

ACTION>HR

HR EXPERTISE & SERVICES

Delivered by Kingston and Sutton Shared Services

Services for Schools

**MANAGING
ORGANISATIONAL CHANGE
POLICY FOR SCHOOLS**

01 September 2018

CONTENTS

1.0	Aim	3
2.0	Roles and Responsibilities	3
3.0	Procedure for carrying out a reorganisation	4
4.1	The Main steps	4
4.2	Early Informal Communication	4
4.3	Information Gathering	4
4.4	Production of the business Case for Consultation	5
4.5	Consultation	5
4.6	Individual Consultation	6
4.7	Decision Following Consultation	6
4.8	Ring Fencing/Slotting	7
4.9	Staff not successful in obtaining a post	7
5.0	Planning and Timescales	8
6.0	Appendices	8

Managing Organisational Change

1.0 Aim

The aim of this policy is to ensure that there is consistency when the school is carrying out staff reorganisations

This policy applies to all school employees, It does not apply to contractors, agency staff, volunteers or other staff who are not employed by the school.

3.0 Roles and Responsibilities

3.1 What is a reorganisation?

A reorganisation is a process which results in a change to an individual's job content and/or grade, changes in staffing structures reporting lines, job content and/or job designation. Reorganisation may involve a reduction in posts.

3.2 The main responsibilities:

- The governing body and head teacher of the school will take advice from appropriate sources, such as human resources, school improvement partner and finance, when considering possible reorganisations;
- Meaningful consultation will be undertaken in all processes of organisational change
- Compulsory redundancies will be avoided or minimised wherever possible;
- All decisions taken by the school will be clearly explained and documented in writing;
- The school will take all reasonable steps to slot employees into new roles, wherever possible;
- Where slotting is not possible competition for roles will be opened up to staff affected by the reorganisation on a ring fenced basis before being offered to other staff in the school, or advertised externally;
- The school will ensure that all employees are consulted and kept informed during the period of the reorganisation including those employees on leave or absent from school for any reason;
- This policy is compliant with the school's equality and diversity policy and with the requirements of the Equality Act 2010;
- This policy will be applied in a non-discriminatory way.

4.0 Procedure for Carrying out a Reorganisation

The decision to carry out a reorganisation within the school will be the responsibility of the governing body in conjunction with the Headteacher.

The governing body or Headteacher may delegate this responsibility to another manager, within the school, however, the governing body remain the decision-makers.

When approaching a reorganisation it will be important to ensure you gather all the relevant information that you need. Communication with staff prior to and during the reorganisation will be crucial to the success of the reorganisation. It will be necessary to produce a detailed business case explaining the reorganisation which will be used in the process of formal consultation.

Following consultation a decision will be reached about the final structure that is to be implemented and a detailed implementation plan will be shared with staff.

4.1 The main Steps

4.2 Early informal communication

In the first instance informal communication will be carried out with staff of the school, particularly with those who are directly affected to inform them that there may be a need to carry out a reorganisation and in particular to explain:

- The need for the potential reorganisation;
- The possible outcomes of it;
- The potential timescales for the reorganisation.

4.3 Information gathering

The following is a list of the details that you will need to gather together in order to decide upon a proposal for the reorganisation. This will also support the decision-making when putting together a proposal for a new structure.

- The current organisational position, including current job descriptions/role profiles.
- The rationale for change;
- The impact of not changing;
- Other options which have been considered (to achieve the rationale);
- The benefits of the proposed change;
- The change proposal, including the new staff structure proposed and how it will operate;
- The financial and staff implications of the proposed change, consider the number of posts which may be deleted, the implications for the school and cost of any redundancies/retirement costs;

- The measures to avoid or reduce potential redundancies, e.g natural wastage, voluntary redundancy/retirement, not filling vacancies unless essential;
- The method of implementation of the proposed change;
- The details of the proposed consultation and implementation timescale.
- The proposed implementation date for the new structure.

4.4 Production of the business case for consultation

The business case for reorganisation (appendix 1) should be clearly explained in a written document which is presented to staff and Trade Unions/Professional Associations at the start of the formal consultation process. This document should:

- be clear and easily understood, including to a third party (e.g Trade unions/professional associations);
- contain accurate information that is transparent e.g financial calculations that can be followed;
- have full job descriptions for new/remaining roles which display the correct grade. New, or amended support staff roles should be independently evaluated. Teaching roles should have ranges appointed or TLRs attached according to the relative accountability of the role. The school's pay policy must be adhered to. It may be necessary to benchmark teaching posts within the school and possibly with other similar schools externally;
- contain an equality impact assessment;
- details of how the consultation will be carried out;
 - Explanations of terminology used e.g ring fencing, slotting;
 - Details of the proposed implementation plan;
 - Any support or training that will be offered to staff;
 - Address redundancy possibility, provide copies of or links to the redundancy policy and the redundancy compensation calculation;
 - Details of timescales;
 - Support available to staff eg through employee support
 - Provide a list of frequently asked questions.
- The business case should be circulated to Trade Union/Professional Association representatives prior to the launch meeting (see below).
- Timescales for each stage of the process must be included.

