



Redundancy Policy & Procedures

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Redundancy Policy

1. Introduction

101 The Governing Body recognise the importance of effective planning of both its ongoing financial commitments, as well as the development of its staffing levels, to ensure existing and future needs of the School can deliver our prime statutory duty, as set out in paragraph 21 (2) of the Education Act 2002 to:

“...conduct the school with a view to promoting high standards of educational achievement at the school”

102 The Governing Body recognise that to ensure effective planning of School resources to meet this duty, there is a need to have appropriate policies and procedures in place, to ensure that change, when required, is undertaken within a set of agreed principles and through a process that is known and understood by all employees and their Trade Union/Professional Association representatives.

103 This Redundancy Policy & Procedure has been developed for employees of the School who, in accordance with the Employment Rights Act 1996 and the Employment Act 2002, work under a contract of employment with North Tyneside Council. It sets out the approach of the Governing Body to providing a transparent approach for avoiding or at least minimising, the requirement for compulsory redundancies when changes to the School staffing levels are required.

104 Governors are supportive of the fostering of good employee relations within School and note that all appropriate Trade Union/Professional Associations have been consulted on this policy, which has been compiled in accordance with appropriate statutory legislation as well as advice from ACAS relating to the handling of redundancies in the workplace.

2. Legal Framework

201 The Governing Body note the legal definition, as expressed within the Employment Rights Act 1996, that an employee can only be dismissed on grounds of redundancy where:

- the employer has ceased, or intends to cease to carry on the business for the purposes for which the employee was so employed, or
- the employer has ceased or intends to cease to carry on the business in the place where the employee was employed, or
- the requirements of the business for employees to carry out work of a particular kind has ceased or diminished.

202 In applying these grounds for redundancy within the context of this school,

governors accept that dismissal by reason of redundancy may be required, in circumstances that could include:

- closure/amalgamation.
- reduction in number of pupils on roll.
- amalgamation/closure of faculties/departments.
- budgetary shortfall.
- internal restructure/reorganisation.
- a change in demand for certain subject areas or job requirements.

203 The Governing Body, in achieving its objectives in respect of the above, are minded of their statutory responsibility (under School Staffing (England) Regulations 2009) to ensure appropriate delegation under its standing orders for dismissal on grounds of redundancy and any subsequent Hearing and/or Appeal arising from this action.

204 Where compulsory redundancies become necessary, governors are conscious of their duty of care to ensure that such actions are handled sensitively and in an open and transparent manner. In doing so, governors recognise the benefits of meaningful consultation (with employees and recognised Trade Union & Professional Associations), together with ensuring that where employees are selected they will receive appropriate compensation.

3. Principles Of This Policy

301 The implementation of this policy and accompanying procedure will be carried out using appropriate criteria through a fair and transparent process (*examples of unfair criteria can be found in Appendix 1*). Governors are therefore committed to ensuring the following principles are taken into consideration in decisions made under this policy:

- ensure that, prior to the consideration of redundancies, the Governing Body and Headteacher seek appropriate support from the School Link HR Advisor.
- ensure an effective strategy for long term planning of staffing levels tailored to the School Improvement Plan. This will allow for the avoidance of short-term solutions that are inconsistent to the longer-term needs of the school, promoting greater job security.
- ensure a commitment to seeking alternatives to compulsory redundancies through meaningful information sharing and consultation with employees and recognised Trade Union/Professional Associations.
- ensure scrupulous attention to detail, careful documentation and transparency, as well as being sensitive of the needs of employees at risk of redundancy, at each and every stage of the process.
- ensure the redundancy procedure, attached to this policy, is followed to manage any situation where compulsory redundancies may become necessary.
- ensure the selection criteria that has been agreed following consultation is

applied in a fair and transparent manner .

- ensure support in seeking alternative employment is put in place for employees selected for compulsory redundancy, having regard to the redeployment protocols that exist for teaching and support staff between North Tyneside Schools (see appendix 3). In addition, ensure the application of the LA redeployment process for Support Staff.
- ensure that employees selected for compulsory redundancy are made aware of their right to be represented by a work colleague or Trade Union/Professional Association representative at any subsequent Hearing or Appeal.
- ensure meetings must be conducted in a manner that enables individuals to explain their views.
- ensure that employees are given appropriate notice as determined by their terms & conditions of employment¹
- ensure that there will be a right of Appeal against any selection for compulsory redundancy to a Panel of Governors.
- ensure an appropriate compensatory package for employees selected for compulsory redundancy is put in place.
- ensure that no governor who may have a pecuniary or prejudicial interest in the outcome of decisions relating to the application of this policy & procedure should attend meetings of the Governing Body (i.e. staff governors) when dealing with such matters.

4. Criteria For Redundancy Selection

401 The Governing Body have determined that should the need arise for selection of employees for redundancy (voluntary or compulsory) then the first selection criteria to be applied will be the Curriculum, Logistical and Organisational needs of the School. The Governing Body recognise that should it be necessary to review the suitability of this as the first criteria for identifying the selection pool they will enter into consultation with employees and Trade union/Professional Associations on alternatives.

402 **i) Application of the first criteria: Curriculum, Logistical and Organisational needs of the School**

A primary responsibility of the Governing Body is to ensure the delivery of the school curriculum, ensuring that staffing levels are appropriate to meet this need. Furthermore, when applying this criteria reference should be made to the School Improvement Plan and Self Evaluation Form. When considering making any revision to the staffing structure account should be taken of the need to retain teaching and support staff with appropriate skills, experience, knowledge and qualifications deemed necessary to support the current and

¹Note - Up to 12 weeks' notice must be given depending on length of service and notice for teachers must be served by 28 February, 31 May or 31 October for redundancy to take effect at the end of the respective school term.

anticipated future requirements of the School.

403

ii) Application of additional selection criteria

The Governing Body at Stage 1 of the formal redundancy procedure will consult with employees and Trade Union/Professional Associations and the Local Authority on additional selection criteria (minimum of two) and method of application proposed to be applied, where the first criteria above fails to identify the requisite number of posts to be deleted.

404

In determining which selection criteria and method of application to be used the Governing Body may make reference to the examples provided at Appendix 2²

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In applying the selection criteria care will be taken to ensure that they are applied fairly and consistently and they do not discriminate on grounds of gender or gender identity, marital status, full/part time/fixed term employment status, sexual orientation, race, language, ethnic or national origins, faith/religion/belief, disability, age, Trade Union/Professional Association membership or activity, together with any political view or affiliation.

5. Roles Within This Policy

Governing Body

501

The full Governing Body is responsible for decisions on whether reductions in staffing establishment are necessary, together with the suggested method for selection. However, in carrying out this responsibility they will:

- seek advice from Governor Services to ensure appropriate standing orders are in place, prior to invoking this procedure.
- seek and have regard to appropriate HR and financial advice from the Local Authority throughout the process and prior to invoking any formal procedures.
- consult with all employees and their representatives in good time of any potential redundancy situation within school, through delegating this role to the Headteacher³.
- delegate responsibility for applying the selection criteria leading to proposals of staff dismissal relating to redundancy, to the Headteacher.
- delegate responsibility for any employee hearings against selection to a panel of two or three governors⁴

² Note Appendix 2 is not an exhaustive list and circumstances may result in a School operating alternative methods of selection.

³ The Authority must give the DTI notice of 30 days or more if 20 redundancies are proposed - 90 days notice is required if over 100 are proposed. Consultation with Trade Unions & Staff must be a minimum of 30 days (20 – 99 redundancies are proposed) or 90 days (where redundancies proposed are 100 or more).

⁴ Consideration should be given to the membership of this panel, with regard to experience in staffing matters and having the ability to fulfil the time requirements demanded by this role.

- delegate responsibility for employees Appeals against selection to a panel made up of three members of the Governing Body. Anyone employed at the school is precluded from being a member of a panel that sits to hear an Appeal against dismissal.
- recognise that any decision to dismiss on grounds of redundancy is subject to the approval of the Local Authority.

Headteacher

502 The Headteacher is responsible for the management of the school and therefore has a key role to play throughout the redundancy process. It is therefore expected that:

- they will provide professional advice to Governors throughout the redundancy process.
- they will seek advice from the School Link HR Advisor and School Improvement Officer (where applicable) throughout the process.
- they will have day-to-day responsibility for conducting a meaningful consultation process with employees and Trade Union/Professional Association representatives.
- they will have responsibility for proposing staff dismissal decisions relating to redundancy
- they will, when requested, provide relevant information and advice to any Hearing and/or Appeal Panel of the Governing Body.

Employee

503 It is recognised that this is a difficult time for employees at the school, the Governing Body therefore expect that all employees:

- actively engage with the process at each stage and meet any agreed timescales for such engagement.
- bring forward ideas and suggestions for efficiencies that may mitigate the need for compulsory redundancies.
- provide factual information when requested, ensuring that information – both written and otherwise - has been recorded accurately and in detail.
- recognise their responsibility to make arrangements for any representation/accompaniment from a recognised Trade Union/Professional Association representative or employee work colleague at appropriate meetings throughout the process.

Trade Union/Professional Association

504 The Governing Body recognise the important role played by recognised Trade Union/Professional Association representatives within the process and expect appointed representatives to:

- engage in a constructive manner in any consultation on the process of redundancy and appropriately challenge the Headteacher and Governing

Body to ensure that all alternatives have been exhausted before moving into compulsory selection.

- support their members where this has been requested, in particular where compulsory selection is undertaken, through advising on the completion of relevant documentation and with regards to accompaniment/representation as appropriate at any subsequent meeting, Hearing or Appeal.

Clerk to Governors

505 The role of the Clerk⁵ is to communicate, when requested, decisions arising from the Governing Body and those to whom they have provided delegated authority for dismissal and any subsequent Appeal Panel. This will involve coordinating arrangements such as the appropriate minute taking of meetings, collating any correspondence and sending out notice of meetings within agreed timescales.

School Link HR Advisor(s)

506 The Local Authority has the right to be represented at any meeting dealing with the selection of employee(s) for redundancy as per the 2002 Education Act, such a role being undertaken by the Link HR Advisor. They are also responsible for ensuring termination with appropriate notice is issued within 14 days following receipt of an instruction from the Governing Body⁶, ensuring any agreed compensatory payments/administration of pension applications are put in place.

The School Link HR Advisor(s) will, where requested:

- organise briefing sessions/workshops for all employees, giving them an opportunity to discuss their individual circumstances and offer more general advice on the process to be undertaken in applying this policy & procedure.
- attend any meetings, Hearings and Appeals to provide advice to the Headteacher and any panel with appropriate delegated authority in carrying out their roles.
- offer general advice on the completion of any documentation by employees deemed at risk.
- organise measures to support employees at risk in order, where possible, to identify suitable alternative employment, including the implementation of any redeployment protocols for employees selected for compulsory redundancy.
- organise counselling services for employees affected, where this has been approved by the Governing Body.

6. Support for Employees during Redundancy Process

601 The Governing Body has made a commitment to allow all employees selected for compulsory redundancy, irrespective of length of service, reasonable paid

⁵ This is reference to the Clerk to the Governing Body or Clerk appointed to support a sub committee or individual delegated to carry out a function of this body. It should be noted where governor services are unable to fulfil this role then the Governing Body have a responsibility to make alternative arrangements.

⁶ The Governing Body can only issue a request for termination to the Local Authority when such a determination is made following the Hearing as at stage 3 of this Policy & Procedure.

time off to look for alternative employment or to access appropriate training.

602 Where an individual faces compulsory redundancy they may benefit from access to counselling services via occupational health and the Governing Body will consider the funding of this on a case-by-case basis.

They will also have access to the School Link HR Advisor relating to redeployment and general support during this process.

