

OWLCOTES MULTI-ACADEMY TRUST

Managing Workforce Changes and Staff Reductions Policy



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About Owlcotes Multi-Academy Trust

OMAT is committed to the development of inclusive schools, sharing a common purpose to provide excellent education and improved outcomes for pupils.

OMAT strives to provide high-quality education for all children within our local communities by inspiring innovation, creativity and aspiration through an enriched curriculum.

OMAT is committed to the principles of co-operation, collaboration and sharing best practice with a strong focus on staff development.

OMAT is also committed to the preservation of the unique identity of all schools within the trust: each school will have a Local Governing Board (LGB) that is involved in decision making at school level, with autonomy to make decisions for its own school in line with the scheme of delegation.

Managing Workforce Changes and Staff Reductions Policy and Procedure

1. Introduction

Owlcotes Multi-Academy Trust is committed to avoiding compulsory redundancy wherever possible in order to maintain the highest level of job security for our staff.

Changes in the way services are provided will sometimes lead to individual jobs, or a number of jobs, changing or no longer being required. The Trust is committed to only considering redundancies when all reasonable alternatives have been explored.

This policy takes into account employment legislation and guidance issued by the Advisory, Conciliation and Arbitration Service.

1.1 Aims of the Policy

The aims of the policy are to:

- Have a fair, transparent and consistent approach to managing redundancies.
- Ensure full compliance with employment legislation and best practice guidance.
- Commit to reduce and mitigate the need for redundancies.
- Limit the financial and emotional impact on affected employees.

1.2 Scope of the Policy

This policy applies to all school-based teaching and support staff and all Trust central staff team.

Where a Headteacher is subject to this policy, the “management” role will be performed by a nominated Governor, usually the Chair of Governors.

Where reference is made in this policy to the CEO, this term can extend to describe a member of the Owlcotes Trust Executive Leadership Team who would act on behalf of the CEO.

Fixed Term and Temporary Contracts

Temporary and fixed term contracts may fall under the scope of this policy. The termination of a fixed term or temporary contract must be treated as a dismissal and therefore advice should be taken from the HR partner, before the commencement of a redundancy process where fixed term or temporary contracts may be at risk, or in scope of the redundancy process.

However, this policy should not prevent the fair termination of fixed term or temporary contracts in certain other circumstances.

If an employee is continuously employed for two years within local government or an associated employer identified in the Redundancy Payments (Continuity of Employment in Local Government etc.) (Modification) Order 1999, even if they are employed on a fixed term or temporary contract, they will be eligible for a redundancy payment upon the termination of their employment if the reason for the termination falls within the statutory definition of redundancy.

1.3 Roles and Responsibilities

Headteacher and Nominations Panel

- Ensure employees:
 - have an awareness of and understand the schools MSR policy & procedure
 - understand the need to implement the process
 - are encouraged to participate and put forward ideas that may reduce the need for redundancies
- Seek further advice and support where appropriate from the HR partner.
- Maintain and agree an appropriate level of contact with employees who are absent from work during the consultation period.
- Remain sensitive to the changing needs of staff in these situations.
- Follow the policy for Managing Staffing Reductions, which includes consulting with staff and recognised trade unions.

All School/Central team employees

- Familiarise themselves with the policy and if they do not understand anything ask their line manager or Trade Union representative.
- Attend and participate in collective and individual consultation meetings and let the meeting organiser know if you are unable to attend any planned meetings.
- Provide feedback to the Headteacher/committees or panels within specified timescales so as not to delay the process.
- Respond to the Headteacher/nominated person during any period of absence at this time.

It is recognised that managing staffing reductions can be a challenging time for all stakeholders and particularly for members of staff directly affected by the changes. It is important that staff are consulted with, listened to, and supported during this time.

1.4 Definition of Redundancy

Redundancy is defined under the Employment Rights Act (ERA) 1996. An employee is regarded as being dismissed by reason of redundancy if the dismissal is wholly or mainly attributable to the fact that the:

- Employer has ceased or intends to cease to carry on the business for the purposes of which the employee was employed, or
- Employer has ceased, or intends to cease, to carry on the business in the place where the employee was employed, or
- Requirements of that business for employees to carry out work of a particular kind has ceased or diminished or are expected to cease or diminish, or

- Requirements of that business for the employees to carry out work of a particular kind, in the place where the employee was employed, has ceased or diminished or are expected to cease or diminish.

In a school environment, a redundancy could arise in the following situations:

- Where there are decreases to the number of pupils attending school
- Changes to funding arrangements
- Changes intended to achieve savings and / or increased efficiency in school
- Where new technology is being introduced
- Where a school is being restructured and as a result, fewer posts will be required under the new structure.

1.5 Measures to Reduce, Avoid or Mitigate Redundancy

The Owlcotes MAT Board of Trustees and school Local Governing Boards have a responsibility to seek to retain staff in their school wherever possible. This can be achieved by employing a strategic approach to future workforce and budgetary planning requirements, implementation of HR best practice and a commitment to work closely with Owlcotes MAT and its recognised teaching and non-teaching Trade Unions, to provide support in managing staffing reductions effectively.

The Trust/school may need to demonstrate what measures have been, or will be taken to try to avoid, reduce and mitigate the effects of redundancy dismissals. Alternatives to redundancy may include:

- Reduction in headcount by natural turnover
- Temporary recruitment freezes
- Reduction in the use of supply staff
- More flexible working patterns e.g., reduction in hours, job sharing
- Job re-evaluation
- Restructures
- Redeployment
- Voluntary redundancy (VR)
- Voluntary early retirement (VER).

Throughout the process staff have the right to be represented by a Trade Union representative or accompanied by a work colleague not acting in a legal capacity.

1.6 TUPE

Where a school, or part of a school (for example extended services) has been transferred to an external organisation, it will not normally be a redundancy situation. Ahead of the transfer the current employer may only make redundancies which are lawful and for legitimate purposes, which do not include where a new employer requests that they do so.

Employees who work in the function which is being transferred will usually transfer into the employment of the new service provider under the terms of the Transfer of Undertakings (Protection of Employment) (TUPE) Regulations and relevant government guidance. The HR partner will be able to advise in these circumstances and further advice is also available from ACAS. After employees have transferred under TUPE, the new employer can only make redundancies related to the transfer if there is both:

- A genuine redundancy situation.
- A need to make changes to the workforce for economic, technical, or organisational (ETO) reasons.

1.7 Pregnant employees and employees on Maternity Leave, or returning from maternity, adoption or shared parental leave

The Board of Trustees shall ensure that employees who are nominated for redundancy who are pregnant, or on maternity leave, or returning from maternity, adoption or shared parental leave will be offered a suitable vacancy, where one is available, in accordance with The Protection from Redundancy (Pregnancy and Family Leave) Act 2023. Where there is a suitable available vacancy, the employee is entitled to be offered (before the end of their employment under their existing contract) alternative employment with their employer under a new contract of employment. The new contract of employment must be such that the work is both suitable in relation to the employee and appropriate for them to do in the circumstances, and any changes to the terms and conditions are not significantly less favourable.

Employees are protected under legislation for the period of 18 months from the date of the estimated week of childbirth.

Advice should be sought from the HR partner in these instances.

1.8 Supporting Staff 'at risk'

If there is no alternative other than to carry out a redundancy process, every effort should be made by the Trust/school to support staff that are affected. This includes allowing time to meet Trade Union representatives, allowing reasonable time off to search for other roles and attend interviews and any other support that is felt appropriate.

2. Consultation and Communication

The purpose of this policy is to provide a framework for the process of reducing employee numbers wherever this may become necessary.

Owlcotes Multi-Academy Trust is committed to carrying out effective and meaningful communication and consultation with its staff, regarding any changes affecting the Trust/school. Informal consultation will happen at the earliest possible opportunity.

Consultation happens when the Headteacher (or nominated representative) meets with employees and Trade Unions to explain the planned changes and invites them to provide their feedback on the plans within a 10-day collective consultation period. Consultation can also be held on an individual basis.

It may be necessary for the Nominations Committee, and/or Headteacher to hold a hybrid or virtual meeting or discussion, to make decisions or consult with staff under this policy and procedure.

