

Managing Organisational Change (including redundancy provisions)

This policy should be read alongside the ‘Common Principles’. These ‘Common Principles’ outline the need for confidentiality, the right to representation by a Trade Union representative or workplace colleague, the procedures for and management of Formal Meetings, and the procedures for appeals against dismissal decisions.

12.1. Managing Change Policy

Introduction

This policy sets out how the Academy Trust will approach and manage organisational change. At times it is necessary and appropriate to review organisational structures within the Academy Trust to ensure they remain up to date and appropriate, provide value for money and deliver excellent quality services. The main aim of the policy is to ensure fair and effective procedures are followed in managing staff involved in change, including informing and consulting individuals and unions.

The procedure covers: the planning and approvals required; the consultation and communication process; the job categorisation and selection process; the methods and processes to keep the number of redundancies to a minimum; and the procedure to follow in the event of a redundancy situation.

The policy applies to all change proposals involving reorganisation except where:

- New posts are created;
- There are changes to line management only;
- Minor changes are proposed to roles or to employees’ job descriptions.

Statement of intent

This policy outlines the process the school will follow when it has changing job requirements, which result in structural reconfiguration.

This Managing Change Policy and Procedure is non-contractual, with the exception of the Academy Trust’s Redundancy arrangements which are contractual.

It is recognised that occasions will occur when there is a need to change individual posts or to reduce the overall staffing numbers to meet new service needs or financial constraints.

The Academy Trust will work with staff and their representatives to take effective measures to avoid the need for redundancies. The school will handle redundancies in a fair, consistent and sympathetic manner, minimising any hardship that may be suffered by the employee (s) concerned.

The Academy Trust will endeavour to redeploy staff into new roles, where possible, and support staff to find suitable employment across the school community within Brent.

Scale and nature of the change / reorganisation

In approaching a reorganisation, the Headteacher (or Executive Headteacher as appropriate) must:

- Define the purpose or business objective (s) of the change, for example the need to reduce service cost by a specific date or the introduction of new service delivery methods;
- Develop a clear proposal for change, including revised organisation and workforce structures, new ways of working, skills and workforce development requirements;
- Review and compare the current versus the proposed organisational structure and workforce requirements, and identify any requirements for change with regard to staffing establishment, working arrangements, skills or knowledge;
- Take account of existing establishments, and the extent to which this would need to be changed to achieve the new business or service objectives;
- Review current job descriptions and person specifications, updating where necessary;
- Write new job descriptions and prepare new structures;
- Forward new job descriptions and person specifications for evaluation.
- Ensure that the effects of any changes are analysed in relation to equality.

Planning and approvals

Effective planning of human resources can help to determine future staffing needs, leading to improved job security and better use of resources and should include planning for consultation and implementation. All reorganisations must use a systematic change management process that reflects the type of change being introduced. This must include appropriate consultation with the recognised trade unions and individual employees who are affected by the changes. Proper authorisation in accordance with the Scheme of Delegation must be obtained before implementation.

Employees covered by this policy and procedure

This policy and procedure applies to all permanent and fixed term employees who have 12 months' continuous employment in schools or educational establishments by the date of implementation of the reorganisation or change to terms and conditions of employment.

Consultation and engagement

Effective consultation with employees and the trade unions is essential to any process of reorganisation. In circumstances of redundancy, consultation is a statutory right and where not fulfilled may be subject to financial penalty in certain circumstances.

Where it is proposed that any employee (s) may be dismissed as redundant, consultation will commence with the recognised trade unions at the earliest opportunity. A section 188 letter must be sent to the recognised Trade Unions if the Academy Trust proposes to dismiss 20 people or more in one establishment within 45 days. Consultation involves exchanging views and opinions; it does not necessarily need to result in a mutually acceptable outcome, although all views should be considered properly – it must be meaningful.

The Trade Unions and all affected employees will be given sufficient time to provide feedback on the following and advised on how any feedback will be considered.

- Details of the new structure
- Details of the rationale for the change, which includes the reasons for the proposals
- Total number of employees of any such description employed at the establishment in question.