602 The Governing Body will have regard to the redeployment protocols agreed with other schools and the Council in seeking to redeploy affected employees into a suitable alternative post. *(A copy of this protocol can be found in Appendix 3).*

604 Any employee will have the right to be represented by a work colleague or Trade Union/Professional Association representative at any subsequent Hearing or Appeal against selection for redundancy.

7. Support for Employees at the end of the Redundancy Process

701 The Governing Body recognises that once a redundancy situation has concluded the on going effectiveness of the school going forward will largely be dependent on the morale of remaining employees.

702 It is important to acknowledge that a demoralised workforce who are anxious about job security and coming to terms with the loss of colleagues due to redundancy, are not likely to display commitment, enthusiasm and initiative. Following the conclusion of the redundancy process the Headteacher will give a full explanation of the situation, demonstrating the necessity for change and giving an appraisal of future employment prospects and details of changes to working arrangements. This will ensure employees are shown the value of their role within a forward-looking positive future for the school.

703 Where necessary the Headteacher may request line managers hold discussions with individual employees who are seeking reassurance. To ensure this is effective in moving the school forward such employees will be given support during periods of upheaval within school.

8. Confidentiality

801 Any party involved in this Redundancy Policy & Procedure will maintain confidentiality at all times during the process. Details of subsequent procedures and records of any redundancy matter will be kept as confidential as possible, following advice from the School Link HR Advisor and the Manager of Governor Services.

9. Meetings, Hearings & Appeals

901 It is acknowledged that a compulsory redundancy process is a difficult time for all parties. It is therefore expected that all parties involved in a compulsory

redundancy process, at any stage, be entrusted to act in good faith and in accordance with the principles outlined within this Policy & Procedure.

- 902 Those persons delegated through the Governing Body's Standing Orders will carry out their official duties at all Selection and subsequent Hearing and Appeals under this Procedure, as well as in accordance with 'A Guide to the Law for School Governors', statutory requirements and other appropriate DCSF Guidance.
- 903 Governors sitting on an Appeal Panel will not have detailed knowledge of the case or have a pecuniary or prejudicial interest in the outcome.

10. Offers Made To Employees

- 1001 Any offers made to employees of the school through the mechanisms of this policy and procedure, be they under the terms of voluntary redundancy or compulsory redundancy, are to be considered conditional offers.
- 1002 They are conditional on the basis that should there, at any time up to and including the last day of the notice period, be a change in the circumstances at the school and a requirement exists to keep the post holder the offer will be rescinded. The employee will be verbally advised of this decision wherever possible and this will be confirmed in writing.

Redundancy payments

- 1003 An employee must have at least two years' continuous local government service at the time of dismissal in order to qualify for a redundancy payment. All redundancy payments will be made in line with the Local Government (Early Termination of Employment (Discretionary Compensation)(England and Wales) Regulations 2006.

Employees will receive a payment dependent upon their age and length of continuous service (up to twenty years). Redundancy payments for compulsory redundancy will therefore be calculated using the statutory ready reckoner, with a maximum redundancy payment of up to 30 weeks pay.

The Governing Body have agreed to follow the method for calculating the amount of redundancy payments currently adopted by the council of using actual weekly earnings of employees effected instead of the statutory minimum.⁷

Employees will be entitled to either their contractual or statutory notice period whichever is the greater. (*A ready reckoner for calculating redundancy payments can be found in Appendix 4.*)

Withdrawal of redundancy payment

- 1004 If an employee, under notice of redundancy, receives an offer of a suitable comparable post (in local government or with a related employer), to commence

⁷ Where governors determine to vary redundancy payments outside those recommended by the LA then appropriate consultation must take place with employees, Professional Associations/Trade Unions and the LA prior to implementation.

within 28 calendar days following the date of termination, there will be no entitlement to a redundancy payment. Related employers are those covered by the Redundancy Modification Order.

An employee's continuity of service will not be broken if the employee receives and accepts an offer of employment with an organisation covered by the Redundancy Modification Order before their employment ends with North Tyneside Council and they start their new job within 28 calendar days following the date of termination of employment. As their continuity of service in such circumstances will be preserved, they will not be entitled to a redundancy payment.

Redundancy Procedure

11. Purpose And Scope

- 1101 When considering invoking this Redundancy Policy & Procedure for schools it is vital for the Governing Body to be aware of the procedures and timescales necessary to ensure they meet their statutory obligations. In doing so, regard will be given to the School's long term planning arrangements for staffing levels, which will be tailored to the School Improvement Plan. The School Link HR Advisor will be available to support the Governing Body throughout this process. *(An example timeframe is enclosed at Appendix 5).*
- 1102 Discussions will be held between representatives of the Governing Body and Local Authority in relation to the necessary actions in order to meet these statutory obligations. The Governing Body will only invoke this procedure once the Head of the Children, Young People & Learning (CYPL) Directorate or their representative is satisfied that there are no alternative methods to achieve the actions required.
- 1103 **In ensuring that alternatives to redundancy have been considered the Headteacher will undertake the following checklist prior to consideration of invoking this procedure:**
- review opportunities for savings or additional income generation with the finance committee of the Governing Body.
 - review the staffing structure to assess the viability of none filling of vacancies or making internal appointments to vacancies with the opportunity for retraining.
 - explore with employees the possibility of flexible working arrangements that may include reducing hours or introducing Job share etc.
 - explore the non renewal of fixed term contracts coming to their natural end
 - explore the opportunity with the Local Authority of financial commitment in supporting early retirement requests from employees
- 1104 The Governing Body via the Headteacher will be assured that all options available to avoid the need for redundancies have been explored, whether this is through non-staffing options (e.g. premises costs, reducing resources/materials, accessing additional grant funding) or through assessing the viability of alternative staffing models/structures. Should it be necessary to invoke the redundancy procedure the Headteacher will be required to provide the above details as part of the consultation documentation relating to avoiding redundancies at stage one of the formal procedure.
- 1105 Where attempts to negate the need for redundancies has failed the Headteacher will need to consider advising the Governing Body of the need to invoke this redundancy procedure. In such instances the Headteacher should obtain advice (where applicable) from the School Link HR Advisor, Link Finance Officer or School Improvement Officer.

12. Invoking the Redundancy Procedure

- 1201 Where a requirement still exists to reduce the staffing levels of the school (as defined in Section 2 of this Policy & Procedure) the Headteacher, supported by their Link HR Advisor, will compile a report documenting the case for seeking Local Authority (LA) approval to invoke this redundancy procedure. At this stage the Headteacher will discuss the implications of the proposal to invoke the redundancy procedure with the Chair of Governors.
- 1202 Following this discussion a meeting will be held with the Head of the CYPL Directorate (or their designate) to consider the proposed invoking of the redundancy procedure, outlining the reasons requiring a reduction in the staffing levels of the school (this may be a part of the annual deficit clinic process for schools). The Chair of Governors (or their designate) and the School Link HR advisor will also be present at this meeting⁸.
- 1203 Where agreement is reached with the LA for the Governing Body to proceed with consultation on a proposed reduction in staffing levels of the school, the Chair of Governors will ensure an item is placed on the agenda of the next available Full Governing Body meeting to discuss the formal invoking of this Redundancy Procedure.
- 1204 **Meeting of the Full Governing Body**
- The presentation of the agenda item dealing with the potential redundancy situation in school will be led by the Headteacher who will present the following information to governors for scrutiny:
- 1205 i) An assessment of the current position of the school that requires action on behalf of the Governing Body, together with details of the measures taken to avoid the need to reduce the staffing establishment of the school.
- 1206 ii) an overview of the stages to be followed, should the redundancy procedure be invoked, these being:
- **Stage 1:** This will involve the Identification of the selection pool, consultation on remaining selection criteria, as well as seeking of alternatives to Compulsory Redundancy.
 - **Stage 2:** Procedure for selecting individual members of staff for Compulsory Redundancy and will only be enacted if Stage 1 fails to address the need to reduce the staffing levels of the school.
 - **Stage 3:** Hearing with a Panel of Governors (if requested), where each individual member of staff will have the opportunity privately to question the decision made at Stage 2 that involves their personal selection for Compulsory Redundancy.
 - **Stage 4:** Appeal against the decision at Stage 3 to select employees for Compulsory Redundancy, when requested by an individual employee(s) selected. Such an Appeal will be with a Panel of three

⁸ As an alternative to a meeting, written correspondence may take place between school and the LA concerning the requirements to invoke the redundancy procedure.

Governors.

1207 After scrutinising this information provided by the Headteacher governors will formally record their decision relating to the proposal to invoke the redundancy procedure. Where the decision is to proceed governors will then be required to:

iii) confirm their standing orders⁹ to ensure appropriate delegation of responsibility is in line with this document, in relation to:

- the Headteacher - to carry out appropriate consultation on proposals and any selection/s for redundancy in a fair and transparent process. This will include any consultation on additional criteria for selection.
- the Hearing Panel – to consist of two or three members of the Governing Body to enable Hearings against selection to take place in a fair and transparent manner.
- the Appeal Panel¹⁰ - to consist of three members of the Governing Body to enable Appeals against selection to take place in a fair and transparent manner.

iv) confirm:

- the general timeframe for implementation for each stage of the redundancy procedure (*see Appendix 5 for an example timeframe for the redundancy procedure*)
- the additional criteria proposed for selection and delegate consultation to the Headteacher. Where the Headteacher feels, following consultation, that there is justification in amending these criteria a special meeting of the Governing Body will be called to discuss the proposal¹¹.

13. Stage 1: Avoiding Compulsory Redundancy

1301 The Headteacher, will within 5 standard working days of this meeting of the Full Governing Body will apply the first selection criteria as shown in section 4 of this document – the Curriculum, Logistical and Organisational needs – to all employees in school. This will identify the selection pool of employees at risk. The Clerk to Governors (or designate) will be present to record the decisions arising from the application of this first criteria.
Application of Criteria 1 (identifying the Selection Pool)

⁹ Advice may be sought from the Manager of Governor Services in relation to standing orders if required.

¹⁰ Any panel appointed to hear appeals against selection would consist of three members of the Governing Body. Governors with a pecuniary or prejudicial interest in the outcome (such staff Governors) may not sit on either the Hearing or Appeal panels and should declare this at the earliest opportunity where this becomes apparent. Where Governors are unsure of their interest is prejudicial should discuss this with the manager of Governors Services.

¹¹ Options for use as selection criteria can be found in appendix 2 of this policy & procedure.

- 1302 In applying the first selection criteria the following factors will be taken into account to ensure fairness and transparency in decisions taken¹².
- Current and anticipated pupil numbers and the impact this places on the organisation of school
 - Current and projected staffing structures showing the level and organisation of posts required to meet the needs of the school
 - Current and anticipated budget position of the school and the financial modelling implications for staffing arising from this.
 - Ability to logistically complete the actions identified as priorities for the school from the School Improvement Plan and Self Evaluation Form.

From this action an assessment will be formed as to the minimum requirement of teaching & support staffing levels to meet the current and anticipated future curriculum, organisational and logistical needs of the school.

- 1303 Having identified the selection pool through the application of the first criteria, the Headteacher will proceed to consultation on the redundancy process supported by their School Link HR Advisor.
- 1304 Governors believe that effective consultation with employees and their representatives is the cornerstone to attempts at reducing the need for compulsory redundancies within school. The School therefore encourages consultees to challenge the need to proceed further with the redundancy process and to suggest viable alternatives for consideration that may mitigate the need to proceed to Stage 2.