2.1 Collective Consultation

Consultation with all staff regarding the proposed redundancies will take place informally as soon as possible after the decision is made by the Board of Trustees to implement a redundancy process.

This may take place in staff meetings or in small groups, ensuring that all staff have received the information.

All staff should be given the opportunity to offer solutions to reducing the numbers and/or the impact of the redundancies, such as reducing their hours or taking voluntary early redundancy.

The collective consultation process must start early enough for it to be meaningful, with a view to reaching an agreement, and should include details of any action to be taken to:

- Avoid the dismissals
- Reduce the number of employees to be dismissed
- Mitigate the consequences of the dismissals.

Schools will consult with recognised Trade Unions or other appropriate representatives as soon as the Board of Trustees confirms that there is a potential redundancy situation.

Plans must not be finalised at this stage, as consultation will commence prior to any decisions being reached about potential redundancies. The Board of Trustees must ensure that formal consultation is meaningful, entered into with an open mind and must be prepared to look at creative solutions to avoid, reduce and mitigate the occurrence of redundancies as described above. Staff should be given feedback on any points raised as part of the consultation process.

Effective communication with staff is crucial in managing any workforce change. It is recognised that initial consultation is often a time of concern and worry for all interested parties, but especially for staff potentially affected by any proposals. Consultation is the provision of information which is clear and detailed enough to:

- Enable the Trade Unions to understand and consider the proposals;
- An invitation to them to discuss and comment on the proposals;
- A readiness to consider in good faith any comments or suggestions made before a formal decision is taken.

In the case of redundancy, there is a legal requirement that consultation must:

- Address ways of avoiding or reducing redundancies;
- Consider how to mitigate the effects of any redundancy dismissals;
- Be aimed at reaching agreement.

If it is proposed to make more than 20 employees redundant, the Owlcotes Board of Trustees is legally required to inform the Department of Works and Pensions.

In addition to Trade Union consultation, the school will carry out individual consultation with affected employees.

2.2 Individual Consultation

All employees at risk of redundancy will also be invited to attend an individual consultation meeting with the Headteacher (or nominated representatives) before being issued with formal notice of redundancy.

This is to allow affected employees to feedback any comments before a decision is made to make them redundant. This includes all employees who may not be under threat of dismissal but whom may be directly or indirectly affected by the situation.

Affected employees must be notified when they are at risk of redundancy, kept informed of developments, made aware of the procedure being followed and the support available to them. They should also be made aware of options available to them, be individually consulted with and allowed to feed back any comments before a decision is made to make them redundant.

All employees on long term leave such as maternity, paternity or adoption leave, absence due to ill health or a secondment to a different team or organisation, will be included in any consultation exercises.

2.3 Right to Representation and Facilities Time

Staff have the right to be represented and can be accompanied by a Trade Union representative or work colleague throughout the process.

Trade Union representatives acting on behalf of the employees affected will be granted time off under the Schools Facilities Scheme to meet and consult with their members throughout the consultation process.

2.4 Legislative Timescales

There are specific legislative timeframes for collective consultation under Section 188 of the Trade Union and Labour Relations (Consolidation) Act 1992, which the Board of Trustees must adhere to if they propose to dismiss as redundant, 20 or more employees at one establishment within a period of 90 days or less.

There is a legal requirement to issue a S188 – Notification of Redundancy letter to the recognised trade unions or employee representatives where more than 20 employees are affected. However, for the purpose of this policy a ‘Notification of Proposed Redundancy’ letter will be issued in all circumstances irrespective of the numbers of employees that may be at risk.

Consultation with the recognised Trade Unions or other appropriate representatives should commence at the earliest opportunity and ‘in good time’ taking into account notice periods of employees and in any event at least:

- 30 days before the first dismissal takes effect if 20 to 99 employees are to be made redundant over a period of 90 days or less, and
- 45 days before the first dismissal takes effect if 100 or more employees are to be made redundant over a period of 90 days or less.

2.5 HR1 Notice

If more than 20 employees are to be made redundant at one establishment within a period of 90 days or less, the Trust must also inform the Secretary of State for Business, Innovation and Skills and the Trade Unions of their intentions at least 30 or 45 days in advance of the first dismissal taking effect. Failure to serve this notice could lead to a fine.

2.6 Notification of Proposed Redundancy Letter

The school will write to the Trade Union representatives informing them of the following:

- Reasons for the proposed redundancies, including relevant financial information, covering the three years previous and three years projected budget position with sufficient detail to allow for meaningful consultation.
- Numbers and descriptions of all employees whom it is proposed to dismiss as redundant (often referred to as a 'pool' of employees at risk).
- Total number of employees of any such description employed by the employer at the establishment in question.
- The proposed method of selecting the employees who may be dismissed.
- The proposed method of carrying out the dismissals, with due regard to any agreed procedure, including the period over which the dismissals are to take effect.
- The proposed method of calculating the amount of any redundancy payments to be made to employees who may be dismissed; and
- Information about agency workers (including supply staff), with the type and number of hours being worked.

The information set out above must be given to an authorised representative of the union, via e-mail to the registered e-mail address or during a formal consultation meeting with staff.

Once the Board of Trustees has confirmed the requirement to make a staffing reduction, the Trade Unions will be issued with the Notification of Proposed Redundancy; a copy of which should also be displayed in school. A date for consultation will be agreed with the Trade Unions.

The Headteacher, at this stage should ask the permission of affected staff members for their names to be shared with relevant Trade Union representatives to enable appropriate trade union support from the outset of the Managing Staff Reductions process.

The consultation period will usually commence from the date of the collective consultation meeting. The draft selection criteria are a key element of the consultation process. Other than in exceptional circumstances and by mutual agreement, the consultation period should only begin when the selection criteria are available.

3. Managing Staffing Reductions Procedure

Prior to commencing consultation on staffing reductions, it is important that a forward plan is put in place, to take into account the longest notice periods for teachers and support staff (Appendix 1). This will ensure that the Trust meets its statutory obligations when terminating employment on the grounds of redundancy.

In the case of reductions in staffing and/or revisions to the staffing structure in schools, the Headteacher will notify the CEO as soon as possible after becoming aware that reductions in staffing and/or revisions to the staffing structure may be necessary. The Headteacher will be responsible for proposing a revised staffing structure, in collaboration with the CEO or CFO.

Overview

In the first instance, the CEO/Headteacher will identify the specific need and business reason for staffing changes within the Trust/school and will notify the Owlcotes Board of Trustees / School Local Governing Board of the intention to activate this policy.

If the conclusion is that there is no alternative but to continue with a staffing reduction, the Board of Trustees will agree the job area(s) affected by MSR, and the number of employees within this area. The Board will consider whether any category of employee should be discontinued as that role is no longer required in the trust. If this is the case, all staff in this category will be at risk of redundancy. The Board will ensure that employees at risk are clear and that employees are allocated to a pool. If a unique post is being declared redundant, this may be a pool of one employee.

The Board of Trustees will give delegated authority to the Finance, Risk and Audit Sub-Committee of the Board of Trustees (FRAC) to carry out the MSR process, the development of the selection criteria (if applicable) and the assessment of individuals against these criteria, if applicable. The FRAC will identify the representatives on the MSR committee.

An Appeals Committee will be identified. This committee will include three Trustees who have not been involved in the MSR process until the Appeal stage.

3.1 Owlcotes Multi-Academy Trust Full Board of Trustees Meeting 1

The main purpose of this meeting will be to agree the need for staffing reductions and make considerations around alternatives available (see 1.5 Measures to Reduce, Avoid and Mitigate Redundancy), with the overall aim of avoiding redundancies. During this meeting the following decisions will be made, where redundancy is proposed:

- Confirm areas and posts that will be affected.
- Agree the timetable for the entire process, elect and appoint Trustees for the Nominations Committee, giving them the authority to carry out the process and develop the selection criteria. This decision must be formally recorded in the meeting minutes.
- Nominate 3 Trustees to form the Appeal Panel.