Formal consultation should be for a minimum of 15 calendar days (minimum of 30 calendar days for 20-99 redundancies and minimum of 45 days where 100 or more redundancies are proposed).

Longer periods can however be agreed with recognised trade union representatives and Governors / Trustees. The Redundancy Payments Service (or successor office within Government) must also be notified before commencing consultation with plans that would result in 20 or more redundancies (via form HR1). The period of notification to the RPS is the same as for the requirement for consultation. Failure to comply with HR1 provisions may lead to a fine in accordance with relevant Government policy.

Throughout the reorganisation, and on occasions of potential redundancy, continuing dialogue with individual staff is essential. Employees have the right to be represented or accompanied at formal meetings by their trade union representative or work colleague, and should be informed of this. Securing a representative or work colleague and informing them of the time and place of the meeting remains the responsibility of the employee concerned.

The Academy Trust will carry out consultation when managing organisational change with staff and recognised trade unions and will adhere to the school's statutory responsibilities.

Consultation will specifically be in respect of:

- Structural reorganisation that impact on employees;
- Changes to contracts of employment, other than where all individuals that are affected by the changes are in agreement;
- Discretionary aspects of national agreements;

- Major changes in situations, working practices and location of employees etc; and changes to local procedural agreement; and
- Potential redundancy

Staff directly affected by the restructure or change will be met as a group. They will also be given the opportunity to request an individual meeting to discuss their position/circumstances with the appropriate manager during the consultation process.

Where redundancy is a possible outcome, the consultation must include the:

- Reasons for the contemplated dismissals;
- Numbers and types of jobs of those who may be dismissed;
- Total number of people employed in those jobs at the establishment in question;
- Proposed method of selecting those who may be dismissed; and
- The proposed method of carrying out the dismissals and the period over which they will take place.

In addition, the Academy Trust may set up an advisory consultative group and consult with them and staff in respect of:

- Avoiding dismissals;
- Reducing the numbers to be dismissed;
- Mitigating the consequences of the dismissals; or
- Curriculum matters/ staffing model.

Absent staff

Staff who are to be affected by the proposed changes and are absent from work must also be consulted; for example, employees on long-term sickness absence, maternity leave, adoption leave, parental leave, paternity leave, and secondment. It is also important to adapt to the individual circumstances, in considering the most effective way of communicating with these staff.

Equality analysis

The Academy Trust will normally carry out proportional Equality Analysis on all structural changes as part of the collective consultation. Equality Analysis pre-empts the possibility that a proposed change could affect some groups unfavourably. Unfavourable treatment could mean that the Academy Trust is failing to meet its statutory duties under the Equality Act 2010 to eliminate unlawful discrimination and promote equality of opportunity.

The Equality Analysis, which is required to be carried out by the Headteacher (or Executive Headteacher as appropriate), will normally be included in the relevant business case setting out proposals for the restructure or change activity. Suitable advice should be sought.

Placing staff in the new structure

At the planning stage, the old and new structures must be compared in order to identify objectively the impact for each post. Through a structured job categorisation process it will be possible to identify where a substantive job has changed and a matching process used to determine whether the change is significant.

At the consultation stage the Headteacher (or Executive Headteacher as appropriate) will individually advise each employee and confirm in writing that one of the following options may apply to them:

- They will be directly assimilated into one of the roles in the new structure; or
- They will have competitive assimilation rights – in which case they will be involved in a selection process, as there are more employees than are jobs in the new structure; or
- They will have ring-fence rights – in which case they will be entitled to a selection process, as jobs in the new structure are different from those in the old one; or
- Redeployment opportunities will be sought within the school with the intention of seeking to avoid redundancies wherever possible.

Special arrangements for placing staff in the new structure apply to staff that are on maternity leave to ensure that they are not disadvantaged by their absence.

Staff who are unable to secure a role, after having gone through an objective process of assessment and selection, will be supported to seek redeployment opportunities in the Academy Trust.