Consultation on Redundancy Process

- 1305 The Headteacher, supported by the Link HR Advisor, will arrange a briefing with all employees following the identification of the selection pool to confirm the conclusions reached and that there exists a redundancy situation within school as defined by Section 2 of this document. Also present at this briefing will be the Chair of Governors (or their designate).
- 1306 The Headteacher, in briefing employees, will outline the reasons for this action as well as the proposed redundancy timetable. Employees will be advised that there will be a consultation period of 10 standard working days¹³ in which they will be invited to bring forward alternatives to compulsory redundancy and comments on the proposed criteria and method of selection.
- 1307 The briefing will further advise employees that the first criteria has been applied and a selection pool has been identified as at risk of redundancy. Those employees not identified as at risk will be asked to leave at this point of the briefing.

¹² The Headteacher may call upon appropriate members of staff, LA Officers (SIP/HR/Finance) and members of the Governing Body (excluding members of the Hearing/Appeal Panels) to assist in the compilation of this assessment.

¹³ Standard working days in all instances would not include weekends nor would it include school closure periods, during whole school consultation. However, the conditions of service for the individual member of staff will be the reference point taken when arranging any hearings/appeals or applying any notice period.

- 1308 Those employees identified as at risk will remain and be provided with an outline of the redundancy process at Stage 2, should attempts at this earlier stage to find alternatives to compulsory redundancy be unsuccessful. This will include information on the proposed method of selection and the timing of this Stage 2 process as well as support that is available from the Link HR Advisor and their Trade Union/Professional Association representatives.
- 1309 A letter from the Headteacher will be issued to all employees (including those unable to attend the briefing for whatever reason e.g. absence, maternity, secondment). It will include the detail surrounding the decision of the Governing Body to invoke this Redundancy Procedure (inclusive of proposed selection criteria and method of application), a request for ideas on alternative options including where possible that of accommodating volunteers for redundancy, together with details on accessing a consultation pack (as outlined below). The letter will also confirm whether the post an employee holds is within the selection pool identified as at risk of compulsory redundancy.
- 1310 In addition to the letter to all employees, the Headteacher, supported by the school Link HR advisor, will also forward information to the Head of CYPL Directorate and recognised Trade Union/Professional Association representatives - as part of the 10 standard working days consultation process (beginning the next working day after the issuing of this letter to employees/stakeholders) - on the avoidance of compulsory redundancies. To encourage options to avoid compulsory redundancies a consultation pack will be made available to all parties, which will include:
- Reason for the initial proposed staffing reduction.
 - Strategies previously considered to avoid compulsory redundancies.
 - The number and description of the employees it is proposed to dismiss as redundant.
 - The total number of such employees of such description employed at the School.
 - The proposed selection criteria and method of application¹⁴
 - Confirmation of the proposed timetable for stage 2 if this proves necessary.
 - Full budgetary information (inclusive of three year projection), where the reason for the proposed staffing reduction is financial.
 - Current and anticipated number of pupils on role (inclusive of three year projection), where the reason is one of a change in the mix of pupils on role and their requirements.
 - Current and proposed staffing structure.
 - Method of calculating the amount of redundancy payment to be made to those who are dismissed.

Support for Employees

¹⁴ For example if skills audit were a selection criteria the "pack" would contain the proposed skills audit form to be used as the method for selection for this criteria.

- 1311 Following on from the briefing to employees, the Link HR Advisor will offer additional briefing sessions/workshops for all employees, within this consultation period. This will consist of an opportunity for employees to discuss their individual circumstances as well as offering more general advice on the procedures to be undertaken in applying the policy. These dates will be confirmed by the Headteacher at the above briefing and included in the letter to all employees.

Consideration of alternatives to Compulsory Redundancy

- 1312 At the end of the 10 standard working day consultation process, the Headteacher, supported by the School Link HR Advisor, will meet (as per the agreed timetable) to consider responses from employees and Trade Union/Professional Association representatives and the Local Authority. Responses will be assessed in line with the needs of the School and its statutory obligations, before arriving at any conclusions. Also in attendance will be the Clerk to Governors (or their designate) to ensure appropriate records are taken of any decisions.
- 1313 This meeting will consider the correspondence from consultees and in doing so will:
- i) complete an assessment¹⁵ of the alternative options put forward to avoid the need for redundancy, examples may include:
- Considering opportunities for cost savings or additional income generation.
 - None filling of vacancies.
 - Appointing internally to vacancies with the opportunity for retraining.
 - Job share.
 - Reduction in hours.
 - Early retirement.
- 1314 ii) Where alternatives to redundancy have been exhausted and there is still a requirement to reduce the staffing levels, the Headteacher, supported by the School Link HR Advisor, will at this point review consultation received on the proposed criteria and method of selection and determine if there is any justification in referring the matter back to the Governing body. Where this is not the case then the Headteacher will move to assessing applications for Voluntary Redundancy.
- 1315 iii) At this point any applications for voluntary redundancy will be considered - applying the agreed criteria for selection¹⁶. In assessing volunteers it will be important to consider the potential imbalance within the remaining skills and experience created by accepting those employees who volunteer for redundancy. It may therefore not be possible to accept volunteers where losing such

¹⁵ This meeting may be adjourned to allow the Headteacher and/or the School Link HR Advisor to make further enquiries into the practicalities of any suggested alternatives put forward.

¹⁶ This meeting may be adjourned where additional information is required to apply the method of selection – i.e. volunteers would need time to complete the skills audit form where this criteria has been selected.

employees might restrict the continued efficient operation of the school. Volunteers may include some employees that might be expected to contribute most to future success.

- 1316 In addition to support received from the school Link HR Advisor, it may also be necessary to involve the Link Finance Officer with regard to potential financial implications and/or the School Improvement Officer with regard to potential educational implications arising from proposals considered by the Headteacher.
- 1317 Where having concluded the above meeting the Headteacher determines it is no longer necessary for further reductions in the staffing levels they will undertake the following actions supported by the School Link HR Advisor:
- Employees affected by any decisions at this stage (such as those requesting changes to their working arrangements or seeking Voluntary Redundancy etc) will be verbally informed of the outcome by the Headteacher as soon as possible and no later than the next standard working day. The Clerk to Governors will follow this up in writing to the employees concerned within 5 standard working days, confirming the decision reached by the Headteacher.
 - A briefing will be arranged with all employees to confirm the conclusions reached and – subject to the decisions agreed being enacted - there is no longer a need for a further reduction to the staffing levels of the School at this time¹⁷.
- 1318 Once the decisions of the Headteacher have been enacted he/she will issue a letter to all employees copied to Trade Unions/Professional Associations confirming that there is no longer a requirement for compulsory redundancies within school. At this point the procedure will be deemed to have concluded.
- 1319 However, if after exhausting alternatives to compulsory redundancy the Headteacher determines there is still a requirement to make further reductions in the staffing levels of the school there will be a need to move to Stage 2 of this Redundancy Policy & Procedure.

14. Stage 2: Compulsory Redundancy Selection

- 1400 Where the Headteacher still requires further reductions in the staffing levels of the school then stage 2 of this Redundancy Procedure will be progressed. The Headteacher will be required to select members of staff for Compulsory Redundancy from those identified as “at risk”.
- 1401 In these circumstances the Headteacher will arrange a briefing with employees identified at risk to explain the steps that have been taken and reason for the need to progress to Stage 2 of the procedure. These employees will be reminded of the method of selection and the timeframe for its completion.
- 1402 A letter will be issued to the pool of employees deemed at risk confirming the need to move to Stage 2 of this Redundancy Procedure. This letter will also include the method of selection and the timeframe for its completion.

¹⁷ Alternative arrangements should be made to inform staff unable to attend this briefing.
Draft Redundancy Policy and Procedure – January 2010

Applying the additional Selection Criteria

Selection Meeting

- 1403 The Headteacher, supported by the School Link HR Advisor, will in accordance with the agreed timeframe arrange to hold a “Selection Meeting”¹⁸, ensuring that an appointed note taker is in attendance (where this is not the Clerk to Governors) as well as the School Improvement Officer/Members of the School Leadership Team (where this is deemed appropriate). The nature of this meeting will be to select employees for compulsory redundancy from the “at risk” pool, through the application of the additional criteria agreed through the consultation process. The Headteacher at this selection meeting will then apply the remaining selection criteria in the manner proposed and agreed through consultation.
- 1404 Where, after applying the remaining criteria, the selection meeting fails to identify the requisite number of employees for redundancy then LIFO¹⁹ will be applied.

Informing employees of selection meeting outcome

- 1405 Following the conclusion of the selection meeting the Headteacher and/or School Link HR Advisor will verbally (where possible) inform the pool of employee/s deemed at risk of the outcome. With regard to those proposed for selection for compulsory redundancy a judgement would need to be made with regard the support that can be provided.
- 1406 As soon as practicable, arrangements will be made for the employee(s) selected to meet informally with the Headteacher to discuss the reasons behind their proposed selection for Compulsory Redundancy. This meeting will offer the employee the opportunity to seek clarification of the decision and for the Headteacher to validate their decision. Where the employee raises a query with their selection the Headteacher may undertake to review this and respond to their concerns.

Support for employees proposed for selection

- 1407 Once proposed selections have been made the School Link HR Advisor will make contact with the employees proposed for compulsory redundancy to determine how they may be further assisted. Support may include:
- applying the North Tyneside Schools redeployment protocol
 - applying the Council Corporate redeployment protocol for employees at risk of redundancies
 - contacting the local Jobcentre plus which provides a service for bringing together employees with vacancies and people looking for work. The Jobcentre plus can also give the Authority details of training opportunities available.
 - information on suitable vacancies within other Local Authorities

¹⁸ Where a skills audit has been used this will need to be completed by staff prior to this selection meeting.

¹⁹ Last in First Out as a selection method will be applied (unless already applied as a selection method) this will be defined as length of service within the establishment (School).

- advice and guidance, support and training to complete application forms and present themselves at job interviews.

- 1408 A letter will be issued to those employees within the original pool that have not been selected by the Clerk to Governors on behalf of the Headteacher confirming the outcome of the selection meeting. This letter will be issued within 5 standard working days of the decision and copied to the relevant work colleague or relevant Trade Union/Professional Association representative.
- 1409 Once the Headteacher at this selection meeting has identified posts which are proposed for compulsory redundancy, the Clerk to Governors will be instructed to undertake the actions within stage 3 of this procedure noted below:

15. Stage 3: Hearing against proposed selection

Clerk to Governors

- 1501 The role of the Clerk to the Governors is to organise, coordinate and minute²⁰ such a Hearing with the Hearing Panel, who will be supported at the Hearing by a HR Advisor and where appropriate the School Improvement Officer. This meeting will be referred to within this document as the “Redundancy Hearing”.
- 1502 For those employees whose post has been nominated for Compulsory redundancy the Clerk to Governors will issue a letter advising them of this decision by the Headteacher within 5 standard working days of the decision and copied to the relevant work colleague or Trade Union/Professional Association representative. The letter will also include as applicable:
details of the selection criteria and method of application,
copy of the data relating to employees at risk (anonymised),
date, time and place of the Hearing with the Panel,
the right to be represented by a work colleague or a Trade Union/Professional Association representative.
- 1503 The Redundancy Hearing will be held within a maximum of 10 standard working days following the letter confirming the decision to nominate for compulsory redundancy being sent to the employee²¹.
- 1504 This letter is deemed as formal notice of the Redundancy Hearing and should also be copied to:
the Panel and supporting HR Advisor,
the Headteacher and supporting School Link HR Advisor

²⁰ It is the responsibility of the Clerk to Governors to arrange for a note taker. Where the note taker is not the Clerk to Governors it is the Clerk to the Governing Bodies responsibility to ensure that the note taker is appropriately briefed and to ensure that the note taker is fully aware of their role/requirements.