3.2 Nominations Committee Meeting 1

The purpose of this meeting is for the Nominations Committee, with the CEO/Headteacher to:

- Review, amend and produce a final draft as appropriate, of the model selection criteria (for all affected posts) to determine whether any criteria specific to the school can be identified. For example, curriculum, operational and organisational priorities, Ofsted priorities, key areas outlined in the school improvement plan, succession planning and any other needs of the school.
- Agree the weighting of the selection criteria and ensure the criteria are fair, objective and not discriminatory in any way before agreeing the final draft version.
- Agree the tie breaker criteria in the case of equal scoring amongst affected staff.

The HR partner may review the appropriateness of any 'model' selection criteria and will also agree the weighting of any selection criteria and ensure the criteria are fair, objective and not discriminatory in any way (directly or indirectly) before agreeing the adoption of the final version.

Where the business case for MSR means that a specific role and only one member of staff could possibly be selected then there will be no need for the MSR committee to develop selection criteria.

3.3 Formal Collective Consultation Meeting

The Trust/school has a duty under the Trade Union and Labour Relations (Consolidation) Act 1992

(Amendment) Order 2013 – Section 188 Notices to meaningfully consult and issue formal notice to the recognised trade unions about any potential redundancy situation as well as informing employees where posts are identified as being at risk.

Once the Board has confirmed the requirement to make a staffing reduction, staff affected will normally be issued with the ‘Section 188 Letter’. Alternatively, should the information required for the Section 188 Letter be unavailable, a ‘Statement of Intentions Letter’ will be issued. This letter will notify affected staff as to the date of a consultation meeting. Under the policy, the consultation period will usually commence from the date of the consultation meeting and will include any agreed criteria for selection (if applicable).

Under this policy, there is a minimum **formal consultation period of 10 working days** with staff and recognised trade unions.

However, there is a specific legal requirement overriding this under certain circumstances. This applies where employers **propose to dismiss 20 or more employees**. In this situation, the employer must begin consultation:

- At least 30 days before the first dismissal takes effect if 20 to 99 employees are to be made redundant over a period of 90 days or less, and
- At least 90 days before the first dismissal takes effect if 100 or more employees are to be made redundant over a period of 90 days or less.
- A HR1 form should be submitted to the Redundancy Payment Service at the same time as the Section 188 letter.

This formal collective consultation meeting will be attended by all affected staff and relevant Trade Union representatives.

The purpose of the meeting will be to:

- Commence the 10-day consultation period
- Ensure every member of staff has a copy of the MSR Policy and Procedure
- Ensure affected staff also receive the Notification of Proposed Redundancy letter, a copy of the proposed selection criteria, updated job descriptions, person specifications and any other relevant information, including three years’ previous and three years projected financial data that supports the rationale for the redundancy proposal.
- Ensure that full consultation with staff is undertaken regarding the need for staffing reductions and the timescales and method for terminating contracts on the grounds of redundancy.
- Give staff an opportunity to put forward suggestions about how staffing reductions could be avoided.
- Explain how the proposed selection criteria will be applied and how the scoring and weighting will operate.
- Provide information regarding the method for calculating redundancy payments.
- Offer the option of affected employees to request a possible job share, reduction of hours, voluntary redundancy (see 3.4), and voluntary retirement.

Trade Unions wishing to meet separately with the CEO/Headteacher, should arrange to do so as soon as possible and normally within 5 working days of the formal consultation meeting.

Staff and Trade Unions should be kept up to date with any changes made by the school to the original information provided. If there is any change made by the Trust/school outside of, or within, the initial 10-day consultation period, there is a possibility the period may be extended. All employee and Trade Union requests for further information must be considered and responded to by the Nominations Committee. Requests by the employee or their Trade Union representative should be communicated in a clear and timely manner to avoid any delay to the process.

3.4 Voluntary Redundancy (VR)

During the collective consultation meeting the CEO/Headteacher should ask employees for expressions of interest for voluntary redundancy from the group of employees that are deemed to be at risk. These should be submitted to the Nominations Committee for consideration by the Board of Trustees by the end of the 10-day consultation period.

Employees not deemed to be at risk of redundancy may also express an interest in VR. The Board of Trustees will consider these applications taking into account whether the relevant post may be deleted by way of redundancy and whether this changes the scope of the wider redundancy process. The Board of Trustees should refer to paragraph 1.4 'Definition of Redundancy' before making a decision.

Employees are encouraged to seek further advice from their trade union regarding the option of voluntary redundancy to ensure that they are making an informed decision to request VR. Where an employee expresses an interest in voluntary redundancy this expression does not commit the employee to taking it.

The Board of Trustees will consider at the second Board of Trustees meeting if any written expressions of interest for voluntary redundancy can be accepted, see section 3.7.

Before any applications for VR are accepted, the Trust/school should ensure that any additional redundancy or pension costs can be funded. The CEO/Headteacher must contact the payroll provider to clarify this position.

Where an application for VR is accepted by the Board of Trustees, a leaving date will be determined and employees will be issued with the appropriate contractual notice in writing, including confirmation of the termination date, as per the Formal Notice process outlined in Section 4 of this policy.

3.5 Individual Consultation Meeting

The opportunity for individual meetings with the Headteacher will be made available for members of staff who are at risk of redundancy, and their representative. The meeting will take place during the consultation period and may be attended by a HR Representative.

The purpose of this meeting is to:

- Explain the reasons for the proposed redundancy.
- Provide an opportunity for the member of staff to propose alternative ways of avoiding, reducing, or mitigating the consequences and / or number of dismissals on the grounds of redundancy.
- Respond to any general questions that the member of staff may have.

3.6 Nominations Committee Meeting 2

The main purpose of this meeting is to:

- Allow the Headteacher and the Nominations Committee to consider any alternatives to staffing reductions put forward by staff or unions during the consultation period, including voluntary redundancies, voluntary early retirement, job shares and reduction of hour requests
- Decide if the selection criteria should be amended in light of feedback during the consultation period, whilst taking into account the future operational needs of the school
- Provide a written response to affected staff and unions to address issues raised during the consultation period. Approval by the Board of Trustees is required prior to issuing a response.
- Confirm who will be responsible for reviewing the affected staffs' individual score sheets against the selection criteria. This will normally be the Headteacher but may be delegated to an appropriate member of staff, for example the affected employees' line manager/s.
- Agree and confirm the remaining activities in the MSR procedure.

3.7 Board of Trustees Meeting 2

The purpose of this meeting is to:

- Enable the Nominations Committee to update the TB on progress and to review feedback from the consultation period.
- If voluntary redundancies, voluntary retirement, requests to reduce hours, or job share arrangements are to be approved, consider whether the MSR process needs to continue or reduce in overall scope.
- Provide the written response to queries raised during the consultation period by Trade Unions and affected staff.
- Agree the final selection criteria (if applicable). The Headteacher is then required to issue the final version.

3.8 Application of Selection Criteria Meeting

Following the TB Meeting 2, the CEO/Headteacher will schedule meetings with affected employees individually to discuss their scores against the selection criteria.

The selection criteria should be applied in an objective, supportive, fair and transparent manner and should not discriminate on the grounds of any protected characteristic.

The CEO/Headteacher is responsible for completing the individual score sheets. However, in exceptional circumstances this may be delegated to a nominated person.

Employees may choose to complete their own individual score sheet prior to the meeting, to be discussed with the Headteacher for example the affected employees' line manager/s.

The purpose of the meeting will be to:

- Ensure that all experience and qualifications relevant to the role have been considered before reaching the final score.
- Allow the employee to discuss their score in the selection process and to raise any questions they may have about the score or the redundancy process.

- If the member of staff chooses not to attend, the Headteacher will share their completed score sheet with the individual, allowing a few days for comment. As in all cases, the final decision on the score will be made by the Headteacher.
- Once all the assessments have been completed the final, anonymised scores will be transferred onto a collective summary sheet, or matrix for presentation at the Nominations Committee Meeting 3.

3.9 Nominations Committee Meeting 3

The purpose of this meeting is for the Headteacher and the Nominations Committee to review the whole redundancy process prior to proceeding to the next stage. The purpose of this meeting will be to:

- Consider fully whether staffing reductions are still required, taking into account any changes to the scope of the process since its commencement.
- Review and evaluate the application of the selection criteria. The nominations committee may challenge the scoring of individuals against the selection criteria.
- Ensure there has been adequate consultation, that all issues raised have been responded to appropriately and that everyone has been treated fairly.
- Confirm the nomination(s) of individuals for compulsory redundancy, voluntary redundancy and retirement, where appropriate.
- Agree the timescale for the Headteacher to issue the Nomination for Redundancy letter to those employees who have provisionally been nominated for redundancy
- Agree the timescale for the Headteacher to invite the nominated employees to attend a representation hearing. The employees will be given 5 working days' notice of the meeting
- If requested by an employee, a collective summary sheet / matrix showing the anonymous scores of all staff within a selection pool will be provided.