4.5 Consultation

- Formal communication will proceed with the launch of the **collective consultation** process.
- If it will be clear that particular posts will be recognisable as adversely affected by the proposals a 1:1 meeting should be arranged with these staff prior to the launch of the collective consultation.

- Consultation has to be meaningful; i.e, 'with a view to reaching agreement on the way forward'.
- There should be a meeting arranged to launch the formal consultation process. All staff affected by the reorganisation should be invited to this meeting, along with professional associations and trade unions who are recognised by the school and advisers whom the school has consulted.
- At this meeting, the business case will be presented, explaining the reasons for the need for the reorganisation, the proposals for the new proposed structure and the proposed process of implementation including the timescale.
- There should be an opportunity for the staff and representatives to ask questions and to clarify the proposals. It is necessary to ensure that staff understand the process of consultation; that they know how to contribute to the consultation process and the timescale.
- A copy of the consultation document will be provided to all affected staff either at or immediately after the meeting, including any staff who are unable to attend the meeting or who are absent from work.
- Support available to staff should be identified and how to access this eg employee support, writing a supporting statement etc.

4.6 Individual consultation where redundancy is a possible outcome

- 1:1 meetings should be offered to all such affected employees;
- These should be arranged prior to the launch of the collective consultation;
- They should allow employees to ask individual questions and receive answers;
- Notes may be taken and shared with the employee;
- The employee may be accompanied by a colleague or Union representative.

4.7 Decision following consultation.

- Following the closure of the consultation, time will need to be taken to consider the responses to the consultation and the impact of the proposal.
- The decision on the final structure should go to the full Governing Body for ratification.
- The decision should be communicated in writing, including the following:
 - the detailed final structure which is the result of the consultation;
 - consultation responses which should be anonymised so that confidentiality is maintained;
 - detailed responses to suggested proposals, including how they will be implemented or why they cannot be implemented, whichever is relevant;
 - detailed arrangements for the implementation of the final outcome;
 - selection arrangements for posts, including ring fencing and slotting;
 - timescales for these arrangements;

- If not already offered at this point, invite requests for voluntary redundancy (if relevant);
- any assistance to be given to employees for example, training for selection, offers of personal support, reasonable time off are seeking alternative employment;
- the final job descriptions or role profiles with confirmed grades;

4.8 Ring Fencing/Slotting

- Where new posts have been created, which may be different to the existing posts the process of assimilating employees into the new posts can be approached in two ways slotting or ring fencing.
- **Slotting** occurs when a new job description is substantially the same as an existing job description. This would include the same grade and principally the same duties and purpose of the role. If there is only one employee currently in that role, then they would be slotted automatically into the new role. However, if there is more than one employee in the existing role and only one or a reduced number of posts in the new structure then a process of competitive slotting would take place. This would consist of an interview and perhaps practical tests, or other relevant selection processes, depending on the role.
- Slotting would be considered as the first step of assimilating existing staff into the new structure. The next stage would be to consider a 'ring fenced' selection process.
- **Ring fencing** occurs when new posts are different to existing posts and the process of assimilation will be by selection process. Those who would be eligible to apply for the new roles would be placed in a defined 'ring fence' according to their existing roles. For example, a ring fence would include people who are part of the consultation process and whose existing role will not exist in the new structure. A ring fence will include those people whose existing grade is the same as the new role and whose area of experience is relevant to the new role.
- Selection would be through the schools usual selection process, including interview, practical tests etc. It is important to ensure that this process is carried out in a fair and constructive manner.
- Following this first step, if there are still posts available, the ring fence would be widened to include others affected by the reorganisation.
- Any posts remaining unfilled at this stage would be advertised internally and/or externally if there is no obvious internal field.
- There may be several different ring fences for different roles. If there is only one person suitable to apply for one post, there should still be a selection process, to ensure that they are suitable for the new role.

4.9 Staff not successful in obtaining a post

Any employees who are not successful in obtaining a new role following these processes will be redundant. In such circumstances the schools redundancy policy should be followed.