²¹ There may be circumstances where this timeframe is not achievable for the parties concerned. Where this is the case the school link HR Advisor will liaise with the parties to arrange a suitable alternative date.

Note taker – if this is not the Clerk to Governors.

1505 In addition the letter will also detail the requirement of the employee or their Trade Union/Professional Association representative to provide to the Clerk to Governors in writing, at least 5 standard working days prior to the Hearing: confirmation as to whether or not the employee wishes to contest their selection and attend the redundancy Hearing and if they are to be represented and by whom.

any documentation they wish Panel to consider at the redundancy Hearing²².

the names, job titles, locations of witnesses to be called by the employee.

1506 Once in receipt of the employees documentation the Clerk to Governors will either:

(a) where the employee indicates that they do not wish to contest their nomination for selection, the Hearing panel will consider their proposed selection in their absence and this decision will be confirmed in writing detailing their right to an appeal (where applicable) against this decision. The Clerk to Governors and the Chair of the Panel will work with the School Link HR Advisor to ensure that the Schools statutory obligations are fulfilled with regard to the dismissal.

or

(b) Where the employee indicates that they do wish to contest their nomination for selection, collate copies of all documentation and, with a covering letter naming any witnesses to be called by the employee, issue this to the parties noted below, ensuring receipt by no less than 4 standard working days prior to the commencement of the Redundancy Hearing:

the Hearing Panel and supporting HR Advisor

the Headteacher and supporting School Link HR Advisor

the employee/their work colleague or Trade Union/Professional Association representative

note taker – where this is not the Clerk To Governors

1507 The Clerk to Governors is responsible at this hearing for organising separate rooms/facilities/refreshments for:

the Hearing Panel and HR Advisor

the Headteacher/Schools Link HR Advisor.

the employee/their work colleague or Trade Union/Professional Association representative (where applicable).

any witnesses- it may be where both parties intend to call witness that two separate waiting areas may be required.

²² Please note: any additional documentation received or presented after this point in the process will only be considered with the consent of all parties involved in the Hearing. A final decision in the event of all parties not being able to agree will reside with the Chair of the Panel in conjunction with the supporting HR Advisor.

- 1508 Once the Clerk to Governors has undertaken the actions detailed above it is the responsibility of the Chair of the Hearing Panel to manage the next stage in the process.

Redundancy Hearing

- 1509 At the Redundancy Hearing all information presented will be assessed against the criteria for selection to determine the validity of the proposal for compulsory redundancy selection.
- 1510 It shall be the responsibility of the Chair of the Panel to ensure that the Hearing is conducted appropriately. (*Guidance is noted at Appendix 6*)

The Panel should:

familiarise themselves with all documentation provided prior to the Hearing.

ensure that they fully understand the process/their role and undertake any preparation required – including the drafting of questions/points of clarity relating to the employees submission.

ensure that they conduct themselves within the Hearing in accordance with the principles of this Redundancy Policy & Procedure.

- 1511 Once the Panel has received the information presented to them by the Headteacher/employee/work colleague/Trade Union representative, asked any appropriate questions and is satisfied that they have sufficient information to reach a decision as to the outcome the Hearing will adjourn to allow the Panel to reach a decision.
- 1512 The Hearing can adjourn at any time and the Chair of the Panel will need to consider such requests.
- 1513 Potential outcomes of the Redundancy Hearing are:
- to confirm the initial nomination for selection for compulsory redundancy.
 - to withdraw the nomination for selection for compulsory redundancy and reconvene a selection meeting where options regarding the continuation of the procedure will be reviewed.
- 1514 The Chair of the Panel will be required to notify the employee of the decision arising from the Hearing. Where possible it is recommended that this be undertaken on the same day and in person. It is acknowledged that after an adjournment to reach a decision it may not be appropriate to ask the parties to wait. Where this occurs alternative arrangements will need to be agreed, with advice from the School Link HR Advisor, regarding the most appropriate way forward.
- 1515 Following the outcome of the Hearing, the Chair of the Panel will be required to draft (in conjunction with the HR Advisor) a letter to convey the decision to the employee. This letter will be sent by the Clerk to Governors, on behalf of the Panel, within 2 standard working days following the decision being verbally advised to the employee and will note:
- the details considered.

the decision reached.

the reasons for reaching this decision, and (where appropriate).

the right of Appeal, (process for this including the requirement for the individual to submit grounds for an appeal).

- 1516 This letter, as well as being sent to the employee (including a copy for their work colleague or Trade Union/Professional Association representative), will be copied at the same time to the:

the Panel and HR Advisor.

The Headteacher and supporting link HR Advisor

Note taker – if this is not the Clerk to Governors.

- 1517 The Clerk to Governors and the Chair of the Panel are responsible where dismissal is an outcome, to work with the HR Advisor to ensure that the Schools statutory obligations are fulfilled. This will include written confirmation to the Local Authority, instructing them to enact the decision to terminate the employment on the grounds of Redundancy, with appropriate notice.

- 1518 Where termination of employment is the outcome of the Redundancy Hearing, lodging an Appeal against the decision will not stop the notice of dismissal being issued to the employee. Such a notice may only be rescinded where the dismissal is overturned at appeal.

- 1519 The Chair of the Hearing Panel together with the HR Advisor will be required to prepare information for submission to an Appeal Panel for their consideration and attend any Appeal to present relevant information including the reasons for reaching this decision.

16. Stage 4: Appeal against selection

- 1601 Following the letter confirming the outcome of the Hearing against selection being sent to the employee, the employee has 5 standard working days to lodge a request for an Appeal Hearing. The request for an Appeal Hearing must be sent to the Clerk to Governors in writing, outlining the reasons for requesting an Appeal.

- 1602 Where such a request is made, the Clerk to Governors will contact the Chair of the Appeal Panel to arrange an Appeal Hearing and in addition seek advice from Governors Services to ensure standing orders for such a panel are appropriately constituted.

- 1603 The employee should take care to outline in detail the grounds for their Appeal to ensure there is no undue delay in organising an Appeal Hearing. Where insufficient information is provided regarding the nature of the Appeal, the Chair of the Appeal Panel reserves the right to seek further clarification, prior to arranging the Appeal Hearing. It is the responsibility of the Chair of the Appeal Panel, working with their supporting HR Advisor, to communicate (via the Clerk

to Governors) in writing with the employee, where further information is required.

- 1604 The School Link HR Advisor will continue to support employees (during any notice period) dismissed by reason of redundancy in seeking alternative suitable employment.
- 1605 Following the agreement to progress to an Appeal Hearing it is the responsibility of the Clerk to Governors to undertake the actions noted below:

Clerk to Governors

- 1606 The role of the Clerk to Governors is to organise and coordinate the Appeal, once the Chair of the Appeal Panel has confirmed that there is sufficient information to proceed.
- 1607 The Clerk to Governors, after seeking advice from the supporting HR Advisor, will write to the employee (including a copy for their work colleague or Trade Union/Professional Association representative), in addition a copy of this letter will also be sent at the same time to the:
- Chair of the Hearing Panel and supporting HR Advisor.
Appeal Panel and supporting HR Advisor.
Note taker – if this is not the Clerk to Governors.
- 1608 This letter is deemed as formal notice of the Appeal Hearing and, on the basis that the employee has provided sufficient information for the Appeal Hearing to be progressed in the first instance, will be issued within 5 standard working days following a written request from the employee to hold an Appeal Hearing.
- 1609 The Appeal Hearing will be held within a maximum of 10 standard working days following the issuing of this letter to the employee²³.
- 1610 This formal notice will also include:
- the reasons for the Appeal Hearing.
appropriate documentation and minutes arising from the Redundancy Hearing.
date, time and place of the meeting with the Appeal Hearing Panel.
the names, job titles, locations of witnesses to be called by the Chair of the Hearing Panel
the right to be represented by a work colleague or a Trade Union/Professional Association representative.
- 1611 In addition the letter will also detail the requirement of the employee or their representative to provide to the Clerk to Governors, at least 5 standard working days prior to the Appeal:
- any documentation the employee requires to be considered at the Appeal

²³ There may be circumstances where this timeframe is not achievable for the parties concerned. Where this is the case the Clerk to Governors will liaise with the parties to arrange a suitable alternative date.

Hearing²⁴.

- any names, job titles, locations and purpose of witnesses to be called²⁵.
- confirmation as to whether or not they will attend the Appeal and if they will be accompanied (and by whom).

1612 Documentation received by the Clerk to Governors will be collated and sent with a covering letter, including the names of any witnesses to be called by either party. This will be copied to the parties noted below, ensuring receipt by no less than 4 standard working days prior to the commencement of the Appeal.

the Chair of the Hearing Panel and supporting HR Advisor.

the employee and their work colleague or Trade Union/Professional Association representative (where applicable).

the members of the Appeal Panel and supporting HR Advisor.

the note taker if not the clerk to Governors.

1613 The Clerk to Governors is responsible for organising separate rooms/facilities/refreshments for:

- the Appeal Panel and supporting HR Advisor.
- the Chair of the Hearing Panel and School Link HR Advisor.
- the employee and their work colleague or Trade Union/Professional Association representative (where applicable).
- any witnesses- it may be where both parties intend to call witness that two separate waiting areas may be required.

1614 It is the responsibility of the Chair of the Appeal Panel in conjunction with the supporting HR Advisor to manage the next stage in the process.

Appeal Hearing

1615 The role of the Appeal Panel is to evaluate the information presented to them and to determine the appropriate outcome.

1616 The Appeal Panel will have had no prior involvement or detailed knowledge of the decision to select, excluding the information provided to him or her in preparation for the Appeal.

1617 It shall be the responsibility of the Chair of the Appeal Panel to ensure that the Appeal is conducted appropriately – *guidance is noted at Appendix 6*. All members of the Appeal Panel are required to:

²⁴Please note: any additional documentation received or presented after this point in the process will only be considered with the consent of all parties involved in the Hearing. A final decision in the event of all parties not being able to agree will reside with the Chair of the Appeal Panel after discussion with the supporting HR Advisor.

²⁵ Where witnesses are to be in attendance at an Appeal Hearing it is the responsibility of the parties calling them to ensure that they are able and willing to attend the Appeal.

familiarise themselves with the documentation provided prior to the Appeal Hearing.

meet prior to the Appeal Hearing with the supporting HR Advisor to ensure that they fully understand the process/their roles and to undertake any preparation required – including the drafting of questions/points of clarity required.

ensure that they conduct themselves within the Appeal Hearing in accordance with the principles of the Redundancy Policy.

1618 Once the Appeal Panel have received the information presented to them by all parties within the Appeal, asked any appropriate questions and are satisfied that they have sufficient information to reach a decision as to the outcome of the Appeal Hearing, they will adjourn the Appeal to reach a decision.

1619 The Appeal Hearing can adjourn at any time at the request of either of the parties and the Chair of the Appeal Panel will need to consider such requests.

1620 The Appeal Panel is required to consider all of the information made available to them and/or presented at the Appeal Hearing prior to reaching their outcome.

1621 Options for the Appeal Hearing Panel to consider as an outcome arising from this Appeal are:

the original outcome from Redundancy Hearing stands.

after thoroughly exploring the issues raised at the Appeal Hearing the Panel believe it is appropriate to change the previous decision issued from the Hearing and refer the matter back to the relevant stage of the process.

1622 Once the Appeal Hearing Panel has reached a decision, they will be required to notify all parties of the decision. Where possible it is recommended that this be undertaken on the same day and in person. It is acknowledged that after an adjournment to reach a decision it may not be appropriate to ask the parties to wait. Where this occurs alternative arrangements will need to be agreed, with advice from the supporting HR Advisor regarding the most appropriate way forward.

