

# ACTION>HR

## HR EXPERTISE & SERVICES

Delivered by Kingston and Sutton Shared Services

**Services for Schools**

**REDUNDANCY POLICY FOR  
SCHOOLS**

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# Redundancy Policy

## 1.0 Introduction

This policy details how to manage potential redundancies. It does not form part of the employees' terms and conditions of employment and may be subject to change following consultation with staff and union/professional association representatives.

It is the school's policy to avoid redundancies wherever possible. However, the needs of the school may from time to time require a reduction in the overall number of staff employed. Additionally, organisational change may result in some employees being identified as redundant. Where this is necessary, the school will ensure that the total number of redundancies made is kept to a minimum.

Options for avoiding redundancy will be fully explored, including:

- Holding posts vacant, where possible
- Recruiting on a temporary or fixed term basis during the period of planning where recruitment is essential to these posts
- Terminating agency contracts
- Seeking volunteers for redundancy/early retirement
- Seeking applications for reductions in hours
- Ensuring all possible cost saving methods have been explored before looking at salary budgets.

This list is not exhaustive.

## 2.0 Scope

This policy applies to all school employees. It does not apply to contractors, agency staff, volunteers or other staff.

## 3.0 Consultation

Consultations will be carried out with staff and recognised Trade Unions/Professional Associations. Individual employees will be consulted in respect of their own redundancy proposals.

The school will adhere to the legal minimum timescales for consultation, which apply when, in excess, of 20 members of staff are proposed for redundancy at any one time.

In the case where the potential number of redundancies is less than 20 a period of four weeks consultation will apply wherever possible.

## **4.0 Voluntary Redundancy**

In order to minimise the need for compulsory redundancies, the school will consider requests from employees for voluntary redundancy. Initial expressions of interest will not be binding on either side. Such expressions will be considered as part of the redundancy selection process, a decision to accept or reject a request will depend on the existing circumstances.

The school reserves the right to decline requests for voluntary redundancy.

## **5.0 Redundancy Selection**

### **5.1 Selection criteria**

The school will consult affected employees regarding the selection criteria for redundancy. The criteria will be objective, fair, robust and consistent. Selection criteria will include skills and/or qualifications to help keep a balanced workforce to support the school's future needs.

Examples of such criteria are:

- skills or experience;
- standard of work performance;
- aptitude for work;
- attendance record (ensuring that this is fully accurate and that reasons for and the extent of the absence are known);
- disciplinary record (ensuring that this is fully accurate).
- Formal qualifications and advance skills may be considered, but not in isolation.

### **5.2 Last in first out (LIFO)**

LIFO will not be used as a single selection criteria, but may be used to determine the outcome of a selection exercise where employees have scored the same on other criteria. Generally, it is inadvisable for an employer to adopt LIFO as the only criterion, if there are other factors that can be taken into account.

### **5.3 Redundancies as a result of organisational change**

Where redundancies are as a result of organisational change, selection for redundancy may be achieved by a process of recruitment selection to the remaining available posts. In such cases staff will be offered guidance in the process of applying for the posts and on interview and selection techniques.

### **5.4 Communication**

Individual employees who are provisionally selected for redundancy following the application of the criteria or a selection process will be informed of the fact at an individual meeting. There will be an opportunity to discuss the process and raise any concerns about the process.

## 6.0 Alternative Work

The school will make all reasonable efforts to redeploy staff to any other suitable vacancies available within the school.

Whilst priority will be given, wherever possible, to employees at risk of redundancy, the school reserves the right to select the best available candidate in relation to any given vacancy.

The school will make reasonable attempts to contact other local schools to request details of any alternative employment opportunities they may have.

If a redeployment opportunity becomes available the employee will be offered a four week trial period in the new position. During this period the notice of redundancy will remain in place. If the trial is not successful, the employees remains available for further redeployment opportunities and redundancy will take place at the original redundancy date or the next working date following the end of the trial period.

Should a post become available that is largely the same as the employees existing role the redundancy will be withdrawn and the employee's service will continue in the new role. Should the employee unreasonably refuse such a role they will no longer be eligible for any redundancy compensation payment.

An employee under notice of redundancy will be entitled to a reasonable amount of paid time off to look for alternative work, attend interviews, etc. Employees wishing to take advantage of this right should request time off from with their manager and this should be agreed in advance.

## 7.0 Data Protection

The school processes personal data of employees for example personal information concerning an employee's health collected during their initial recruitment and whilst they are employed in accordance with its data protection policy for the purposes of dealing with any potential or actual redundancies. In particular, data collected and processed for those purposes is held securely and accessed by, and disclosed to, individuals for the purposes of complying with its statutory notification and consultation obligations (including trade union representatives (where a union is recognised) and employee representatives);

- following a fair procedure to ensure that dismissals for redundancy are not unfair;
- selecting employees for redundancy;
- considering alternatives to redundancy;
- offering alternative employment;
- implementing redundancies;
- dealing with appeals against selection; and
- defending legal claims arising from redundancies.

Inappropriate access or disclosure of employee data by an employee of the organisation constitutes a data breach and should be reported immediately in accordance with the

organisation's data protection policy. It may also constitute a disciplinary offence, which will be dealt with under the school's disciplinary procedure.

Trade union representatives, in their capacity as representatives of a trade union, must deal with personal data about employees in accordance with all relevant legal requirements, including the General Data Protection Regulation.

## **8.0 Redundancy Compensation Payments**

Employees who have been provisionally identified as redundant will be given details of any compensation payments that they are entitled to, in accordance with the school's redundancy compensation policy.

## **9.0 Right of Appeal**

Employees who are given notice of redundancy will have the right to appeal against their dismissal.

They should appeal in writing within 10 working days of receiving their redundancy notice.

Appeals against dismissal should be under the following criteria:

- Procedural failure
- Unfair selection process

Any appeal will be considered by a panel consisting of 2 members of the governing body, excluding staff governors.

The potential outcomes of such an appeal are:

- to uphold the appeal and withdraw the redundancy notice, or reinstate the employee if the notice period has already expired;
- to turn down the appeal and the existing notice of redundancy continues, or the employee is not reinstated if the notice period has already expired.

If the appeal is successful the process of identifying the need for and selection of redundancy will need to be reconsidered.