5.0 Planning and Timescales

For organisational change to be most effective it should not be rushed. Advance planning is strongly advised. A successful reorganisation should ideally take four months to achieve but this will depend upon the complexities of the change.

It is acknowledged that circumstances can arise that need urgent attention, such as late budget agreements. Under such circumstances schools should complete a reduced planning process. However, the following points must be considered:

- Consultation on a proposed reorganisation will normally last for four weeks;
- The consideration of consultation responses and drawing up of the final structure will take between one and two weeks;
- The process of assimilating staff to the available roles can take a few weeks, depending on the number of staff affected and the variety of roles available;
- Staff who have been moved into revised roles should have written confirmation as addendum to their contract/new contract and provided with a copy of their new job descriptions
- Any staff who are unsuccessful in obtaining new posts will be entitled to notice of redundancy, as follows:

Notice Periods

Teachers

Under their terms and conditions teachers contracts can only end at the prescribed date of the end of term. The following table explains teachers notice periods and termination dates.

Contract termination Date	Length of notice	Date notice must be given by	<u>NB</u> these notes must be taken into consideration
31 December	2 months	30 October*	Notice cannot be served during school holidays or at weekends, in practice therefore the last date that notice can be given is usually the last working day of the first half of the Autumn term.
30 April	2 months	28/9 February*	Whilst the end of February does not often fall in the half term break, this should be checked. Also, note that a teacher moving directly onto another teaching role will have a last day of service as the last day of the Easter break, not 30 April. This will not affect the notice as service will be continuous.
31 August	3 months	31 May*	As above, this is frequently in the May half term break, so notice needs to be served on the last working day of the first half of the spring term.

***A teacher who has more than 4 years continuous service is entitled to a minimum notice period of one week for each year of continuous service, up to a maximum of 12 weeks. Therefore, for termination dates of 31 December and 30 April, the individual date that their notice must be given will be earlier than the dates stated here to take account of their higher notice entitlement.**

Head Teachers

Contract termination Date	Length of notice	Date notice must be given by	NB these notes must be taken into consideration
31 December	3 months	30 September	Notice cannot be served during school holidays or at weekends.
30 April	3 months	31 January	A headteacher moving directly onto another teaching role will have a last day of service as the last day of the Easter break, not 30 April. This will not affect the notice as service will be continuous.
31 August	4 months	30 April	Notice cannot be served during school holidays or at weekends.

Whilst headteachers are also entitled to a maximum of 12 weeks' notice if they have 12 or more years' continuous service, this does not affect the notice dates given above as these are all 12 weeks or longer.

Notice periods of staff not on teachers' terms and conditions

Staff will be entitled to a minimum of one month's notice of termination of their contract. Some staff on higher graded posts may be entitled to a minimum period of 2 months' notice, according to the terms and conditions contained in their Statements of Particulars.

If staff are working on term time only contracts with their pay equalised across the year (equated pay), their contract should be terminated at the end of the school holiday period following their last working day. This is to ensure that they will have received enough pay to take account of the number of weeks they have worked and their holiday entitlement.

As with teachers, all staff are entitled to one weeks' notice for each year of continuous service up to a maximum of 12 weeks. Therefore it is important to note the length of service a member of staff has accrued and allow enough time to give them their full notice allowance.

If staff are successful in obtaining alternative employment at another LA school they will transfer on the first day of the summer term.

6.0 Appendices

- Appendix 1 Template for Business Case for a reorganisation
- Appendix 2 Template letter of redundancy notice
- Appendix 3 Flow Chart of The Main Steps

Template for a Business Case - Reorganisations

Background

This should include:

The background to why there is a need for change

The actual circumstances:

- budget position
- change in pupil numbers
- change in status of school
- any other reasons.

Factors relating to this position:

- government changes
- increases in pays scales
- decreases in income
- NI/Pension contribution changes
- legislative changes affecting how the school runs
- any other factors

Need for Change

The circumstances outlined above confirms that the school needs to make changes to its structures.

This paragraph should outline the actions that have been taken to formulate the proposal that is now being consulted on.

Outline the options that are available for consideration

- Option 1
- Option 2
- Option 3

Confirm the option that has been agreed to proceed with and the reasons for this option.

Proposal

This is the section in which you explain the proposal that you are consulting on. This section should include:

The current staff structure (or the relevant sections of it)

The proposed new structure

An explanation of the way in which the new structure meets the requirements of the change programme

Include the financial report and how this will support the schools finances

Include how the proposed structure will support the needs of the school.