3.10 Representation Meeting

The employee, their representative (where applicable), the Nominations Committee and the CEO/Headteacher will attend this meeting.

The CEO/Headteacher will present an overview of the managing staffing reductions procedure and the reason for the employee's nomination for redundancy.

HR may attend to provide advice to the CEO/Headteacher and the Nominations Committee regarding the meeting procedure. They may also support both parties to answer queries that the employee or their representative may have.

The purpose of this meeting is for the employee to:

- Put forward ideas and suggestions about how the redundancy could be mitigated
- Raise any remaining questions or points they have about the procedure and their nomination for redundancy

For the Nominations Committee to:

- Give full consideration to the suggestions and points put forward by the employee
- Confirm the original decision or propose an alternative outcome
- Where the nomination is confirmed, agree that the CEO/Headteacher will confirm this in writing within 3 working days of the meeting, advising the employee of their right of appeal.

- Following the meeting, the CEO/Headteacher must notify Leeds City Council (LCC) of the redundancy and termination date of the employee/s. Under the statutory obligations of Maintained Schools, this notification is required whether LCC is the HR provider or not.

3.11 Redeployment

The Board of Trustees, in consultation with the school's Local Governing Body (if applicable), will consider whether alternative employment is available for an employee who is made compulsorily redundant. There is no requirement to create a job specifically for this purpose, or to offer a job which does exist but for which the employee does not meet the requirements of the post. However, the employee must be fully considered for any appropriate vacancy.

4. Formal Notice of Redundancy

4.1 Issue of the Formal Notice Letter

Formal notice will be issued in accordance with the following timescales:

- Support Staff: Statutory entitlement is for 1 weeks' notice per year of continuous service up to a maximum of 12 weeks (and subject to a minimum of 1 month for most support staff);
- Headteachers: 3 months' notice (4 months in the summer term) ending on 31 December, 30 April or 31 August as appropriate;
- Other Teachers: 2 months' notice (3 months in the summer term) or statutory notice if that exceeds contractual notice – see (i) above - ending on 31 December, 30 April or 31 August as appropriate.

The search for alternative employment can begin once the employee has had confirmation of their nomination for redundancy and should continue throughout the notice period.

5. Appeal Process

Employees have the right to appeal against their selection for redundancy. If they wish to exercise their right, they must notify the CEO/Headteacher in writing, within 5 working days of the date of the confirmation of Nomination for Redundancy stating the grounds for appeal.

An appeal can be made on the following grounds:

- That the reason for dismissal was not redundancy
- That the selection for redundancy was not fair
- That the redundancy process was flawed.

The Appeal will be heard by the Appeal Committee which will consist of a panel of three which will include at least two Trustees and may include a member of the local governing board from the affected school or another school in the trust. Members of the panel must not be part of the Nominations Committee. The panel will focus on a careful and objective examination of the application of the redundancy procedure and selection criteria to ensure that a reasonable, fair and objective process has been followed.

The CEO/Headteacher must invite the employee to the hearing in writing stating that they have a right to be accompanied by a Trade Union representative or work colleague.

The Headteacher (or nominated representative) will be in attendance at this meeting and will present the school's position regarding the need for redundancies. A HR representative will provide advice to the Headteacher regarding the managing staff reductions procedure. A second HR representative may also attend to support the appeals panel in following the appeal hearing procedure.

The Appeal Committee will make the final decision regarding the outcome of the employee's appeal.

5.1 Outcome of Appeal

If the employee's appeal is supported by the Appeal Panel the school will be required to look at alternative options to achieve their outcomes.

Should the appeal be successful, the Appeals Committee will consider whether to select another employee for redundancy, in which case the process of selection, opportunity for representation, notification of redundancy, notice to terminate and right of appeal will be repeated.

Whether the appeal has been successful or unsuccessful the staff member will be notified of the outcome in writing.

Where the appeal is unsuccessful, the employee's notice period and termination date will remain as agreed under the procedure.

The employee will be notified of the outcome in writing following the appeal hearing within 5 working days.

6. Redundancy Payments

The Trust/school's payroll provider will provide an estimate of redundancy pay entitlement. The payment will be calculated with reference to the employee's age, length of service and average weekly earnings at the date of termination.

The employee's actual weeks' pay will be used, and the statutory cap on a week's pay will not be applied.

If an employee has less than two years continuous service, they will not be entitled to a redundancy payment.

Employees should be made aware that their entitlement to a redundancy payment is subject to a four week break in service prior to the commencement of a new role, and that a gap of four weeks' service will therefore result in a break in continuous service.

7. Redeployment – Working Together to Avoid Compulsory Redundancies

7.1 Scope

The Trust/school is committed to accessing the MAT's mechanisms as detailed in this policy, to help avoid compulsory redundancies across the Trust.

7.2 Vacancies

There is no legal requirement placed on the Trust/school to consider filling a vacancy with a person nominated for redundancy by another Owlcotes school (i.e., to consider offering redeployment). However, the Board of Trustees and CEO/Headteacher will agree to consider any employees nominated for redundancy.

Where there is a vacancy within the school, the school will consider offering a priority interview to any teacher or member of support staff nominated for redundancy by another school, prior to commencing the recruitment process.

Schools may choose not to interview a nominated employee prior to other candidates.

7.3 Extended Employment

In some exceptional circumstances a period of extended employment will be automatically offered to employees nominated for redundancy.

Employees who are nominated for redundancy and whose contract is due to terminate on 31st August and have not had a full 12-week period to seek alternative employment within an education setting due to school summer closure, will be able to access an initial period of 6 weeks' extended employment.

The full extended employment period will be for up to one term for teachers or 12 weeks for support staff, at the employee's current, full rate of pay.

During the extended employment period, the affected employee will be required to demonstrate to Owlcotes Multi-Academy Trust that they are actively seeking new employment.

The employee will need to demonstrate after 6 weeks that they are taking the following reasonable steps to find alternative work:

- Confirmation they wish to engage in the redeployment process
- Completion of the HR skills profile document
- Evidence that demonstrates 'engagement' in the job search process - sanctioned by a senior Leeds City Council representative
- Attendance at interviews offered by recruiting schools
- Evidence of carrying out their own independent job search
- Provides feedback to Leeds City Council HR regarding applications and interviews
- Undertakes any suitable trial period offered.

A review by Leeds City Council after approximately 6 weeks will determine whether the employee has taken reasonable steps to engage in a job search, as above. If this is not the case, the period of extended employment will end following the 6-week review. If the employee provides the relevant evidence, the period of extended employment will continue up to the agreed end date.

Extended employment – Maternity, Adoption and Shared Parental Leave and Pregnancy

Employees who are nominated for redundancy whilst pregnant or who are on, or recently returning from, maternity, adoption or shared parental leave (under the Protection from Redundancy (Pregnancy and Family Leave) Act 2023) will be offered a suitable alternative role within the school, if available.

Where no suitable role is available, or where the employee accepts voluntary redundancy, under the redeployment mechanisms within this policy, the employee will be automatically entitled to access the full entitlement of 12 weeks or one term's extended employment from the day immediately following the end date of their contractual notice period (termination date).

7.4 Trial Periods

An employee who is nominated for redundancy has a statutory right to a 4-week trial period during their notice period if suitable alternative employment is identified and the terms and conditions of the new role differ (wholly or in part) from the employee's current role.

The 4-week period can be extended if any retraining or additional support will be required to enable the employee to perform the new role. The extension must be agreed in writing before the trial period starts. The trial period gives both the school and the employee the opportunity to decide whether the new job is suitable.

If the employee has not been successful in obtaining suitable alternative employment at the end of their statutory trial period in circumstances where this goes beyond the end of the notice period, their contract will be terminated by reason of redundancy.

