5	6	7	8	9	10	11	11½	12	12½	13	13½	14	14½	15		
34	2	3	4	5	6	7	8	9	10	11	12	12½	13	13½	14	14½	15	15½	16	
35	2	3	4	5	6	7	8	9	10	11	12	13	13½	14	14½	15	15½	16	16½	
36	2	3	4	5	6	7	8	9	10	11	12	13	14	14½	15	15½	16	16½	17	
37	2	3	4	5	6	7	8	9	10	11	12	13	14	15	15½	16	16½	17	17½	
38	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	16½	17	17½	18	
39	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	17½	18	18½	
40	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	18½	19	
41	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	19½	
42	2½	3½	4½	5½	6½	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	
43	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	
44	3	4½	5½	6½	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½	

45	3	4½	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
46	3	4½	6	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½
47	3	4½	6	7½	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
48	3	4½	6	7½	9	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½	23½
49	3	4½	6	7½	9	10½	12	13	14	15	16	17	18	19	20	21	22	23	24
50	3	4½	6	7½	9	10½	12	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½	23½	24½
51	3	4½	6	7½	9	10½	12	13½	15	16	17	18	19	20	21	22	23	24	25
52	3	4½	6	7½	9	10½	12	13½	15	16½	17½	18½	19½	20½	21½	22½	23½	24½	25½
53	3	4½	6	7½	9	10½	12	13½	15	16½	18	19	20	21	22	23	24	25	26
54	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	20½	21½	22½	23½	24½	25½	26½
55	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22	23	24	25	26	27
56	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	23½	24½	25½	26½	27½
57	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25	26	27	28
58	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	26½	27½	28½
59	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28	29
60	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28½	29½
61* ^[1]	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28½	30

*[1] -The same figures should be used when calculating the redundancy payment for a person aged 61 and above.'

Entitlement to a redundancy payment depends on having at least two years' continuous service with organisations listed in the Redundancy Payments (Continuity of Employment in Local government, etc) (Modification Order). Further clarification on continuity of service can be obtained for your schools HR provider.

Appendix L	Model Consultation letter to Staff and Unions
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(SCHOOL HEADED PAPER)

Name and address *<Trade Union>*

<Employee>

<insert date>

Dear *<insert name of Secretary of Union>*

<insert name of Employee>

CONSULTATION DOCUMENT

PROPOSALS FOR REDUCTION IN STAFFING

The Governing Body of *<insert name>* School wishes to consult with the staff and the recognised unions on proposals for a reduction in staffing. This consultation will be carried out in accordance with the Redundancy Procedure recommended by Northamptonshire County Council and adopted by the Governing Body

The detail of the proposal is given below:

Reasons:	<i>(Examples are as follows:</i> ▪ <i>budget deficit as a result of falling roll</i>
----------	---

	<ul style="list-style-type: none"> ▪ <i>the non renewal of a fixed term contract</i> ▪ <i>reorganisation</i> ▪ <i>changes in skills requirements)</i>
Number and category of employees that may be made redundant:	<p><i><insert number FTE> teachers</i></p> <p><i><insert number FTE> support staff</i></p>
Total staff complement:	<p><i><insert number FTE> teachers</i></p> <p><i><insert number FTE> support staff</i></p>
Effective date of dismissals:	<i><insert date></i>
Criteria:	<p>Examples:</p> <ul style="list-style-type: none"> ▪ Skills and qualifications matched to the requirements of the school's current and future needs (carried out through a skills profile exercise) ▪ Volunteers for redundancy (subject to school needs, possible redeployment and resignations received by the school) <p><i>Or (in the case of reorganisation)</i></p> <ul style="list-style-type: none"> ▪ In the first instance, the Governors would seek to redeploy staff who become 'at risk' of redundancy due to the deletion of their current post. Redeployment through job matching individuals to posts within the new structure would be the preferred method. When undertaking job matching, if a selection is required to fill a new post, the relevant skills and qualifications of the 'at risk' employees will be taken into consideration and in the absence of any other significant criteria, length of continuous service with the employer. ▪ Where posts in the new structure are of a higher grade/different scope, Governors would in the first instance seek to ring fence applications from staff that are 'at risk'. Employees expressing interest in a promotional post would need to demonstrate that they meet the essential criteria detailed

	in the person specification. If a competitive situation emerges between 'at risk' employees for the same promotional post, an interview selection process will be undertaken
Method of Undertaking:	The management of the redundancy situation and any dismissal will be undertaken in accordance with the Redundancy procedure adopted by the Governing Body, the requirements of employment legislation and the 1998 School Standards and Framework Act. Dismissal will be in accordance with the terms of the contract of employment.
Method of calculation of compensation:	<ul style="list-style-type: none"> ▪ Statutory redundancy payment will be calculated on the basis of actual salary where that exceeds the statutory maximum salary ▪ Pension and lump sum benefits will be in accordance with the County Council's policy.

The Governors will be pleased to consult with you on the above proposals. I would therefore like to invite the staff and unions to attend a consultation meeting on *<insert date>*. The consultation period will end on *<insert date>* (*usually 4 weeks from the date of this document*) after which the redundancy panel will meet to determine and apply the selection criteria for the redundancy. The timetable for redundancy consultation is enclosed.

Yours sincerely

For and on behalf of the Governing Body

Appendix M

Further guidance on selection criteria

Selection criteria must be objective and fair and in addition to work requirements may include:

- non renewal of fixed term contracts* which reach their expiry date and give less than two continuous years' service. (* see *paragraph 1.7 in the Recruitment and Selection Handbook for definition of fixed term contracts*). However this does not affect individual statutory rights.
- Skills or qualifications – these must be objective and must be able to be substantiated by the needs of the remaining operational requirements
- Individual ability – ability or specialist knowledge acquired as a result of specialist training or an individual's value to the future objectives of the department
- Current capability or disciplinary records – the records must be accurate and the reasons investigated in order to be a viable selection criterion.