1623 Following the outcome of the Appeal Hearing, the Chair of the Appeal Panel will be required to draft (in conjunction with the supporting HR Advisor) a letter to convey to the employee the decision made by the Appeal Panel.

1624 This letter will be sent by the Clerk to Governors, on behalf of the Chair of the Appeal Panel, within 5 standard working days following the Appeal Panel's decision being verbally advised to the employee and will note the:

details considered,

decision reached,

reasons for reaching this decision,

that there is no further right of Appeal.

1625 This letter, as well as being sent to the employee (including a copy for their work colleague or Trade Union/Professional Association representative), will at the

same time be copied to the Chair of the Hearing Panel and supporting HR Advisor, the Headteacher and school Link HR Advisor, as well as the Appeal Panel and their supporting HR Advisor.

- 1626 The Chair of the Appeal Panel and the supporting HR Advisor will be required to update/advise the Chair of the Hearing Panel and the Headteacher of the agreed outcome/way forward immediately after informing the employee.
- 1627 The Clerk to Governors and the Chair of the Appeal Panel are responsible where dismissal is an outcome to work with the supporting HR Advisor to ensure that the Schools statutory obligations are fulfilled.
- 1628 The decision of the Appeal Panel is final.

17. Additional Information

Timing and/or Rescheduling

- 1701 The timing and location of any meeting with the Headteacher (or their designate), or subsequent Hearing and Appeal under this Policy & Procedure will be reasonable and each step in the Policy & Procedure will be taken without undue delay.
- 1702 The employee must take all reasonable steps to attend any meeting(s), or subsequent Hearing and Appeal arranged under this Policy & Procedure.
- 1703 Should the employee have chosen a work colleague or Trade Union/ Professional Association representative to support them within this Policy & Procedure and they are not available on the dates suggested, the following will be considered:

for a meeting with the Headteacher – only in exceptional circumstances will consideration be given to the postponement of the planned meeting.

For any scheduled Hearing or Appeal - the employee must offer an alternative date²⁶, which is reasonable and which falls on or before the end of the fifth standard working day, after the original Hearing or Appeal date proposed.

Witnesses/Other Parties

- 1704 Where witnesses/other parties are involved at any stage of the Redundancy Policy & Procedure they are reminded that they are required to maintain confidentiality throughout the process and thereafter.
- 1705 Witnesses who have agreed to be in attendance at a Redundancy Hearing/Appeal should be aware that:
- it is the responsibility of the parties calling them to ensure that they are able and willing to attend the Hearing/Appeal.
- it is their responsibility to ensure that they gain time out of/away from their place of work from their line/senior manager/head teacher to attend the

²⁶ In accordance with Section 10 of the Employment Relations Act 1999 - the employee must propose a date which is reasonable and which falls on or before the end of the fifth standard working day, after the original Hearing or Appeal date proposed.

Hearing/Appeal.

It is the responsibility of the parties calling the witness to attend the Hearing or Appeal to ensure that their witness is fully aware of their role and that they are familiar with their witness statements (where they have provided one).

- 1706 Witnesses will be called into the Hearing and Appeal on an individual basis and should be aware that they may be recalled as necessary.

Adjournment/Reconvening

- 1707 Every effort will be made to conclude the Hearing and Appeal as quickly as possible however the Chair of the Hearing or Appeal Panel reserves the right to adjourn and reconvene before communicating the outcome to the employee. Where this is applied appropriate advice of the supporting HR Advisor will be considered.

Accompaniment/Representation

- 1708 Any employee will have the right at every stage of the formal process to be accompanied by a work colleague or trade union/professional association representative. In addition, they will have the right to be represented by a work colleague or trade union/professional association representative at any subsequent Hearing or Appeal.
- 1709 The Headteacher leading the redundancy process will have the right at every stage of the process to be supported, for example, by a link school HR Advisor or another management colleague.
- 1710 It is the employee's responsibility to ensure that their chosen person is willing and able to attend any meeting, hearing or appeal.
- 1711 An employee should have regard to the appropriateness of their chosen person when selecting accompaniment. For example if it can be considered there may be a conflict of interest or the individuals presence would prejudicial the choice will not be deemed as reasonable.
- 1712 The accompanier has no right to answer questions on the employees behalf or to prevent the employer from explaining their view of the matter.
- 1713 At a hearing or appeal the accompanier should be allowed to confer with the employee, put the employees view of the matter to the panel, sum up for the employee and respond on the employees behalf to any view expressed at the hearing should the employee wish it.

Contacts

- 1714 The following information can be obtained from the school Link HR Advisor
A current list of Trade Union/Professional Association representatives,
- Alternatively, information relating to contact details can also be obtained by accessing the Schools HR Intranet.

Appendix 1

Reasons for unfair selection for redundancy (ACAS)

An employee dismissed for reasons of redundancy will be found to have been unfairly dismissed if he or she was unfairly selected for redundancy:

- for participation in trade union activities, for membership or non-membership of a trade union and in respect of trade union recognition or derecognition
- for carrying out duties as an employee representative or candidate for election for purposes of consultation on redundancies or business transfers
- for taking part in an election of an employee representative for collective redundancy purposes
- for taking action on health and safety grounds as a designated or recognised health and safety representative, or as an employee in particular circumstances
- for taking part (or proposing to take part) in consultation on specified health and safety matters or taking part in elections for representatives of employee safety * for performing or proposing to perform the duties of a occupational pension scheme trustee * for performing or proposing to perform the duties of a workforce representative for the purposes of the Transnational Information and Consultation of Employees Regulations 1999 * for taking lawfully organised industrial action lasting eight weeks or less (or more than eight weeks in certain circumstances)
- for asserting a statutory employment right
- on maternity-related grounds
- by reason of his or her refusal or proposal to refuse to do shop work or betting work on Sundays (England and Wales only) * for a reason relating to rights under the Working Time Regulations 1998 * for a reason relating to rights under the National Minimum Wage Act 1998 * for a reason relating to rights under the Maternity and Parental Leave etc Regulations 1999 * for making a protected disclosure within the meaning of the Public Interest Disclosure Act 1998 * for a reason relating to the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 * for a reason relating to the Fixed-term Workers (Prevention of Less Favourable Treatment) Regulations 2002 * for a reason relating to the Tax Credits Act 2002
- for exercising or seeking to exercise the right to be accompanied at a disciplinary or grievance Hearing
- requesting flexible working arrangements

It should be noted that a redundancy dismissal may also be found to be discriminatory under the Sex Discrimination, Race Relations or Disability Discrimination Acts where selection was on grounds of age, sex, marital status, race, disability, sexual orientation, or religion or belief. Furthermore dismissal may also be considered automatically unfair where the reason or principal reason is redundancy but the circumstances apply equally to

other employees who have not been selected. Employers need to show that in selecting a particular employee they had compared him or her in relation to the agreed selection criteria with those others who might have been made redundant and that, as a result, it emerged that the employee was fairly selected. A claim for unfair selection may also arise where the employer has failed to undertake a reasonable search for alternative work throughout the organisation.

Particular care should be taken to ensure that selection criteria are not directly or indirectly discriminatory on grounds of sex, race, disability, sexual orientation, or religion or belief. For example, selecting part-timers for redundancy may amount to indirect discrimination against women. In such circumstances employers must show that the selection is justifiable, for example by showing that it is not practicable to fit part-timers who are predominantly female into revised shift patterns. Selection of women for redundancy on the grounds of pregnancy will also be considered unfair.

Appendix 2

Examples of selection criteria

Skills Audit

The purpose of the skills audit will be to distinguish the specific skills, qualifications and experiences individuals hold to ensure that the school maintain an effective workforce to meet its current and future needs. This will be carried out through linking the skills audit with a weighting matrix (*Copies of example skills audit forms and accompanying weighting matrix can be found in Appendix 3*).

Process of application of a skills audit

- **Completion of Skills Audit Form** – the employees identified “at risk” will be given general assistance from the School Link HR Advisor regarding the completion of a skills audit form provided to them in writing at the beginning of stage 2 of the procedure. The time period for completion of this skills audit form will be 5 standard working days beginning from the date after the correspondence was dispatched. The HRA will answer any questions individuals may have concerning the process.
- **Invitation to Skills Audit Discussion** - Following the completion of the skills audit form employees identified as “at risk” will be invited by the Headteacher to participate in an individual discussion with the Headteacher (or their designate) and a School Link HR Advisor. These will begin during the week following submission of the skills audit form, within school time, where the employee may be accompanied (if the employee wishes) by a work colleague or Trade Union/Professional Association representative.

The purpose of these individual discussions will be to allow employees and the Headteacher the opportunity to clarify and add to the content of their completed skills audit form, ensuring that a full understanding of the experiences employees hold have been collected. Governors believe that this is the best way forward as it will not advantage those individuals whose strength is filling in forms or those individuals whose strength is presenting information verbally.

- **Applying the Skills Audit** - At the stage 2 selection meeting an analysis of the skills audit forms & discussion documentation completed above will be undertaken. A criteria-scoring matrix matching the individual questions contained within the skills audit (devised by the Headteacher) will be applied to the information drawn from employees through this process. In undertaking this analysis of the skills audit information, the following actions will be undertaken to ensure fairness and transparency In decisions taken.
 - that all decisions will be based on matching the individual questions to the criteria scoring matrix.
 - the need to run through the information provided by each member of staff in detail when referenced to the criteria-scoring matrix.
 - to suspend this meeting to seek further clarification from a member of staff,

where application of the criteria matrix is unclear.

- to consider each individual skills audit separately, with decisions recorded by the minute taker showing the rationale when applying the criteria scoring matrix.
- once the skills audits have been assessed the minute taker will be asked to confirm the overall scoring to allow the Headteacher to produce the individual anonymised data for any subsequent Hearing/Appeal.
- selection will be based on lowest scores from the skills audit and in cases where more employees than required for redundancy have equal points score, such employees will have further criteria applied to them.
- **Preparation for Hearing/Appeal** - The Headteacher will need to ensure that they are in a position to provide anonymised individual assessments and scores for the pool of employees at risk in preparing documentation for any subsequent Hearing/Appeal.

Sickness Absence Record

The purpose of this criteria is to distinguish between the levels of sickness absence that have had the greatest impact on the effective running of the school. An assessment will be made of each employee within the at risk pool with regard to the last three calendar years from the date the procedure is invoked by the Governing Body. Where an individual has less than three years service the annual average will be based on the actual service to date. Each period of sickness absence will be considered on a case-by-case basis.

Process of applying sickness absence

- **Data collation** - The Headteacher, supported by the school Link HR Advisor, will collate attendance records for the pool of employees identified as at risk .
- **Assessment of data** – The data will be assessed having regard to the average annual number of individual instances of absence, using a reference period of the previous three calendar years from the date the procedure is invoked.
- **Applying the sickness absence records** - In undertaking this analysis of this information on individual employees absence the following actions will be undertaken to ensure fairness and transparency in decisions taken.
- An assessment will be made of the average annual number of individual instances of absence during the three-year reference period for those employees for which the application of the third criteria is necessary.
- The Headteacher will then make a selection from those employees identified through applying the results of this assessment of absence and this will be recorded.
- Where more employees than required for redundancy have equal absence, such employees will have further criteria applied to them.
- **Preparation for Hearing/Appeal** - The Headteacher will be required to provide anonymised individual records (removing name and reasons for

absence) identifying the average annual number of instances of absence over this three-year period for each individual member of employees now identified as at risk. This will be in preparation for any subsequent Hearing/Appeal.