Where an offer of suitable alternative employment is made at the end of the trial period and the employee unreasonably refuses it, the employee may lose the right to a redundancy payment.

7.5 Pay Protection

Support Staff

Pay protection will apply to non-teaching employees whose contractual total earnings in their substantive post at the point of redeployment is more than the role that they are redeployed into.

For part time employees, pay protection will be calculated based on pro-rata hours of work.

Schools are advised to contact their HR provider for further guidance as to where pay protection may apply.

Teachers

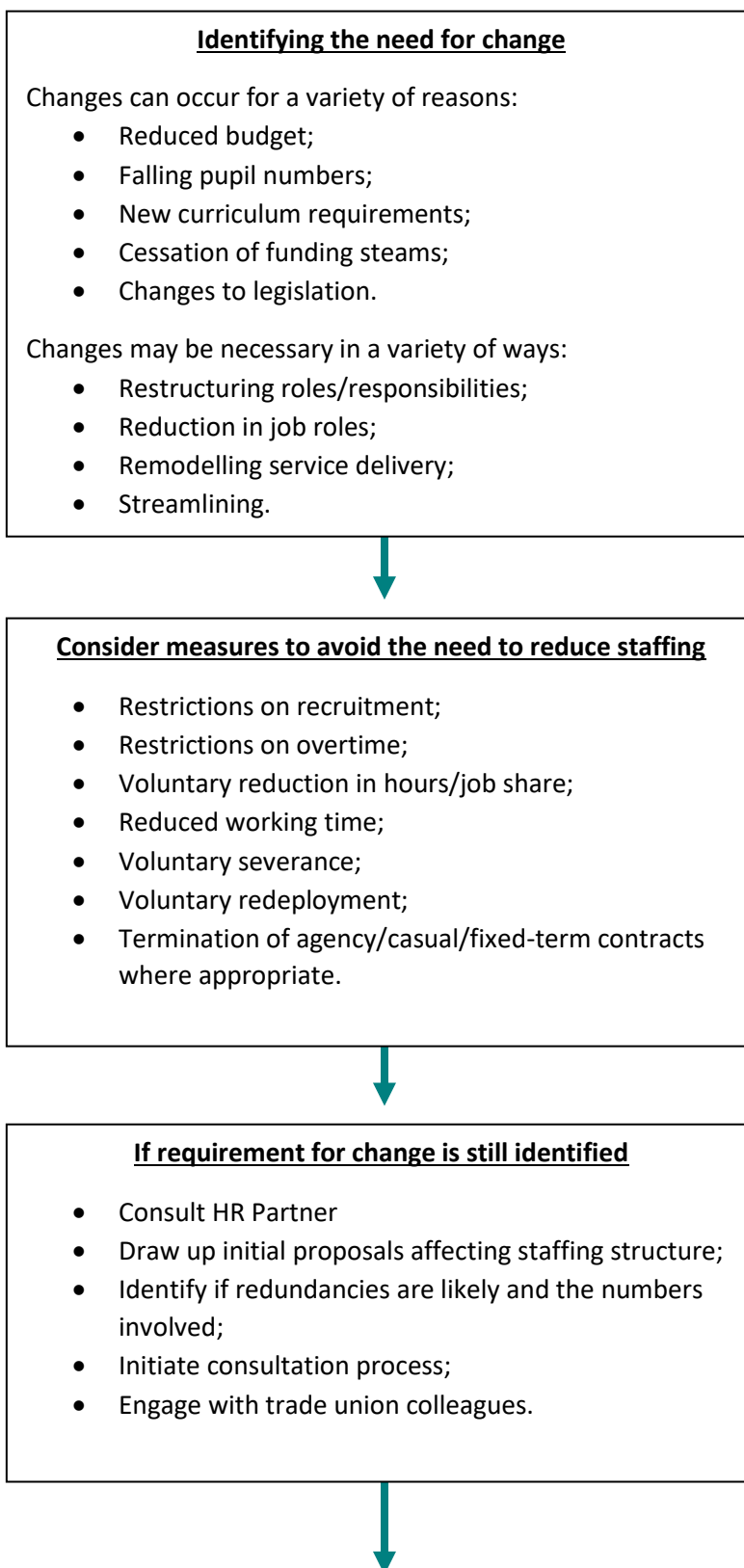
Teachers will be entitled to pay protection of their previous salary for three years, or in the case of the protection of a safeguarded sum (i.e., TLR/SEN allowance), will retain the previous value of the

allowance whilst receiving an annual basic salary pay award and incremental progression (where appropriate), in line with STPCD.

For part time employees pay protection will be calculated based on pro-rata hours of work.

Appendix 1: Managing Workforce Change and Staff Reductions Guidance (more than one employee)

Forecasting and managing change is integral to successful medium and long-term planning



<u>Consultation</u>	<u>Implementation</u>	<u>Selection for redundancy</u>
<p>A collective redundancy situation arises where an employer <u>proposes to dismiss, by reason of redundancy, 20 or more employees</u> at one establishment within any period of 90 days or less.</p>	<p><u>Slotting process</u> This is where a job role remains substantially unchanged or comparable and there are no more people than posts. The grade may be higher or lower and has been agreed as a reasonable redeployment opportunity.</p>	<p><u>Unplaced employees</u> Employee is notified of provisional selection for redundancy and invited to a meeting where they may make representation against the decision for management to consider.</p>
<p><u>Timescales of consultation period</u></p> <ul style="list-style-type: none"> • 20 – 99 employees: 30 days • 100+ employees: 45 days • Less than 20: 10 working days. 	<p><u>Ring fence recruitment process</u> Where there are more people than posts, employees will go through a selection process as agreed during the consultation.</p>	<p><u>Notification</u> Following the meeting, the outcome will be confirmed in writing and, where selection for redundancy is confirmed, the employee will be served their contractual notice.</p>
<p><u>Preparing for consultation</u></p> <ul style="list-style-type: none"> • Issue formal notice to trade unions (section 118 notice) • Inform employees identified as being at risk 	<p><u>Notification</u> Employees will be notified of the outcome in writing and, where they have been successful in securing a position, a new contract will be issued</p>	<p><u>Employees selected for redundancy</u> They will be given the right of appeal against the decision. Redeployment opportunities will be sought across the Trust. Employees will be supported with a reasonable amount of time off for training/interviews. Consideration will be given to whether vacant posts are suitable alternatives.</p>
<p><u>During consultation</u></p> <ul style="list-style-type: none"> • Share the proposals for change • Consider alternative communication with absent staff • Notify of procedure/process • Welcome feedback/alternative solutions • Hold further meetings, briefings, one to ones 		

Appendix 2: Example Letter to Trade Unions Under Section 188 (where proposing to make 20 or more employees redundant within 90 days at one establishment) HR1 FORM REQUIRED

Name

Address

Date

To: (a copy should be issued to the Branch Secretary for all Trade Unions where applicable)

Dear Colleague

NOTICE UNDER SECTION 188 – 198 OF THE TRADE UNION & LABOUR RELATIONS (CONSOLIDATION) ACT 1992 – (INSERT DETAILS OF REVIEW OR RE-ORGANISATION AND/OR NAME OF TRUST/ACADEMY)

I am writing to inform you that a review of staffing needs is currently being undertaken in *(insert name of Trust/Academy)*. This review is necessary due to *(insert reason i.e. budget deficit, falling pupil numbers etc)*.

In accordance with Section 188 of the Trade Unions and Labour Relations (Consolidation) Act 1992 as amended by section 34 of the Trade Union Reform and Employment Rights Act (TURERA) 1993, I write to formally notify you that of the *(insert total number and category of employees in Trust / Academy i.e. 50 teaching, 50 support)* employees within *(name of Trust / Academy)* there is potentially *(insert number and description of employees whom it is proposed to dismiss i.e. 1 teaching and 1 support)* employees to be dismissed from their employment as a result of this review.

Employees will be informed that a 10/30/45 *(delete as appropriate taking into consideration statutory guidelines)* day consultation period will commence on the issue of the formal notification i.e. HR1 form to the Department of Business, Enterprise and Regulatory Reform (BERR) and the Trade Unions. Consequently, please find attached a copy of the HR1 form which has been submitted to the BERR. The 10/30/45 *(delete as appropriate)* day consultation commenced/will commence on *(date)*.