Selection for the new structure

A balanced approach will be used to assess employees in the selection pool. Selection will normally be via interview and may involve a practical test.

The use of unfair criteria that may lead to redundancies is likely to lead to uncertainty. Selection for redundancy is automatically unfair where it is for an inadmissible reason, e.g. relating to pregnancy, health and safety, the assertion of a statutory right or trade union membership activities. Redundancy dismissal may also be found to be discriminatory under the related discriminatory laws (sex, race, disability, religion or belief and sexual orientation).

Redeployment and suitable alternative employment

Employers have a statutory duty to seek redeployment opportunities within the school for employees at risk or under notice of dismissal on the grounds of redundancy. Employees on maternity leave and adoption leave have a specific legal right to be offered redeployment opportunities over and above the rights of other employees.

The Academy Trust will support redeployees with seeking reasonable alternative jobs by sign posting them to Brent Council job website, assisting with completing job application forms, preparing for job interviews and CV writing.

The redeployment period will run concurrently with the employee's contractual notice of dismissal.

If at the end of the notice period suitable alternative employment has not been found, then the employee's contract will be terminated, on the grounds of redundancy.

Once the redeployment process has been completed, all remaining vacancies will be subject to normal recruitment and selection procedures.

Trial period

An employee who is displaced has a statutory right to a trial period of four weeks in an alternative job where the provisions of the new contract differ from the original contract.

If staff are successfully matched to an available vacancy, (a selection process will normally apply) and a four week trial period will commence. The trial period gives the employee the opportunity to try out the new job and the appointing manager the opportunity to assess the employee in the role before making the final decision on its suitability.

Either party will be able to terminate the arrangement during the trial period and the redundancy payment would then be made.

The agreement must:

- Be in writing and made before the employee starts work under the new contract;
- Specify the date on which the trial period will end;
- Specify the terms and conditions of employment that will apply to the employee after the end of the trial period; and
- Specify rights to a redundancy payment should the Academy Trust decide the trial period was unsuccessful.

Suitable alternative employment

Suitable alternative employment is intended to reflect the match between the employee's current or most recent role (s), their skills, knowledge, qualifications (where relevant), aptitude and capability compared with the requirements of the new post with or without further training.

If an employee chooses not to accept the offer of suitable alternative employment the employee may lose their right to a redundancy payment.

If a member of staff is currently part time, consideration will be given to whether a full time post could be offered on reduced hours or a job share arrangement. This will always be subject to operational needs.

Protection of pay upon being placed in an alternative job

Where an alternative post accepted by the employee is one grade below the employee's current grade, pay protection will apply for a period of one year for support staff. During the period for which pay is protected, the employee will receive their former salary; however, there will be no entitlement to the annual pay award or any incremental progression. (Note: Pay protection will not apply where there is a reduction in FTE).

Teaching staff will be paid a safeguarded sum in accordance with the provisions in the current School Teachers Pay and Conditions Document.

When the protected period has ended, the salary will be revised immediately and paid in accordance with the salary grade on appointment and for which protection was given. No other allowances or payments, which are not relevant to the new appointment, will continue to be paid beyond the pay protection period.

Protection is generally only based on basic salary.

Assistance in finding other work

Employees who are under notice of redundancy and who qualify for a statutory redundancy payment, also have a statutory entitlement to a reasonable amount of paid time off to look for another job or to arrange training. How much time is "reasonable" depends on the circumstances of the particular case. This is however at the discretion of the Head teacher but is normally up to two days

Redundancy

In law, an employer must give an employee who is eligible for a statutory redundancy payment, a written statement on how the payment has been calculated.

If an employee has been given notice of redundancy they may lose their entitlement to redundancy payment if:

- Before the dismissal takes effect the employee accepts an offer of employment from a body specified in the Local Government Modification Order,
- The employment is to take effect within a period of four weeks and one day of their service being terminated by the school.

Redundancy payments

Permanent or fixed term employees who have at least 2 years continuous service or related service will be eligible for a redundancy payment based on age and length of qualifying service.