Performance & Capability

The purpose of this criteria is to distinguish between the levels of performance of employees to ascertain the level of greatest impact on the effective running of the school. An assessment will therefore be made of employees within the at risk pool for which formal capability procedures have commenced and are ongoing at the date upon which this procedure was invoked by the Governing Body (as per section 12 of this policy & procedure).

Process of applying Performance & Capability

- **Data collation** - The Headteacher, supported by the school Link HR Advisor, will collate capability records for the pool of employees identified as at risk .
- **Assessment of data** – The data will be assessed having regard to the records of capability cases ongoing within school from the date the procedure is invoked.
- **Applying the Capability criteria** - The Headteacher will then make a selection from those employees identified through applying the results of this assessment of capability and this will be recorded.
- Where more employees than required for redundancy have equal capability, such employees will have further criteria applied to them.

- **Preparation for Hearing/Appeal** - The Headteacher will be required to provide anonymised individual records (removing name and causes for concern relation to the capability) identifying the number of cases of capability within the at risk pool. This will be in preparation for any subsequent Hearing/Appeal.

Disciplinary Record

The purpose of this criteria is to distinguish between the levels of misconduct of employees to ascertain the level of greatest impact on the effective running of the school. An assessment will therefore be made of employees within the at risk pool for which there are currently live formal warnings on file at the date upon which this procedure was invoked by the Governing Body (as per section 12 of this policy & procedure).

Process of applying Disciplinary Record

- **Data collation** - The Headteacher, supported by the school Link HR Advisor, will collate disciplinary records for the pool of employees identified as at risk .
- **Assessment of data** – The data will be assessed having regard to the level of the disciplinary warning recorded for the employees within the at risk pool.

- **Applying the disciplinary criteria** - The Headteacher will then make a selection from those employees identified through applying the results of this assessment of disciplinary and this will be recorded.
- Where more employees than required for redundancy have equal disciplinary records, such employees will have further criteria applied to them.
- **Preparation for Hearing/Appeal** - The Headteacher will be required to provide anonymised individual records (removing name and reason for level of disciplinary warning) identifying the level of disciplinary warning within the at risk pool. This will be in preparation for any subsequent Hearing/Appeal.

Last In First Out (LIFO)

The purpose of this criteria is to distinguish between the continuous service of employees within the at risk pool. An assessment will be made of each employee within the at risk pool with regard to their individual service date as at the date the procedure is invoked by the Governing Body and as agreed from the options below.

Options for this criteria are:

- Start date at the school
- Start date with the North Tyneside Council
- Start date with associated employers/local government

Process of applying LIFO

- **Data collation** - The Headteacher, supported by the school Link HR Advisor, will collate the relevant start date for employees within the pool identified as at risk .
- **Assessment of data** – The data will be assessed having regard to the amount of service each employee has accrued up to the date the procedure was invoked.
- **Application of LIFO criteria** – The Headteacher will then make a selection from those employees identified through applying the results of this assessment of LIFO and this will be recorded.
- Where more employees than required for redundancy have equal service, such employees will have further criteria applied to them.
- **Preparation for Hearing/Appeal** - The Headteacher will be required to provide anonymised individual records (removing name and start date) identifying the length of service for the employees now identified as at risk. This will be in preparation for any subsequent Hearing/Appeal.

Affordability

The purpose of this criteria is to distinguish between the affordability of posts which have had the greatest impact on the effective running of the school. An assessment will be made of each employee within the at risk pool with regard to the gross cost to the school for the current grade and allowances of the post the employee holds on the school structure at the date the procedure is invoked by the Governing Body.

Process of applying Affordability

- **Data collation** - The Headteacher, supported by the school Link HR Advisor, will collate salary costs for the pool of employees identified as at risk .
- **Assessment of data** – The data will be assessed having regard to the salary costs at the date the procedure is invoked.
- The Headteacher will then make a selection from those employees identified through applying the results of this assessment of affordability and this will be recorded.
- Where more employees than required for redundancy have equal affordability, such employees will have further criteria applied to them.
- **Preparation for Hearing/Appeal** - The Headteacher will be required to provide anonymised individual records (removing name and salary) identifying the salary costs for each individual member of employees now identified as at risk. This will be in preparation for any subsequent Hearing/Appeal.

Appendix 3

Example skills audit form – 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 - weightings are also suggestions only]

To ensure the process is accurate please take sufficient time to ensure the completion of this skills audit form so that the headteacher has a fully up to date profile of each member of staff. Although information is held within school records, it is important to give you the opportunity to bring forward any information you feel is relevant for the purpose of this exercise. This personal skills audit form will remain confidential and will be destroyed once this redundancy procedure is completed.

Teaching by phase

Key A = experience within last 3 years = 3 points

Key B = experience within last 10 years = 1 point

	√ A	√ B	<i>Please give details below of your teaching experience (at least one full academic year), showing the date of such experience, the class/year group, together with the school (if other than your current school).</i>
Foundation Stage			
Key Stage 1			
Key Stage 2			

Curriculum development

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

Key B = Recent experience within last 10 years = 1 point (unless weighted as indicated)

** special weighting x 2 will be applied for core subjects and those identified as a priority within the SDP/SEF*

	✓ A	✓ B	<i>Please give details below of any subject area assigned to you for which you contribute to its ongoing development, monitoring and assessment.</i>
English*			
Maths*			
Science*			
IT*			
Technology			
History			
Geography			
Art			
PE			
Music			

Modern Languages			
RE			
PHSE & Citizenship			
Other areas relevant to the school			

School management

special weighting applied recognise distinct levels of responsibility

	<i>Please give details below of your most recent <u>Whole School</u> management experience within the last two years, showing the date of such experience, together with the school (if other than your current school). Complete one box only showing most significant management <u>experience</u>.</i>
Member of SMT (10 points) (Whole school not subject specific)	
Teaching & Learning Responsibility (5 points) (Whole school not subject specific)	
Previous Management Allowance (3 points) (Whole school not subject specific)	

SENCO (1 point)	
INSET / Staff Development Coordinator (1 point)	
Other (1 point) (Whole school not subject specific)	

Qualifications

Key = relevant qualification / CPD - one point each up to maximum of 3 points

	<i>Please give details of your qualifications and its relevance to your current duties and responsibilities, outlining the impact it has in the classroom and/or whole school.</i>
Degree or equivalent	
Post graduate qualification	
Relevant Professional Development (excluding school based inset/whole school training)	

within last 2 years.	
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Teaching experiences

Key = up to 3 points for each question

*** special weighting x 2 will be applied**

	<i>Please <u>provide examples</u> of your teaching experience within the past two years relating to the following:</i>
The various stakeholders you engage with and how this has impacted on children's learning.	
Creative approaches to classroom practice that has motivated/inspired children.	
Use of assessment techniques to identify, monitor & review targets for children.	

Identifying learning styles appropriate to the child and how this has impacted on the delivery of schemes of work.	
Contribute to the professional development of colleagues through coaching and mentoring, demonstrating effective practice, and providing advice and feedback*	

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

Signed (Employee) _____ Date _____

Signed (Head Teacher) _____ Date _____

Example Teaching Skills Matrix – Primary Schools (Summary sheet)

Employee Number	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
Teaching by Phase																				
Curriculum Development																				
Sub Total (1)																				
School Management																				
Qualifications																				
Teaching Experiences																				

Final Score										
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Signed (Headteacher)_____ Date_____

Example skills audit form – teaching staff (High Schools)

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

To ensure the process is accurate please take sufficient time to ensure the completion of this skills audit form so that the headteacher has a fully up to date profile of each member of staff. Although information is held within school records, it is important to give you the opportunity to bring forward any information you feel is relevant for the purpose of this exercise. This personal skills audit form will remain confidential and will be destroyed once this redundancy procedure is completed.

Teaching by phase

Key A = experience within last 3 years = 3 points

Key B = experience within last 10 years = 1 point

	√ A	√ B	Please give details below of your teaching experience (at least one full academic year), showing the date of such experience, the class/year group, together with the school (if other than your current school).
Key Stage 3			
Key Stage 4			
6th Form			

Subject specialism(s)

Key A = experience within last 3 years = 3 points each for KS3/KS4/6th form

Key B = experience within last 10 years = 1 point each for KS3/KS4/6th form

	✓ A	✓ B	<i>Please give details of subjects for which you have taught a <u>full academic year course</u>, identifying each of the key stages where this is the case</i>
English*			
Maths*			
Science* (where more than one subject please specify)			
Technology (IT)*			
Technology (other)			
History			
Geography			

Art			
PE			
Music			
Modern Languages (where more than one subject please specify)			
RE			
PHSE & Citizenship			
Other Subject			
Other Subject			

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School management

special weighting applied recognise distinct levels of responsibility

	<p><i>Please give details below of your most recent <u>Whole School</u> management experience within the last two years, showing the date of such experience, together with the school (if other than your current school. Complete one box only showing most significant management experience.</i></p>
<p>Member of SMT(10 points) (Whole school not subject specific)</p>	
<p>Teaching & Learning Responsibility (5 points) (management responsibility)</p>	
<p>Teaching & Learning Responsibility (3 points) (subject specific)</p>	
<p>Previous Management Allowance (3 points) (Whole school not subject specific)</p>	
<p>SENCO (1 point)</p>	
<p>Assessment Coordinator (1 point)</p>	

INSET/Staff Development Coordinator (1 point)	
Other (1 point)	

Qualifications

Key = relevant qualification / CPD - one point each up to maximum of 3 points

	<i>Please give details of your qualifications and its relevance to your current duties and responsibilities, outlining the impact it has in the classroom and/or whole school.</i>
Degree or equivalent	
Post graduate qualification	
Relevant Professional Development (excluding school based inset/whole school training) within last 2 years.	

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Teaching experiences

Key = up to 3 points for each question

*** special weighting x 2 will be applied**

	<i>Please <u>provide examples</u> of your teaching experience within the past two years relating to the following:</i>
The various stakeholders you engage with and how this has impacted on children's learning.	
Creative approaches to classroom practice that has motivated/inspired children.	
Use of assessment techniques to identify, monitor & review targets for children.	

Identifying learning styles appropriate to the child and how this has impacted on the delivery of schemes of work.	
Contribute to the professional development of colleagues through coaching and mentoring, demonstrating effective practice, and providing advice and feedback*	

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

Signed (Employee) _____ Date _____

Signed (Head Teacher) _____ Date _____

Example Teaching Skills Matrix – High Schools (Summary sheet)

Employee Number	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
Teaching by Phase																				
Subject Specialism																				
Sub Total (1)																				
School Management																				
Qualifications																				
Teaching Experiences																				

Final Score										
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Signed (Headteacher) _____ Date _____

Example skills audit form – support staff (Primary Schools)

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

To ensure the process is accurate please take sufficient time to ensure the completion of this skills audit form so that the headteacher has a fully up to date profile of each member of staff. Although information is held within school records, it is important to give you the opportunity to bring forward any information you feel is relevant for the purpose of this exercise. This personal skills audit form will remain confidential and will be destroyed once this redundancy procedure is completed.