In accordance with our previous good working relationships the Trust / Academy will endeavour to work with the Trade Unions to deliver a successful outcome on this matter. I would be pleased if you could attend a consultation meeting with myself on *(date, time, venue)*, to be followed by a meeting with employees *(insert time, venue)*.

The purpose of the meeting will be to discuss the proposals and consult with you with regards to these. You are invited to make submissions on any measures which you believe might avoid any potential dismissals, reduce the number of employees to be dismissed or mitigate the consequences of dismissals.

For its part, the Trust / Academy will take all steps available to utilise redeployment or voluntary severance wherever appropriate, as an alternative to effecting compulsory redundancies.

Where compulsory redundancies are unavoidable it is proposed that, unless otherwise determined in consultation with Trade Union representatives, the selection for redundancy will generally be determined, in accordance with current policy, having regard to the employees skills, knowledge and aptitude as measured and scored against objective criteria relevant to the posts in the structure and tested at interview, as previously agreed by the Trade Unions.

All dismissals will be in accordance with current policy. Redundancy payments will be in line with the statutory redundancy payment scheme ***(for centrally employed/Trust staff)***. **OR** Academy based employees who have joined or further to TUPE have joined the Trust from a local authority, will receive a redundancy payment calculated in accordance with the local arrangements at the point of TUPE transfer. ***(for academy staff) [delete as appropriate]***

If you have any queries in the meantime, please do not hesitate to contact me.

Yours faithfully

Name

CEO/Executive Principal/Principal

Appendix 3: Notification to Trade Unions (where less than 20 employees are to be affected by redundancy) HR1 FORM NOT REQUIRED

Name of TU

Address

Date

Dear Colleague,

NOTIFICATION TO TRADE UNIONS

I am writing to inform you that a review of staffing needs is currently being undertaken in (Insert name of Trust/Academy). This review is necessary due to (insert reason i.e. budget deficit, falling pupil numbers etc).

I write to formally notify you that of the (inset number of employees) teaching and (inset number of employees) support employees at (insert name of the Trust / Academy) it is proposed that there are potentially (insert number of potential redundancies) teaching and (insert number of potential redundancies) support to be dismissed from their employment as a result of this review.

The 10/30/45 (delete as appropriate) day consultation period begins on (date) and ends on (date).

In accordance with our previous good working relationships the Trust / Academy will endeavour to work with the Trade Unions to deliver a successful outcome on this matter. I would be pleased if you could attend a consultation meeting with myself (add anyone else attending) on (date, time, venue), to be followed by a meeting with employees (insert time, venue).

The purpose of the meeting will be to discuss the proposals and consult with you with regards to these. You are invited to make submissions on any measures which you believe might avoid any potential dismissals, reduce the number of employees to be dismissed or mitigate the consequences of dismissals.

For its part the Trust / Academy has already taken/ will take all steps (delete as appropriate) available to utilise redeployment and/or voluntary severance wherever appropriate, as an alternative to effecting compulsory redundancies.

Where compulsory redundancies are unavoidable it is proposed that, unless otherwise determined in consultation with Trade Union representatives, the selection for redundancy will generally be determined, in accordance with current policy, having regard to the employee's skills, knowledge and aptitude as measured against objective criteria and tested at interview.

All dismissals will be in accordance with current policy and any subsequent Redundancy payments will be in line with statutory redundancy scheme (for centrally employed/Trust staff). OR Academy based employees who have joined or further to TUPE have joined the Trust from a local authority, will receive a redundancy payment calculated in accordance with the local arrangements at the point of TUPE transfer. (for academy staff) [delete as appropriate]

If you have any queries in the meantime, please do not hesitate to contact me.

Yours faithfully

Name

CEO/Executive Principal/Principal

Appendix 4: Example Letter to Employees Confirming the Consultation Period

Name

Address

Date

Dear

NOTIFICATION OF REDUNDANCY CONSULTATION PERIOD

I am writing to confirm that your post is affected by the current review of staffing needs within (insert name of Trust / Academy) due to (insert reason i.e. budget deficit, falling pupil numbers etc) and consequently you are at risk of redundancy.

This letter is to formally notify you that a 10 day or a statutory 30/45 day (delete as appropriate) consultation period for redundancy purposes began on/will begin on (delete as appropriate) (insert date) and ends on (insert date).

A meeting is to be held at the Trust / Academy (insert time, date, and venue). The purpose of the meeting is to inform employees/you (if only one person) of the situation and to fully explore alternative ways of addressing the situation. Trade Union representatives have been invited to attend/Please advise if you are in a trade union and we will make the necessary arrangements for them to attend (if one person).

The Academy currently employs (insert relevant details i.e. number and categories) and it has been assessed that from (insert date) it may only require (insert relevant details i.e. number and categories of employees). I am formally giving notice of the intention to instigate the procedures for the reduction in numbers of employees.

You may wish to consider an expression of interest in voluntary redundancy (where applicable). Any such enquiry will be treated in the strictest confidence and does not commit either you or the academy to agreeing this course of action. Arrangements will be made for further information to be obtained from the Trust and for this to be discussed with you. It should be noted that any estimates given do not constitute a formal offer and are merely an indication of potential benefits should the option be formally approved. Employees willing to consider voluntary options should let me know by (date).

In the event of natural wastage, voluntary redeployment, or voluntary redundancy or some other developments which removes the need for the reduction to be implemented, this procedure will of course be terminated. Meanwhile please be assured that any expression of interest in voluntary redeployment or voluntary redundancy will not render you more liable for selection if it is necessary to implement compulsory procedures.

I appreciate that these are difficult times, but we are doing everything we can to deal with this quickly and keep you informed. If you want to speak to anyone about this letter or any other issues, please contact your manager.

Yours sincerely

Name

CEO/Executive Principal/Principal

Appendix 5: Example Letter to Employee Inviting Them to Preference for Ring Fenced Post

Name

Address

Date

Dear

SELECTION PROCESS – INVITE TO PREFERENCE FOR RING FENCED POST

Further to the recent consultation period within the academy to discuss the proposed new structure.

As you are aware, your current role has been deleted from the structure with effect from (Insert date). Through the consultation process, involving one to one meeting with staff and meetings with trade unions, the following posts have been identified as suitable alternative roles and will be ringfenced for current (Insert title i.e., administrators).

- Insert Titles of posts identified as suitable alternative roles throughout this process

You are invited to consider these alternative roles and submit your preference form by (Insert deadline date).

I understand this has been a difficult period of time for you therefore please do not hesitate to contact me if you have any queries or require any further support.

Yours sincerely

Name

Designation

Appendix 6: Example Letter to Employee Inviting Them to Interview (Selection Process)

Name

Address

Date

Dear

SELECTION PROCESS - INVITE TO INTERVIEW

Further to the recent consultation period within the academy regarding the proposed new structure.

Either

As you are aware, your substantive role has been deleted from the structure with effect from (Insert date). Though the consultation process, involving one to one meetings with staff and meetings with trade unions, the post of (Insert post title) has been identified as a suitable alternative role.

Or

As you are aware it is intended to reduce the number of (Insert post title) positions at (Insert Trust/Academy Name) with effect from (Insert date).

Or

I can now confirm receipt of your preference from for the post of (Insert title).

As agreed during the consultation period, the selection method will be undertaken through an interview process. You are, therefore, invited to attend an interview for this ringfenced post at (Insert venue) on (Insert date and time).

I understand this has been a difficult period of time for you therefore please do not hesitate to contact me if you have any queries or require any further support.

Yours sincerely

Name

Designation

Appendix 7: Notification of Provisional Selection for Redundancy

Name

Address

Date

Dear

NOTIFICATION OF PROVISIONAL SELECTION FOR REDUNDANCY

Further to the recent consultation period within the academy regarding the proposed new structure/closure or service provision/site closure (delete as appropriate) OR Further to the interviews held today, I am writing to notify you that you have been provisionally selected for redundancy.

A meeting has been arranged for (Insert date) at (Insert time) at (Insert venue). At the meeting you will have the opportunity to make representation against this selection for management to consider.