For service to be continuous, any break should not exceed 7 consecutive days, running from Sunday to Saturday (except where there is a redundancy and a new job is taken up as a result of an offer made by the employer before the old job ends, in which case the break can

be up to 4 weeks). Previous service will not count, for the purpose of a redundancy payment, if the employee has already received a redundancy payment for that period.

The school is to exercise its discretion as to whether or not they will use actual average weekly pay (rather than the statutory ceiling on the amount of a week's pay) for the calculation of redundancy payments, where there are no offers of alternative employment available. Such discretion must however be exercised in a manner that is fair and consistent with the Academy Trust's principles and values.

Severance payments

In order to avoid compulsory redundancies schools should give consideration to paying additional severance as well as statutory redundancy pay and it is normally equivalent to half the statutory redundancy payment.

Severance payments will be determined based on the budgetary constraints of the school and are non-contractual.

The Academy Trust can choose whether to make severance payments in circumstances of voluntary or compulsory redundancy; or in both circumstances.

The following criteria may be used to consider whether a severance payment will be made:

- Performance has been satisfactory – there are no formal capability proceedings being progressed
- Attendance has been satisfactory – Staff are not subject to formal procedures
The following exclusions will be made from records (where clearly notified with supporting medical evidence):
 - a) Maternity/ paternity related absence
 - b) Industrial injuries
 - c) Disability related absence
- There are no live disciplinary warnings.

Access to pension

Employees over 55 years of age – Local Government Pension Scheme (LGPS)

Where appropriate, the Academy Trust may obtain an estimate of benefits and capital costs for LGPS employees who are 55 and over and may be retiring early on the grounds of redundancy.

All pension scheme members may receive the immediate payment of their pension benefits, only if they are 55 or over. Please note that the scheme member must also have at least three months' membership or have transferred membership from another pension scheme.

If benefits are paid before the employee's 65th birthday, there may be an additional financial strain on the pension fund, which it is likely the Academy Trust would have to meet.

Teaching Staff – Teachers Pension Scheme (TPS)

Teaching staff must contact the teachers' pension scheme for further guidance on how they can access their pension funds.

Keeping records

It is important that written records are kept of all stages of the process, including minutes of meetings and all communications with unions, employee representatives and individual employees.

12.2. Managing Organisational Change Procedure

Establishing the need for the review

The Academy Trust will establish its own context and principles for the review that may take into account for example:

- the Academy Trust or individual school's improvement plan, including the priorities and vision for the school / Academy Trust, the findings from relevant OFSTED reports or other third party audits / inspections, school self-evaluations and the views of stakeholders;
- any external commitments the school or Academy Trust has that impact on the use and employment of staff such as outreach work, agreements on jointly staffed projects with other schools in a partnership/network or shared appointments across a number of schools;
- curriculum changes;
- operational reasons;
- the school or Academy Trust's financial circumstances; or
- government initiatives.

(This list is not exhaustive)

When identifying those parts of the structure that are to be reviewed, this will need to include all areas that are affected, both directly and indirectly. An example of this is where a change to posts in one part of the structure will have an impact on the workload or duties of other staff.

Drafting a proposal

The proposal will include the purpose and scope of the review or change; the timescale for implementation and the proposed length of the consultation period. The proposal should be

written in plain English and provide the information set out in the template provided in Appendix

1. The timetable for the proposal / consultation should take account of the information provided in Appendix 2.

Conducting the consultation exercise

The Headteacher (or Executive Headteacher as appropriate) should consult with those staff within scope of the review and copy the information to school union representatives, as well as Trade Union officials at the Branch offices. This consultation must include any staff in scope who are absent from school, for example on maternity/adoption leave or long term sick leave.

An appropriate length of time for the consultation period should be agreed; Appendix 2 gives examples of timetables for restructuring, taking into account notice periods for teachers.

Members of staff who are directly affected by the proposals may wish to discuss them in person with the Headteacher (and may be accompanied by a recognised trade union representative if they wish).

