



Mission Statement

RCSAT nurtures the unique potential of every child through our Christian values.

REDUNDANCY POLICY

Effective Date: 01/04/2017

Review Date: Jan 2021

| Review Date | Signed Head Teacher | Signed Director RCSAT |
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| Jan 2019 | | |
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| Persons Responsible for Policy: | |
| Approval Date | |
| Signed: | Director RCSAT |
| Signed: | Executive Headteacher RCSAT |
| Signed: | Headteacher |



SCOPE

This policy is applicable to all employees of **the Rural Church Schools Academy Trust**.

1. Policy statement

- 1.1 The Trust fully recognises the importance of creating a secure working environment and is committed to protecting the employment security of employees, wherever possible, by planning effectively to meet current and future staffing needs.
- 1.2 Redeployment and restructuring will not be used as an alternative to effective performance management. However, there may be occasions when pressures and change impact on staffing requirements.
- 1.3 In such cases the school will seek to minimise the effect of redundancies by seeking redeployment opportunities as appropriate, within the school, and by adopting a fair, consistent and sensitive approach.
- 1.4 This policy sets out the school approach to dealing with potential redundancies. It does not form part of an employee's terms and conditions of employment and may be subject to change at management's discretion.

2. Principles

Consideration will be given to the following issues/measures, in order to avoid redundancies, subject to the needs of the School at the time:

- 2.1 Meaningful consultation with recognised Trades Unions and individuals in accordance with legislative requirements in place at the time.
- 2.2 Normal employee turnover and retirements.
- 2.3 Recruitment freeze or the use of temporary or fixed term contracts or other short term methods of covering the work, e.g. acting up arrangements.
- 2.4 Ring fencing vacancies to affected employees.
- 2.5 Reducing costs by reducing overtime; reviewing the balance of gradings (using job evaluation as appropriate); reviewing working patterns (to avoid those that attract enhancements); reviewing terms of employment.
- 2.6 Buy out of hours, considering whether employees would be willing to reduce their hours.
- 2.7 Protection of earnings where there is a reasonable alternative job at a lower level. Salary protection could avoid the need for redundancy/severance and could be a less costly option.
- 2.8 Redeployment opportunities should be considered within the school.

- 2.9 These options should not be seen in isolation but as part of a total approach. It will rarely be possible to use one option without another.
3. Where the Governing Body decides that after taking all considerations into account, redundancies are unavoidable or appropriate for sound business reasons it will ensure that:
- 3.1 The Redundancy Procedure is applied in a fair and consistent manner.
- 3.2 The process is reasonable and objective.
- 3.3 The number of redundancies is kept to a minimum.
- 3.4 Employees and their representatives are fully consulted on any proposals and their implementation at the earliest practical opportunity in accordance with legislative requirements in place at the time. Any agreed selection criteria will be notified as part of the consultation.
- 3.5 The loss of skills and experience is carefully assessed to ensure that a balanced workforce is maintained.
4. If appropriate, when considering applications for voluntary redundancy (VR) the school will consider:
- 4.1 The need for the competency and skill set to meet the current requirements of the School.
- 4.2 The likely need for that competency and skill set to meet future needs.
- 4.3 The likely timescale of future needs, comparing the cost of retention with the cost of VR and future re-recruitment.
- 4.4 The opportunity to cross skill or retrain remaining staff to fill the gap, and the cost and timescale to achieve this.
- 4.5 The cost of VR.

5. Redundancy definition

- 5.1 An employee is dismissed for redundancy, and may qualify for redundancy pay, if the following conditions are satisfied, as defined by the Employment Rights Act 1986:
- 5.1.1 When the School has ceased or intends to cease, to carry out the work for which the employee was employed in the place where the employee was so employed;
or

- 5.1.2 The requirements of the School for employees to carry out work of a particular kind have ceased or diminished or are expected to cease or diminish.

6. REDUNDANCY SCHEMES

6.1 Voluntary redundancy

6.2 The aim of voluntary redundancy is to provide a mechanism for employees to apply to be made redundant. It can provide a way of avoiding the need to make employees compulsorily redundant and also a mechanism for employees to choose not to go through the selection processes involved in an organisational change/staffing reduction process.