Include job descriptions (full JD's should be included as an appendix)

Grading of posts/roles etc, if time is tight it is acceptable to include a short description of the role with bullet points describing the main elements of the role.

If there are support staff positions the JDs should be evaluated by HR, it is ok, if time is tight, to include proposed grade whilst awaiting the outcome of evaluation. However, please note this in the report and that the documents will be circulated once evaluation complete.

Don't include any names of staff, just include titles and grades (this applies to both current and proposed new structures).

Timescale and Implementation

Outline when the proposed changes will be effective from and include a timeline summarise the relevant stages of the process. (A table/timeline can be attached as an appendix)

Outline the stages of the implementation plan, which could include:

Application process for new or amended roles,

How an application is made

What the selection process will be

Weighting of different aspects of the selection process

Outline if voluntary redundancy/retirement will be an option during the process. (Emphasise that voluntary redundancy/retirement may not be agreed, it will depend on the skills required in the new structure).

Is job mat relevant?

Include if applications for various roles will be ring fenced and how this this process will work.

The order in which various selection processes will be taken (eg appointing manager/senior roles first then include new appointee in the process of appointing more junior roles etc)

Redeployment

How to respond to consultation

Give a brief overview of the purpose of consultation.

Where comments should be sent to and how

1:1 sessions be offered

Can other verbal responses be taken, eg a group meeting

Ensure the date of the end of the consultation is clear and when the response to the consultation will be released.

Equalities Assessment

As part of the process an equalities assessment will be completed. To ensure that this assessment considers the views of all employees, during the consultation period employees are invited to state whether they feel the outcome of these proposals is likely to have a greater impact on one or more groups compared to others (and why) under the following categories:

- Age
- Disability
- Gender
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race or ethnic origin
- Religion and belief
- Sexual orientation

Underline that: **No decision will be made until consultation has taken place.**

FAQs

These should be relevant to the process being proposed and as comprehensive as possible

Appendices

These will probably include job descriptions, possibly background papers that explain the reason for change plus other papers that are relevant.

Template Letter for Redundancy Notice

School Headed Paper

NB, *Please, amend or delete all text in purple print*

Date

Private and Confidential

Name

Address

Dear *insert employee name*

Redundancy Notice Letter

I refer to the recent consultations with *(name)* relating to the potential redundancy of your post of *(title of post)*

I now write to give you formal notice of the termination of your contract of employment as *(insert employee job title)* at *(name of school)* with the *(relevant local authority title)* on the grounds of redundancy relating to *(reason for redundancy)*.

Under the terms of your contract and in accordance with the Employment Rights legislation you are entitled to *(xxx weeks/months' notice)* of the termination of your contract of employment. Taking account of this entitlement your last official day of service is *(date)*. Please note that you are expected to work this notice period although you are entitled to reasonable time off to seek alternative work outside of the Council.

Redeployment

The school will seek alternative employment for you within the school. You may be able to seek redeployment to another *(relevant local authority title)* school or another post within *(relevant local authority title)*. In order to achieve this you will need to view the vacancies on the council's website *(relevant website address)*. If you need support with this process please contact *(name of school contact)*.

You should be aware that if you find alternative work you may not be entitled to a redundancy compensation payment.

If you receive a job offer from an organisation which has signed the Modification Orders including *(relevant local authority title)* before your termination date, you cannot start the job until at least 4 weeks after your termination date – otherwise you will lose your right to a redundancy payment.

If you receive a job offer from an organisation which has signed the Modification Orders *after* your termination date – even if it is the next day – you can start the job at any time without losing your right to a redundancy payment, i.e. you don't have to wait for 4 weeks. Under these circumstances you will lose your continuous service.

Re-employment with the same Local Authority following redundancy

If you have been made redundant from a local authority school, you may not be able to take up a new position with the same Authority immediately. You will need to check the policy of the LA on re-employment following redundancy.

Redundancy Payments

If it has not been possible to find you alternative suitable employment by the end of your notice period you will be paid a severance payment and early release of your pension if appropriate. An estimate of your redundancy entitlement is shown below/will be forwarded to you as soon as possible.

Right of Appeal

In line with legislative requirement you have a right of appeal against your dismissal for redundancy. To exercise this right, you must notify *me/(name)* in writing, by *(date)* outlining the reasons for your appeal. You will be invited to attend an appeal meeting and have the right to be represented at the meeting by a Union representative or a work colleague.

Yours sincerely

Insert name and title

Copy: Line manager
HR Consultant