Considering the outcome of the consultation exercise

At the end of the consultation period, the Headteacher (or Executive Headteacher) must consider all representations made. A decision should then be made as to whether or not to modify the proposals or continue with the proposals providing feedback in writing, if requested, to all those who made representations during consultation. Decisions about whether to proceed should be taken in accordance with the Scheme of Delegation. If the decision is made to continue with a reorganisation that would include proposed redundancies, then the selection criteria and methodology must be clearly stated. The Headteacher must also consider whether there are any other means that could mitigate the need for compulsory redundancies – including, where appropriate, any requests for voluntary redundancies.

Implementing the reorganisation and change proposals

Managing redundancies

Every effort will be made to mitigate against the need for compulsory redundancies.

Voluntary redundancy

Volunteers for redundancy should normally be invited from the group of employees who are vulnerable to redundancy. However, the decision whether to accept a request by an employee to take voluntary redundancy is at the discretion of the Academy Trust, who will retain the employees best suited to the 'new' jobs. This should be made clear to staff who volunteer for redundancy.

Applications for voluntary redundancy will be considered by the Chair of the Local Governing Body and the Headteacher (or Chair of Trustees and Executive Headteacher).

Bumped redundancy

Bumped redundancy may also be appropriate. A bumped redundancy is where an employee (who is not in the original redundancy selection pool) volunteers to be made redundant and their job is given to the potentially redundant employee. Bumped redundancies can only take place where a redundancy situation has arisen and the Headteacher is satisfied that a bumped redundancy is in the interests of the Academy Trust. Full account should be taken of the costs of such a proposal. In all cases of bumped redundancy arrangements for the redeployment must be finalised before agreeing to the release of the volunteer.

Redeployment

The possible redeployment of an employee to a suitable alternative job in the Academy Trust or other school will be explored to avoid a compulsory redundancy.

Other considerations

These may include:

- non-filling of vacancies;
- retraining or transfer of staff to other duties;
- voluntary reduction in hours or transfer from full-time to part-time work (or job-share);
or
- phased retirement for Teachers' Pension Scheme members or flexible retirement for Local Government Pension Scheme members

Define detailed selection criteria

In order to ensure fairness, the selection of staff for redundancy must be based on criteria which:

- are as objective as possible;
- are supported by clear, verifiable evidence;
- are applied consistently;
- are relevant;
- enable selectors to distinguish among employees for the purposes of selection; and
- do not either directly or indirectly discriminate unlawfully (i.e. on grounds of age, race, sex, disability, pregnancy, part-time and/or fixed term contract basis, trade union membership, non-membership or activities, religion or belief, marriage/civil partnership or sexual orientation).

Selection criteria must be designed to ensure that the school is able to retain staff with the attributes required to meet its future operational, curricular, pastoral and organisational needs.

The relevant trade union officials will be consulted on the selection criteria to be adopted.

Selection for redundancy

Meeting to apply the selection criteria and select an employee for redundancy

At the end of consultation, and when all required information is available, the Headteacher / Local Governing Body (or Executive Headteacher and Trustees) will implement the redundancy process. In doing this, they will provisionally select the employee(s) for redundancy from the selection "pool" on the basis of criteria already specified within the proposals. Staff and the relevant Trade unions will have been consulted on this. Regardless of whether interviews will be conducted, there must be clear demonstration that specific selection criteria have been applied as fairly and objectively as possible.

When using a recording system for the collection of information the delegated person(s) should ensure that this is anonymised. This will ensure that should the information be shared as part of any rights of representation or appeal process, details about individual employees are kept confidential.

They must record their decisions and the basis for them in sufficient detail to enable selected staff to understand why they have been selected in this manner.

Confirmation of selection for redundancy

The delegated person(s) must ensure that any employee whom they have selected for redundancy is informed of this personally. The responsibility for carrying out this meeting may be delegated to the Headteacher or another senior member of school staff.

The employee will have the opportunity to attend a meeting which will be arranged within 2 working days to inform the employee of the selection decision. If the employee chooses not to attend they will be informed of the selection decision in writing.