6.3 The offer of voluntary redundancy is discretionary and the decision on whether to accept a voluntary application will be made by the Head teacher/Governing Board. There is no right of appeal against this decision.

6.4 If the school feel that it is cost prohibitive to offer Voluntary Redundancy they are not obliged to do so. This should be discussed with Educational HR Consultancy before starting the process.

6.5 Where voluntary redundancy is offered an enhanced severance payment may be considered to encourage volunteers. The decision to offer enhanced terms is at the discretion of the Governing Board and there is no automatic right to enhanced terms. Where it is offered it will not normally more than 0.8 times the statutory payment, bringing the total payment to 1.80 times the statutory formula. In these circumstances it would be normal practice to apply it up to a maximum of 50 weeks pay. A lower enhanced rate may also be offered at the discretion of the Governing Body.

7 Compulsory redundancy

A redundancy payment will be made in accordance with the [State formula](#) which is based on age, weekly pay and number of years in the job.

8 Part year staff

When calculating redundancy (voluntary/compulsory) for part year staff, the calculation of a week's pay will be based upon the full year salary.

9 Support staff in the Local Government Pension Scheme (LGPS)

- 9.1 Additionally, support staff in the Local Government Pension Scheme are entitled to:

- the early release of pension benefits (if aged 55 and over with at least three months membership in the LGPS or with transferred pension; and
- the payment of the pension lump sum (if aged 55 with at least three months membership in the LGPS or with transferred pension).

This must be agreed in advance by the CEC Staffing Officer Panel and the cost will be charged to the school.

10 Salary sacrifice schemes

Where employees are participating in a salary sacrifice scheme at the time of their redundancy, their redundancy payments will be calculated using the pre sacrificed salary.

11 Leaving early

If an employee resigns in anticipation of being selected for redundancy, the employee will have no entitlement to a redundancy payment.

12 Time off for job hunting

An employee who has been given notice of dismissal on the grounds of redundancy is entitled, during the period of notice, to reasonable time off with pay to look for other employment. Employees should always check with their managers before they confirm any appointments.

13 Re-employment following redundancy

13.1 Payment of the redundancy payment is conditional upon the employee not taking up an appointment in the public sector within **four** weeks of the termination of employment. Employees who start another role within the public sector will be required to repay the redundancy payment.

13.2 Employees who are made redundant will not be permitted to be re-employed in the same position within the school.

14 Redundancy when on maternity, paternity, adoption and shared parental leave

14.1 Staff on maternity, adoption, paternity or parental leave, will be included in any consultation exercises, and will be kept informed throughout any periods of organisational change/staffing reductions.

14.2 Selecting an employee for redundancy on the grounds of pregnancy or due to the taking of maternity, paternity or adoption leave will be deemed automatically as unfair dismissal.

- 14.3 An employee on maternity leave who is under notice of dismissal on the grounds of redundancy, will be offered any suitable alternative vacancy available in preference to other employees.

15 Decision making

- 15.1 The Staff Dismissal Committee/Governing Body will be responsible for selecting posts to be made redundant.
- 15.2 An Appeal Committee of governors, who have had no previous involvement in the selection, will hear any appeal relating to the selection for redundancy.

16. EQUALITY

- 16.1 The School will ensure that, when implementing the Redundancy Policy, no employee will be disadvantaged on the basis of their gender or transgender, marital status or civil partnership, racial group, religion or belief, sexual orientation, age, disability, pregnancy or maternity, social or economic status or caring responsibility. This means that the Policy may need to be adjusted to cater for the specific needs of an individual including the provision of information in alternative formats where necessary.
- 16.2 An Equality Impact Assessment will be completed at an early stage to identify if there is likely to be a disproportionate impact on any specific group. If an impact is identified it should be reviewed to see if it can be mitigated or justified.

17. MONITORING

Data relating to redundancies will be collated and monitored regularly to ensure that the Policy is operating fairly, consistently and effectively. Issues that are identified from the data will be dealt with appropriately.

18. REVIEW

The policy will be reviewed in the light of operating experience and/or changes in legislation and in consultation with the Trade Unions.

Ratified by the Governing Board on.....

To be reviewed on.....