You have the right to be accompanied at the meeting by a trade union representative, professional association representative or work colleague. However, this right does not extend to professional persons such as solicitors or barristers. It is your responsibility to make your own arrangements for their attendance.

I understand this has been a difficult period of time for you therefore please do not hesitate to contact me if you have any queries or require any further support.

Yours sincerely

Name

Designation

Appendix 8: Example Letter to Employee Confirming Their New Appointment – Slot In

Name

Address

Date

Dear

OUTCOME OF SELECTION PROCESS

Further to the recent consultation period within the academy regarding the proposed new structure.

As you are aware, your substantive role has been deleted from the structure with effect from **(Insert date)**. Through the consultation process, involving one to one meetings with staff and meetings with trade unions, the post of **(Insert title)** has been identified as a suitable alternative role.

You will, therefore, be appointed to the role of **(Insert title)** at **(Insert Name of Trust/Academy)** with effect from **(Inset date)**.

(Where applicable, confirm any contractual changes) EG Your salary / hours of work will be **(Insert details)**. All other terms and conditions will remain unchanged.

An amended contract will follow in due course.

Please sign and return a copy of this letter to confirm your acceptance.

I understand this has been a difficult period of time for you therefore please do not hesitate to contact me if you have any queries or require any further support.

Yours sincerely

Name

Designation

I confirm that I accept / do not accept the appointment to the post of **(Insert title)** with effect from **(Insert date)**.

Name _____

Signed _____ Date _____

Appendix 9: Example Letter to Employee Confirming Their New Appointment Following Preference/Interview

Name

Address

Date

Dear

OUTCOME OF SELECTION PROCESS

Further to your expression of interest in the post of ***(Insert post title)*** and following the interview held on ***(Insert date) [where applicable, delete if no interview took place]***, I am pleased to offer you the above mentioned post with effect from ***(Insert date)***.

(Where applicable, confirm any contractual changes) EG Your salary / hours of work will be ***(Insert details)***. All other terms and conditions will remain unchanged.

An amended contract will follow in due course.

Please sign and return a copy of this letter to confirm your acceptance.

I understand this has been a difficult period of time for you therefore please do not hesitate to contact me if you have any queries or require any further support.

Yours sincerely

Name

Designation

I confirm that I accept / do not accept the appointment to the post of ***(Insert title)*** with effect from ***(Insert date)***.

Name _____

Signed _____ Date _____

Appendix 10: Outcome of Consultation – No Longer At Risk Letter

Name

Address

Date

Dear

OUTCOME OF CONSULATION PERIOD

Further to the recent consultation period within the Academy/Trust to discuss the proposed new structure / service provision closure / site closure and potential deletion of your role/or to discuss the changes to your role. ***(delete as appropriate)***

(Either) After considering the proposals submitted by you/your trade union

(Or) Following a change to the business requirements of the Academy/Trust...

I can confirm that a decision has been made to retain your post and therefore you are no longer at risk of redundancy / or no longer at risk of changes being considered to your post. ***(delete as appropriate)***

The process therefore will now cease.

I understand this has been a difficult period of time for you therefore please do not hesitate to contact me if you have any queries or require any further support.

Yours sincerely

Name

Designation

Appendix 11a: Example Letter to Employees Confirming Selection for Redundancy and Either Confirming date of Second Meeting (where applicable) or Notifying of the Right to a Redundancy Dismissal Hearing

(this may be following a period of consultation where no selection process was required to take place or following a selection process)

Name

Address

Date

Dear

SELECTION FOR REDUNDANCY – DISMISSAL (only include dismissal where 2nd meeting is not required)

Further to our meeting on **(date)** with **(insert name of those who attended the meeting)** to discuss the outcome of the selection process / consultation process **(if no selection process was required as the service was closing in its entirety/ or all posts being deleted)** in respect of the current restructure / service closure within the Trust / Academy.

Option 1: Where there has been a selection process:

At the meeting you were informed that you were unsuccessful at interview and given the opportunity to make representation against your provisional selection for redundancy.

Option 2: Where there has been no selection process e.g service closure

At the meeting you were informed that the proposal to close the service was confirmed and that as a result your role had been provisionally selected for redundancy should no suitable alternative posts become available.

You informed me that **(add paragraph if employee made comment)**.

In response to your comments.... **(add paragraph)**

Where no recommendations have been made by the employee/TU during the meeting;

Based on the selection process **(where applicable and been through selection process)** / Therefore it is with regret I inform you that you have been selected for redundancy and I can confirm I am issuing you with **(x weeks)** notice to terminate your employment. Your notice period commences on **(date)** and if you are not successful in securing an alternative position then your employment will terminate on **(date)/ or** Your notice period commences on (date). As it is intended that the provision will cease on xx and you are unable to work your full notice period, you will receive payment in lieu of notice of xxx weeks on termination of your employment/ **or** Whilst you are entitled to xx weeks' notice, I am issuing you with additional notice and your employment will cease on xxxxx.

You have a right to appeal against this decision. If you wish to appeal you should do so in writing to myself within 5 working days of receipt of this letter.

In the meantime, during your notice period, you are encouraged to seek redeployment opportunities where available within the Trust and I will support you in applying for any such vacancies. Should all efforts of re-deployment be unsuccessful, if you have over two years continuous service with the Academy or related employers as listed under the Redundancy Payments (Continuity of Employment in Local Government) (Modification) Order 1999, at the date your employment is due to cease, then you will be entitled to receive a redundancy payment upon termination of your contract. If you qualify for redundancy, these figures will be requested and you will be notified of the amount in due course.

I appreciate that this is a difficult situation for you, but please be assured that every effort will be made to deal with this in a sensitive and supportive manner however, if you have any queries or require any support or assistance please contact your manager.

Where employee makes representations;

The meeting was adjourned to allow time to consider your comments and a further meeting will be held on ***(date)***.

Yours sincerely

Name

Designation

Appendix 11b: Example Letter to Employees Confirming Trust's Position Following Their Representation Against Redundancy and Notifying of the Right to a Redundancy Dismissal Hearing

(this may be following a period of consultation where no selection process was required to take place or following a selection process)

Name

Address

Date

Dear

SELECTION FOR REDUNDANCY - DISMISSAL

Further to our meeting on **(date)** with **(insert name of those who attended the meeting)** to discuss the representation against your provisional selection for redundancy. Having considered your comments, I am now writing to confirm the Trust's position.

(Insert rationale for the Trust's decision)

Therefore it is with regret I inform you that you have been selected for redundancy and I can confirm I am issuing you with **(x weeks)** notice to terminate your employment. Your notice period commences on **(date)** and if you are not successful in securing an alternative position then your employment will terminate on **(date)**/ or Your notice period commences on (date). As it is intended that the provision will cease on xx and you are unable to work your full notice period, you will receive payment in lieu of notice of xxx weeks on termination of your employment/ or Whilst you are entitled to xx weeks' notice, I am issuing you with additional notice and your employment will cease on xxxxx.

You have a right to appeal against this decision. If you wish to appeal you should do so in writing to myself within 5 working days of receipt of this letter.

In the meantime, during your notice period, you are encouraged to seek redeployment opportunities where available within the Trust and I will support you in applying for any such vacancies. Should all efforts of re-deployment be unsuccessful, if you have over two years continuous service with the Academy or related employers as listed under the Redundancy Payments (Continuity of Employment in Local Government) (Modification) Order 1999, at the date your employment is due to cease, then you will be entitled to receive a redundancy payment upon termination of your contract. If you qualify for redundancy, these figures will be requested and you will be notified of the amount in due course.

I appreciate that this is a difficult situation for you, but please be assured that every effort will be made to deal with this in a sensitive and supportive manner however, if you have any queries or require any support or assistance, please contact your manager.

Yours sincerely

Name

Designation

Appendix 12: Invite to an Appeal Hearing Letter (10 working days' notice)

Name

Address

Date

Dear

REDUNDANCY DISMISSAL APPEAL HEARING

With reference to the submission of your appeal against your selection for redundancy received **(date)**.

I write to inform you that a Redundancy Dismissal Appeal Hearing has been arranged and will take place at **(location)** on **(date)** at **(time)**.

The person(s) hearing the appeal will be **(name and designation)** who will be advised by **(name)**, Human Resources Business Partner. The management case will be presented by **(name)**.