The delegated person(s) will explain the reason why the employee has been selected for redundancy and will answer any questions arising.

The delegated person(s) will confirm that a letter will be sent providing the employee with formal notice of redundancy and their right of appeal against dismissal on the grounds of redundancy.

Right of appeal against dismissal on grounds of redundancy

Staff have the right of appeal against a dismissal taken under this procedure where:

- Failure to follow this policy had a material effect on the decision;
- The decision maker came to a conclusion on a material point of fact which no reasonable person could have come to;
- The decision to delete the post/select the employee for redundancy was on which would not have been reached by any reasonable person
- There is information that the employee wishes to introduce for the first time at the appeal which the employee could not reasonable have provided to the decision maker

by the time the decision was made and the absences of which had a material effect on the decision.

Appeals are not allowed on any other grounds.

Appeals will be undertaken in accordance with the 'Appeals against dismissal decisions' process set out in the Common Principles.

The decision of the appeal panel is final.

Other ways of implementing a new staffing structure

Job matching

The Headteacher will be responsible for managing the job categorisation process seeking appropriate advice. This step is essential to determine whether employees can be matched to posts in the new structure. The process involves a comparison of the old and new job descriptions to establish on a post by post basis whether:

- Posts from the old structure are unaffected in the new structure (unaffected);
- The same or substantially similar posts in the old structure have been deleted or reduced in the new structure (deleted); or
- There are new posts or substantially different posts in the new structure (new).

An example of 'substantially similar' (e.g. where the job title in the new structure changed but where the content and context of the job profile remain broadly similar, and the skills and knowledge required to undertake the role have not changed).

An example of 'substantially different' (e.g. where the job being deleted (role in the old structure) did not have line management responsibilities, but the role in the new structure (being created) has management responsibilities).

A job is categorised as 'Unaffected':

- A job in the new structure is categorised as unaffected where there is no change to the job description, although the number of these jobs may stay the same or increase.

A job categorised as 'Deleted' where either:

- A post in the old structure is no longer in the new structure, or
- The number of same or substantially similar posts in the new structure is less than the employees in post, or
- A post in the new structure has changed substantially and while the overall numbers of posts may not have changed the original post has in practice been deleted.

A job is categorised 'New' where either:

- The job has been newly created, or

- Some of the functions of a substantive job are evident in a job in the new structure, but the changes are substantial and thus the post is considered new. Where the job has changed, a matching process will determine whether the change is significant or not.

Assimilation (job matching without selection)

Assimilation applies where an employee is matched to a post without the need for an interview and the:

- new or existing post is fundamentally the same (this will normally be the case where the duties and responsibilities in the new post's job description are substantially similar to those contained in the old post's job description);
- there is the same number or fewer potential employees than available matching posts;
- New or existing post's grade is no more than one above or one below that of the post which is being deleted or changed.

A match will need to be undertaken between the existing job description and the new job description. HR will support managers to undertake the matching process.

Employees must be consulted on provisional job matches. Where there is no match, displaced employees will be placed on the redeployment register following consultation.

Competitive assimilation (job-matching with selection process)

Competitive assimilation will apply where substantially similar roles are available but there are more potential employees than available matching posts.

A match will need to be undertaken between the employee's current job description and the new post (s) job description. The job matching process is carried out by the manager responsible with HR support.

As with assimilation, staff must be considered for roles where the duties and responsibilities in the new post's job description are substantially similar to those contained in the old post's job description.

Ring fenced interviews

These will take place when:-

- There is a new or existing post available in the Academy Trust;
- A new post is substantially different to the role the employee is currently undertaking but where there is recognition that some similarities exist; or
- The new or existing post's grade will be no more than one above or one below that of the post being deleted or changed.

The employee will be required to attend a ring-fenced interview and other forms of assessment may also be used. In some instances no appointment will be made. The Academy Trust reserves the right to advertise a post in the new structure that is substantially

different internally or externally in the first instance to ensure the best possible appointment for posts undertaking key activities within the school.