Relevant experience (Responsibilities)

Key A = Recent experience within last 3 years = 3 points

Key B = Recent experience within last 10 years = 1 points

*** special weighting x 2 will be applied**

****special weighting x 3 will be applied**

	✓ A	✓ B	<i>Where applicable, please give details below of relevant experience in the following areas of responsibility, showing the date of such experience, your role, together with the school (if other than your current school).</i>
Member of SMT**			
Management/Supervisory Role (2 nd tier and below)			
Financial/Budget monitoring*			
Administrative tasks – letter writing / reception / copying / handling money etc			
Classroom support			

Literacy and Numeracy			
Statement Pupil Support			
Special Needs support (if different to above)			
Caretaking			
Cover supervision			

Relevant experience (Key Stage)

Key A = Recent experience within last 3 years = 3 points

Key B = Recent experience within last 10 years = 1 points

*** special weighting x 2 will be applied where there is experience in more than one Phase**

	✓ A	✓ B	Where applicable, please give details below of experience within your current role(at least one full academic year), showing the date of such experience, the class/year group, together with the school (if
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			<i>other than your current school).</i>
Foundation Stage*			
Key Stage 1*			
Key stage 2*			

Relevant experience (Qualifications)

Key = relevant qualification / CPD - one point each up to maximum of 2 points

	<i>Please give details of your qualifications and its relevance to your current post, outlining the impact it has in the classroom and/or school.</i>
<p>Qualifications: <i>(relevant and specialist e.g.)</i> NVQ L4+ (or equivalent) NVQ L2-3 (or equivalent) NVQ L1 (or Equivalent) City & Guilds/RSA First Aid at Work certificate</p>	<p>You may wish to place higher weighting to the level of NVQ or, where appropriate, GCSE in English/mathematics (or equivalent).</p>

Minibus driving certificate	
Professional Development within last 3 years (Please indicate how you have put this into practice)	You may wish to place higher weighting to more recent CPD relevant to the post.

Relevant experience (Post Specific)

[NB below are example suggestions - you should refer to the job outline/person specification of the posts identified in the selection pool - weightings are also suggestions only]

Key = up to 3 points for each question

	<i>Please provide examples of the experiences you have gained within your role in the past two years relating to the following:</i>
The various stakeholders you engage with and how this has impacted on children's learning.	
Creative approaches to classroom practice that has motivated/inspired children.	
Providing appropriate guidance and supervision and assisting the training and development of staff, as appropriate	
Evidence of use of ICT in learning activities to develop pupils' competence and independence in its	

use	
Evidence of the monitoring and evaluation of pupils' responses to learning activities through observation and planned recording of achievement against pre-determined learning objectives	
Evidence of promoting inclusion and acceptance of all pupils within the Classroom	

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

Signed (Employee) _____ Date _____

Signed (Head Teacher) _____ Date _____

Example Support Staff Skills Matrix – Primary Schools (Summary sheet)

Employee Number	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
Responsibilities																				
Key Stage																				
Sub Total (1)																				
Qualifications																				
Post Specific																				

Final Score (1+2)										
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Signed (Headteacher) _____ Date _____

Example skills audit form – support staff (High Schools)

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

To ensure the process is accurate please take sufficient time to ensure the completion of this skills audit form so that the headteacher has a fully up to date profile of each member of staff. Although information is held within school records, it is important to give you the opportunity to bring forward any information you feel is relevant for the purpose of this exercise. This personal skills audit form will remain confidential and will be destroyed once this redundancy procedure is completed.

Relevant experience (Responsibilities)

Key A = Recent experience within last 3 years = 3 points

Key B = Recent experience within last 10 years = 1 points

*** special weighting x 2 will be applied**

****special weighting x 3 will be applied**

	√ A	√ B	Where applicable, please give details below of relevant experience in the following areas of responsibility, showing the date of such experience, your role, together with the school (if other than your current school).
Member of SMT**			
Management/Supervisory Role (2 nd tier and below)			
Financial/Budget monitoring*			
Administrative tasks – letter writing / reception / copying / handling money			

etc			
Classroom support Literacy and Numeracy			
Statement Pupil Support			
Special Needs support (if different to above)			
Caretaking			
Cover supervision			

Relevant experience (Key Stage)

Key A = Recent experience within last 3 years = 3 points

Key B = Recent experience within last 10 years = 1 points

*** special weighting x 2 will be applied where there is experience in more than one Phase**

Experience of working in	✓ A	✓ B	Where applicable, please give details below of experience within your current role(at least one full academic year), showing the date of such experience, the class/year group, together with the school (if other than your current school).
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Key Stage 3*			
Key Stage 4*			
6 th Form*			

Relevant experience (Qualifications)

Key = relevant qualification / CPD - one point each up to maximum of 3 points

	<i>Please give details of your qualifications and its relevance to your current post, outlining the impact it has in the classroom and/or school.</i>
<p>Qualifications:</p> <p>Degree or NVQ Level 4 equivalent</p> <p>Accredited qualification(s)</p> <p>First Aid at Work certificate</p> <p>Minibus driving certificate</p> <p>Hygiene certificate</p> <p>Other relevant and/or specialist qualifications</p>	
Professional	

<p>Development within last 3 years (Please indicate how you have put this into practice)</p>	
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Relevant experience (Post Specific)

[NB below are example suggestions - you should refer to the job outline/person specification of the posts identified in the selection pool - weightings are also suggestions only]

Key = up to 3 points for each question

	<p>Please <u>provide examples</u> of the experiences you have gained within your role in the past two years relating to the following:</p>
<p>The various stakeholders you engage with and how this has impacted on children's learning.</p>	
<p>Creative approaches to classroom practice that has motivated/inspired children.</p>	
<p>Provide appropriate guidance and supervision and assist in the training and development of staff, as appropriate</p>	
<p>Evidence of use of ICT in learning activities to develop pupils' competence and independence in its use</p>	

Evidence of the monitoring and evaluation of pupils' responses to learning activities through observation and planned recording of achievement against pre-determined learning objectives	
Evidence of promoting inclusion and acceptance of all pupils within the Classroom	

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

Signed (Employee) _____ Date _____

Signed (Head Teacher) _____ Date _____

Example Support Staff Skills Matrix – High Schools (Summary sheet)

Employee Number	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
Responsibilities																				
Key Stage																				
Sub Total (1)																				
Qualifications																				
Post Specific																				

Final Score (1+2)										
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Signed (Headteacher) _____ Date _____

Appendix 4

Redeployment Protocol (Schools)

Identifying staff at risk	Advice
<p>Schools throughout North Tyneside are recommend to follow these redeployment protocols, to endeavour to maintain the employment, wherever possible, of Teachers and Support Staff who have been selected for compulsory redundancy through whole school redundancy procedures.</p> <p>The Education Reform Act 1988, schedule 3 para 2(5) states the Local Authority is empowered to nominate teachers for consideration for any vacancy that occurs in a school for which they are suitably qualified and Governing Bodies are requested to extend this to support staff when considering potentially redundant staff for all appropriate vacancies. The Act also requires schools to notify the local authority of vacancies as they occur.</p> <p>This protocol deals specifically with redeployment of teaching and support staff between schools, with regard to other council functions it is recommended that the governing body refer to the Council redeployment policy.</p> <p>HR Procedure</p> <p>Those individuals identified as being at risk will be supported by the School Link HR Advisor for the school concerned who will arrange support in seeking suitable alternative employment within North Tyneside.</p> <p>To help in identifying suitable redeployment opportunities staff will be asked to complete an appropriate personal profile form. This will highlight the types of roles that the individual wishes to consider. If requested the School Link HR Advisor will also discuss with the individual how they may wish to prepare themselves for interview.</p>	<p>The level of support from the School Link HR Advisor will be directly proportionate to the service level agreement held by the school.</p> <p>In light of LMS arrangements a school can not be directed to receive a redeployee, however the Council reserves the right to direct an employee at risk to an appropriate comparable post within another of its Directorates.</p>

Identifying alternative posts within North Tyneside Schools

Once in receipt of the completed documents the School Link HR Advisor will forward a summary via email of an individual's skills (having obtained their agreement) to all schools with a request that they consider them for all suitable vacancies while they remain at risk.

Employee Services will be asked to advise the School Link HR Advisor of any teaching and support vacancies submitted at the time of advertisement. Once in receipt of such vacancies the School Link HR Advisor will forward details to the individual where:

- the overall package of current pay and conditions is comparable
- the employee appears from their profile to have reasonable prospect of meeting the requirements of the post

Vacancy bulletins

The School Link HR Advisor will discuss with the individual the range of roles they will consider and make arrangements for the individual to receive the vacancy bulletin(s), as appropriate.

Application process

The individual will be asked to consider the vacancies, which are available and may be requested to complete an application form tailored to suit each vacancy. The School Link HR Advisor will contact the appropriate Headteacher and request that they consider shortlisting the individual where the minimum criteria for the post is met. Where the Headteacher believes the individual is unsuitable for the post they will be asked to provide objective evidence of this to the School Link HR Advisor.

Interview stage

When short listed, the individual will be expected to attend the interview on their own and will not be supported in the formal interview via an HR Advisor or their Trade Union Rep/Work Colleague.

Where the individual is successful in securing alternative employment they will no longer be considered at risk of redundancy. Where the individual is not successful the school will be asked to provide feedback to the candidate who will remain at risk of redundancy.

Trial period

A school may agree to offer a vacancy as a redeployment opportunity and chose not to follow its normal open recruitment policy. In such a case if both parties are satisfied that the vacancy is suitable then an offer will be made subject to a satisfactory completion of a trial period of a minimum of four weeks. The Headteacher will monitor progress and review with the individual and the HR Advisor throughout the period. Where either party demonstrates with objective evidence that the alternative employment is unsuitable the individual may be deemed once again at risk and may be considered for further redeployment/redundancy.

Salary determination

Where an individual is successful in obtaining a suitable alternative post their salary will be determined as per the application of the statutory teachers pay and conditions document, NJC terms & conditions (the green book) and the new schools own pay policy.

Pension

Eligibility to the individuals existing pension scheme, i.e. teachers pension scheme, will remain where the new post affords the individual the right to be a member of the scheme. However where this is not the case a transfer to an alternative appropriate scheme may be necessary for example into the local government pension scheme.

Training

All new post holders entering an organisation should be offered appropriate training and support as determined by the Headteacher in order to fulfil the duties of the post. The individual's ongoing professional development will be catered for through the schools performance management arrangements.

Redundancy payment

Where the individual is selected for compulsory redundancy and does not secure an alternative post an appropriate payment will be made by the LA following termination. If a suitable alternative post has been offered and the employee declines the offer then the redundancy benefits will be withheld.

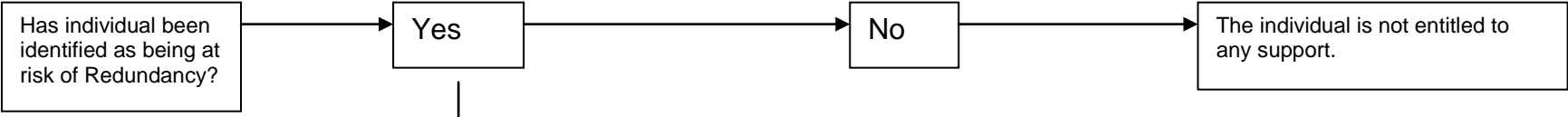
Where an individual is selected for compulsory redundancy and is redeployed to a post of a lower grade or reduced hours in another school a payment will be made by the LA calculated proportionately to compensate for the detriment.

Expectation that the accepting school will fund training costs as with any normal recruitment process.