You have the right to be accompanied at the appeal meeting by a trade union representative, professional association representative or work colleague. However this right does not extend to professional persons such as solicitors or barristers. It is your responsibility to make your own arrangements for their attendance.

The appeal will be conducted, having regard to the matters set out in your grounds for appeal.

Please find enclosed a copy of the documents which will be presented by management at the meeting, including a brief overview of the case.

You also have the right to submit documentary evidence. If you intend to do so you must submit the documents to me at least 5 working days prior to the date of the meeting. Late submission of information may be rejected by the person hearing the Redundancy Appeal.

In the meantime, if you have any queries, please do not hesitate to contact me on the above number.

Yours sincerely,

Name

Designation

Appendix 13: Example Letter to Employees – Confirming Outcome of the Appeal Hearing

Name

Address

Date

Dear

REDUNDANCY DISMISSAL APPEAL HEARING – CONFIRMATION OF OUTCOME

I write further to your Redundancy Dismissal Appeal Hearing held on **(date)**. I was supported by **(name/designation)**. At the hearing you were represented by **(Insert)**. Management's case was presented by **(name – Executive Principal/Principal)**

(Insert names of any advisors/witnesses).

The Appeal Hearing was arranged to discuss your representation against selection for redundancy and to consider whether your selection for redundancy was fair and equitable.

If a dismissal decision is upheld: insert rationale

At the end of the Appeal Hearing, I confirmed to you my decision and that your selection for redundancy was fair and equitable.

To summarise I have not upheld your appeal and consequently your dismissal on the grounds of selection for redundancy will take effect from **(date)**. You have no further right of appeal.

OR

At the end of the Appeal Hearing, I confirmed to you my decision and that your appeal against selection for redundancy is upheld for the following reasons:

(insert reasons appeal successful)

(insert paragraph about next stage / outcome of decision) e.g. employee appointed to role in structure.

I appreciate that this is a difficult situation for you, but please be assured that every effort will be made to deal with this in a sensitive and supportive manner however, if you have any queries or require any support or assistance please contact your manager.

Yours sincerely

Name

Designation

Appendix 14: Acceptance/Decline of Voluntary Redundancy Request Letter

Name

Address

Date

Dear

VOLUNTARY REDUNDANCY REQUEST

You are now in receipt of your voluntary redundancy payment estimate and have made a request to be considered for voluntary redundancy.

The Academy/Trust has considered this request and I write to confirm your request for voluntary redundancy has been accepted / declined.

Where accepted:

Your post as ***(Insert title)*** will therefore cease with the Academy / Trust on ***(Insert date)***. You will be entitled to payment of ***(Insert number)*** weeks' notice / you are required to work your notice, notice is effective from ***(Insert date)*** and will conclude on ***(Insert date)***.

Where declined:

Your request for voluntary redundancy has been declined for the following reasons ***(ie no longer closing the service provision / no longer a role at risk of redundancy / no longer restructuring / costs)***.

(Where applicable) I should be pleased if you would indicate your acceptance of the above voluntary redundancy by signing and returning the attached copy letter.

Yours sincerely

Name

Designation

(Include reply slip only where VR application is successful)

I accept/ do not accept* the voluntary redundancy on the conditions specified above.

* delete as appropriate.

Signed _____

Date _____

Appendix 15: Offer of Trial Period – Redeployment

Name

Address

Date

Dear

REDEPLOYMENT – TRIAL PERIOD

I wish to confirm the offer of a trial period on the following conditions:

Post:	
Grade:	
Hours:	
Location:	
Date:	The trial is for (4/8) weeks commencing on (Insert date) . During this trial your suitability for the post will be assessed. Your trial is therefore due to end on (Insert date) .

If you have any queries regarding this letter please contact me **(or other appropriate Manager)**.

I should be pleased if you would indicate your acceptance of the above redeployment trial by signing and returning the attached copy letter.

Yours sincerely

Name

Designation

I accept/ do not accept* the trial on the conditions specified above.

* delete as appropriate.

Signed _____

Date _____

Appendix 16: Protection of Earnings Letter

Name

Address

Date

Dear

Protection of Earnings Statement

I refer to your recent change of post following a restructure of (support/office/teaching) staff within **(Insert Trust/Academy)**. In accordance with your Local Government protection of earnings scheme, you will receive a Protection Payment as detailed below:

	Former Contractual Earnings	New Contractual Earnings
Grade		
Hours		
Weeks		
Salary		

Your loss of contractual earnings has been calculated at £**(Insert amount)** therefore your former salary of £**(Insert amount)** will be protected for **(Insert number)** years, from **(Insert date)** until **(Insert date)**. At the end of the protection period you will be paid the remuneration applicable to the job.

Whilst in receipt of protection you will be required to undertake additional duties commensurate with your protected remuneration for no additional payment, where service need dictates and where the request is reasonable e.g. this does not conflict with any other employment.

During your period of protection you must make every effort to identify a suitable post that matches your former contractual earnings. Where a reasonable opportunity to obtain alternative employment to return to your pre-pay protection earnings is presented you must apply for the position. Should you choose not to apply for the reasonable alternative employment then pay protection may be withdrawn.

For any further advice and guidance please contact your line manager. If however you require advice on your protection calculation, please contact **(Insert name)** on **(Insert contract details)**.

Yours sincerely

Line Manager

Appendix 17: Voluntary Redundancy Estimate

Voluntary Redundancy Estimate

Name:

Academy:

Leaving Date:

Please find below your estimate for **voluntary redundancy** that I provide at your request.

If you would like your application, based on these figures, to be considered by the Trust for release under voluntary redundancy, please sign and date and return the form to me no later than **(Insert date)**.

Age at **(Insert date)** = ## years

Length of continuous service as at = ## years (maximum 20 years)

(Insert date)

Number of weeks entitlement to = ## weeks

Redundancy Pay

Weekly amount of Redundancy Pay = £##

Total Redundancy Pay = £##

Alternatively, if you do not wish to pursue an application you need take no further action.

Please note this is an estimate only and does not constitute a formal offer.

Based on the figures provided, I would like the Trust to consider my application for voluntary redundancy on **(Insert date)**

Signed: _____

Date: _____

Appendix 18: Letter to Employee to Rescind their Notice of Redundancy Following Availability of Suitable Alternative Role

Name

Address

Date

Dear

APPOINTMENT TO THE ROLE OF (INSERT TITLE)

I write further to my letter to you dated ***(Insert date)*** issuing notice to terminate your employment on the grounds of redundancy. I am pleased to confirm that a vacancy has arisen at ***(Insert name of Academy)*** for a ***(Insert title)*** which we believe to be a suitable alternative role.

Your notice has, therefore, been rescinded and you will be appointed to the role of ***(Insert title)*** with effect from ***(Insert date)***.

(Insert details of any contractual changes where applicable ie salary/working hours). All other terms and conditions will remain unchanged. An amended contract will follow in due course along with an outline of associated pay protection ***(where applicable)***.

Please sign and return a copy of this letter to confirm your acceptance.

I understand this has been a difficult period of time for you therefore please do not hesitate to contact me if you have any queries or require any further support.

Yours sincerely

Name

Designation

I confirm that I accept / do not accept the appointment to the post of ***(Insert title)*** at ***(Insert Academy name)*** with effect from ***(Insert date)***.

Name _____

Signed _____ Date _____

**This Managing Workforce Changes and Staff Reductions Policy was adopted
by Owlcotes Multi Academy Trust on 24/04/2020**

Chair of Trustees: Mrs Judith Norfolk		
Signature:		Judith Norfolk
Frequency of review:	3 years	
To be reviewed by:	FRAC	
To be approved by:	OMAT Full Board	
Date of next review:	June 2028	

REVIEW RECORD

Date of review	Reason for review	Date of next review
12/05/2022	Agreed review schedule.	May 2025

Name:		Signature:	
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on behalf of OMAT Full Board

Date of review	Reason for review	Date of next review
19/06/2025	Amended in line with LCC model policy.	June 2028

Name:			
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on behalf of OMAT Full Board

Date of review	Reason for review	Date of next review

Name:		Signature:	
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on behalf of OMAT Full Board