Examples of this type of payment may be

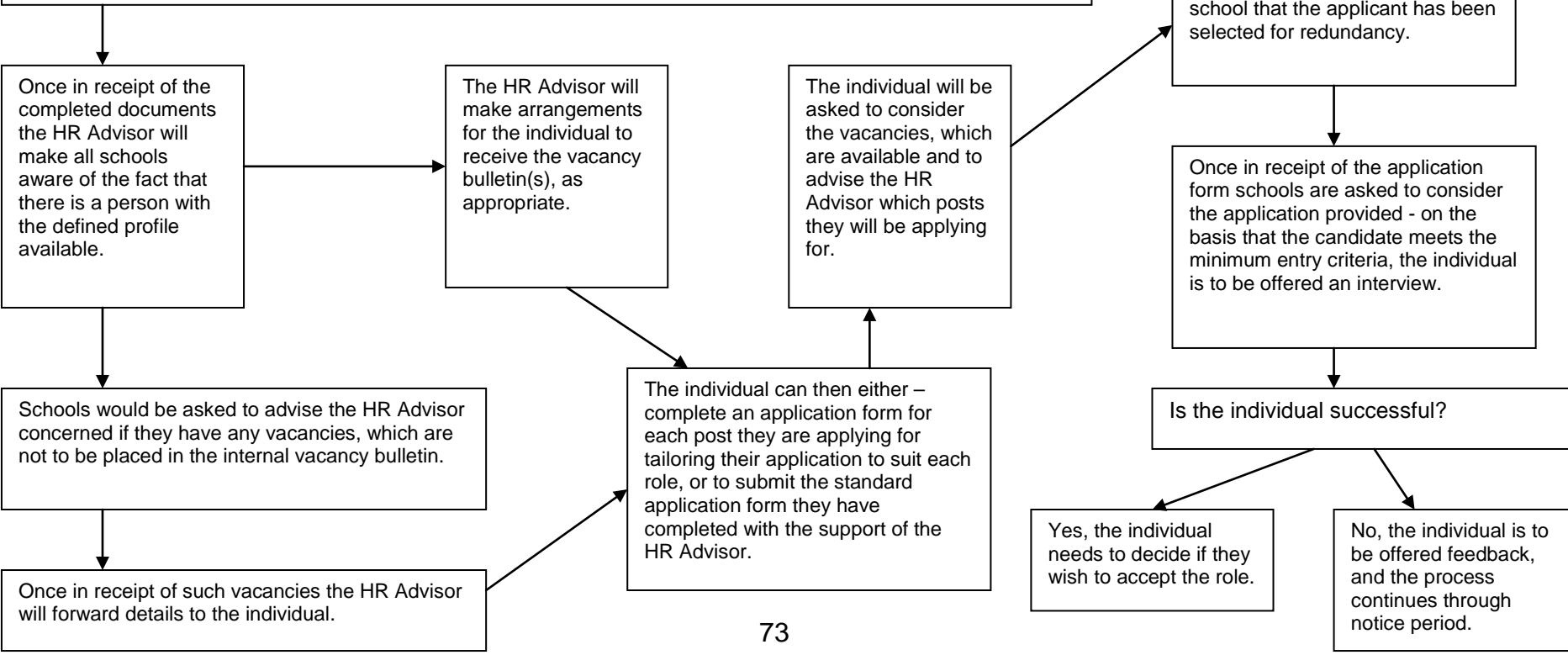
- (a) where an individual takes a main scale post and loses a responsibility payment a proportionate payment will be calculated using the statutory redundancy ready reckoner
- (b) where hours are reduced a proportionate payment will be calculated using the statutory redundancy ready reckoner

Draft Redundancy Redeployment Protocol



An HR Advisor will contact the individual identified as being selected for redundancy. The HR Advisor will:

- Discuss with the individual how they may wish to complete the appropriate person profile/application form
- Discuss the types of roles the individual is interested in
- Discus preparing for interview



Appendix 5

Redundancy ready reckoner

Age	Service (Years)																			
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
17*	1																			
18	1 1½																			
19	1 1½	2																		
20	1 1½	2 2½	-																	
21	1 1½	2 2½	3	-																
22	1 1½	2 2½	3 3½	-																
23	1½	2 2½	3 3½	4 4½	-															
24	2 2½	3 3½	4 4½	5 5½	-															
25	2	3 3½	4 4½	5 5½	6 6½	-														
26	2	3	4 4½	5 5½	6 6½	7 7½	-													
27	2	3	4	5 5½	6 6½	7 7½	8 8½	-												
28	2	3	4	5	6 6½	7 7½	8 8½	9 9½	-											
29	2	3	4	5	6	7 7½	8 8½	9 9½	10 10½	-										
30	2	3	4	5	6	7	8 8½	9 9½	10 10½	11 11½	-									
31	2	3	4	5	6	7	8	9 9½	10 10½	11 11½	12 12½	-								
32	2	3	4	5	6	7	8	9	10 10½	11 11½	12 12½	13 13½	-							
33	2	3	4	5	6	7	8	9	10	11 11½	12 12½	13 13½	14 14½	-						
34	2	3	4	5	6	7	8	9	10	11	12 12½	13 13½	14 14½	15 15½	-					
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	22½	-
45	3 4½	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	-
46	3 4½	6 7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½	23½	24½	-
47	3 4½	6 7½	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	-
48	3 4½	6 7½	9 10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½	23½	24½	25½	26½	-
49	3 4½	6 7½	9 10½	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	-

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+	3 4½	6 7½	9 10½	12 13½	15 16½	18 19½	21 22½	24 25½	27 28½	30					

Appendix 6

Example Timeframe

PROPOSED TIMEFRAME FOR REDUCTION IN STAFFING LEVELS

		Actions Required	Time Scale	Latest Date
Preparation and Planning	1	Headteacher produces a report for the Head of CYPL or their designate to consider LA approval to enter into a redundancy process.		
	2	Once LA approval is given the Governing Body may invoke the redundancy policy at its next available meeting, ensuring appropriate standing orders are in place.		
Stage One Avoiding Compulsory redundancy Up to Four Weeks	1	Stage 1 – Avoiding Compulsory Redundancy HT applies the first selection criteria and identifies the pool of staff “at risk” of Compulsory Redundancy.	5 days	
	2	Initial meeting with staff takes place to discuss consultation process. Despatch of letter will begin the 10 standard working day consultation period. Letter will be issued to: <ul style="list-style-type: none"> ○ All Staff employed by school ○ Strategic Director of CYPL ○ Trade Union/Professional Associations 	10 days	
	3	HR workshops/briefings to staff take place during this consultation period – group & individual sessions as necessary		
	4	Headteacher, supported by HR meet <i>within 5 standard working days</i> of the consultation ending to review consultation on alternatives to Compulsory Redundancy in the following order: <ul style="list-style-type: none"> ○ Alternatives to redundancy (non staffing) ○ Alternatives to redundancy (staffing) ○ Confirm selection criteria ○ Voluntary redundancy requests 	5 days	
	5	(a) Where sufficient alternative proposals or volunteers are available the redundancy procedure will stop at stage 1 through implementing the following within 5 standard days of the above meeting: <ul style="list-style-type: none"> ○ Staff meeting to inform of outcome ○ Letter to staff/TU/Professional Assoc/Strategic Director ○ HR to proceed with securing options identified (b) Where there is still a requirement to reduce staffing following a review of the consultation returns there will be a need to move to stage 2 of the procedure through implementing the following - within 5 standard days of the above meeting: <ul style="list-style-type: none"> ○ Staff meeting to inform of outcome and next steps ○ Letter to staff/TU/Professional Assoc/Strategic Director to inform of outcome and next steps 	5 days	

Stage 2 Compulsory redundancy Selection Up to 4 weeks	1	<u>Stage 2 – Compulsory Redundancy Selection</u> A letter will be dispatched to staff at 5 (b) above and this will constitute the beginning of stage 2 of the redundancy process. This letter will include documentation as necessary.	5 days	
	2	Depending on the selection criteria and method of selection there may be a requirement to obtain additional information from staff. A period of 5 standard working days will be provided to accommodate this requirement.	5 days	
	3	The Headteacher, in conjunction with school Link HR Advisor and (where appropriate) the SIO to assess the data relating to the selection criteria. This will be deemed the “selection meeting” and will take place within 5 standard working days.	5 days	
	4	Staff at risk will be verbally informed of the outcome of the selection meeting and given the opportunity to informally discuss their selection with the Headteacher. A letter confirming their selection will be issued within 5 standard working days following the selection meeting. This letter will provide details of a Hearing with a Panel for individuals selected for Compulsory redundancy.	5 days	
	5	HR will undertake consideration of suitable alternative employment as per section 14 of this procedure.		
Stage 3 Hearing against proposed selection Up to 4 weeks	1	<u>Stage 3 – Hearing against proposed selection</u> Dispatch of the letter to staff following the selection meeting will constitute the beginning of stage 3 of the Redundancy Procedure. This letter provides details of a hearing that will take place within 10 standard working days, providing the opportunity to supply additional information/witnesses.	10 days	
	2	The Hearing with the Panel (supported by HR) will be with the individual member of staff and their TU/PA representative (where appropriate). The Employee will be informed verbally of the decision, where possible, this being followed up in writing within 5 standard working days of the decision. <i>Where the proposal to select is overturned then matter is referred back to the selection meeting for review of the procedure..</i>	5 days	
	3	Where the decision is upheld, the letter to the employee will outline the reasons for the decision and details on the right of Appeal. The employee will have 5 standard working days to confirm their decision to appeal their selection for redundancy. The Chair of the Panel will also formally request the school Link HR Advisor instigate dismissal proceedings, with appropriate notice.	5 days	

Stage 4 Appeal against proposed selection Up to 3 weeks	1	<p><u>Stage 4 – Appeal against proposed selection</u> Receipt of a request from a member of staff appealing against their selection for redundancy will constitute the beginning of stage 4 of this redundancy procedure. Following its receipt a letter will be despatched - within 5 standard working days - outlining details of the Appeal. This Appeal will take place within 10 standard working days from the dispatch of this letter to the member of staff.</p>	10 days	
	2	<p>The Appeal Panel (supported by HR) will meet with the individual member of staff and their TU/PA representative (where appropriate), together with the Chair of the Hearing Panel (supported by HR) .The Employee will be informed verbally of the decision, where possible, this being followed up in writing within 5 standard working days of the decision. The decision of the appeal panel is final.</p>	5 days	

Note - Up to 12 weeks' notice must be given depending on length of service and notice for teachers must be served by 28 February, 31 May or 31 October for redundancy to take effect at the end of the respective school term .

Appendix 7

Redundancy Hearing & Appeal Procedure²⁷ – suggested format

Introductions

The Chair of the Panel introduces all parties present and explains how the meeting will be conducted and what is being considered – including adjournments, refreshment breaks, expected behaviour, documentation, etc.

Presentation

By the Headteacher (or Chair of Panel where it is an Appeal). Witnesses²⁸ called as/where necessary.

Please note: where more than one witness is to be called as part of the presentation it is important that all parties are given the opportunity to question each witness

Questions

The parties may ask questions relating to the presentation give by the Headteacher (or Chair of the Hearing Panel where it is an Appeal) in the following order:

Employee (or their work colleague or Trade Union/Professional Association representative)

Panel Members

Presentation

By the Employee (or their work colleague or Trade Union/Professional Association representative). Witnesses* called as/where necessary.

Please note: where more than one witness is to be called as part of the presentation it is important that all parties are given the opportunity to question each witness prior to their being excused.

Questions

The parties may ask questions relating to the presentation give by the Employee (or their work colleague or Trade Union/Professional Association representative) in the following order:

Headteacher (or Chair of the Hearing Panel where it is an Appeal)

Panel Members

Final statements

Will be taken in the following order:

²⁷ Order of presentations/final statements to be reversed at appeal stage

²⁸ Each witness will be required to attend on an individual basis to answer questions from all parties and are expected to make themselves available to be called for further questioning should this be necessary. It is the responsibility of the parties calling the witnesses to ensure that witnesses are aware of their role and their attendance requirements.

Headteacher (or Chair of the Hearing Panel where it is an Appeal)

Employee (or their work colleague or Trade Union/Professional Association representative)

All parties then withdraw to allow the Panel to reach a decision. The supporting HR Advisor will remain during this stage as will the minute/note taker.

The parties may be asked to remain available for possible clarification of matters and be advised of the decision of the Panel.