In deciding whether at a competitive assimilation or ring-fenced interview to appoint an employee to a post, the manager must decide whether and to what extent the employee can demonstrate they meet the post's job description and person specification.

If an employee is ring-fenced to more than one job they will be asked to indicate their preference which will be taken into consideration when making appointment decisions.

There is no right of appeal against the outcome of the job matching process. A review would only be carried out if the employee gives clear and specific reasons for why the procedure was breached. The manager who undertook the matching will normally carry out the review in consultation with Human Resources. The employee should be informed in writing of the outcome of the review.

An employee who is at risk who fails to properly participate in a selection process could forfeit their right to a redundancy payment. Employees who have been ring-fenced can request voluntary redundancy, however, each case will be considered on its own merits.

Confirming the new structure

If successful, the terms and conditions of the new role will be confirmed in writing by way of the offer of a new contract of employment and upon acceptance, the employee will be deemed to have accepted the alternative job.

There is no right of appeal against the outcome of the job-matching process. An employee can write to ask for the outcome of the job-matching process in their case to be reviewed if they feel the outcome involved a breach of this procedure. The review will only be carried out if the employee gives clear and specific reasons for why this procedure was breached. The manager who made the queried decision will normally carry out the review in consultation with their HR Adviser. The employee should be informed in writing of the outcome of the review and the reasons for the outcome.

Where staff are successfully matched to new posts in the structure changes must be confirmed to the successful candidates in writing within one month of taking up the post.

Where staff are not successfully matched to new posts they will form part of a redundancy/redeployment selection pool.

Appendix 1: Information to include in a restructure consultation document

1. Introduction

This document sets out the background to the review of the school staffing structure. The purpose of this consultation document is to communicate with staff and unions the proposed changes, and outline the opportunities for consultation and involvement, as well as the timelines and implementation process.

It sets out the proposed staff structure to be implemented by: [insert]

It also sets out the process and time-scales that will be followed regarding the consultation and implementation of this structure. This document has been made available for trade union representatives.

2. Background and context

Outline the reasons for the review/changes e.g. to streamline the service / to cut costs / how it will support the school to achieve their objectives. The aims stated here should correspond with the proposed structure.

3. Summary of proposed changes

Outline the key proposals re: deletion or creation of posts, and changes in the staffing structure.

4. Budget savings / financial implications

Include relevant financial information.

5. Method of implementing the change

This restructure will be carried out in accordance with the Academy Trust's Managing

Organisational Change Policy and Procedure.

This section should include information on the following:

Current structure

Insert table showing title of post and proposed impact. Provide details of the implications for each postholder by clearly indicating whether their post is unaffected or deleted.

Post	Hours	Term/full time	Grade/ Salary Scale	Impact on role

Proposed structure

Insert table showing title of new posts and proposed implementation process. Provide details of the implications for each postholder by clearly indicating whether they will be assimilated/competitively assimilated /ring-fenced. Indicate which staff are at risk of redundancy.

State the proposed appointment process to the new structure.

State any other specific HR matters which need to be covered (e.g. if there is to be a change in weeks per year paid).

Provide a current and proposed structure chart wherever possible, as an appendix.

Post	Hours	Term/full time	Grade/ Salary Scale	Implementation Process- assimilation/ competitive assimilated/ringfenced

6. Timetable

Action	Date	Responsibility
Consultation document approved by Local Governing Body / Trustees		Full Local Governing Body / Board of Trustees or group with delegated authority
Consultation document shared with Trade Union Joint Consultative Committee		Headteacher
Meeting with Trade Union Joint Consultative Committee		Headteacher, Unions & HR
Formal consultation meeting to present outline proposals and commence consultation period – individual staff meetings offered during this period		Headteacher
Consultation period ends – length of consultation to commensurate with complexity of review		
Local Governing Body / Trustees to consider comments and feedback from consultation period – then formal approval of final structure		Full Local Governing Body / Board of Trustees or group with delegated authority
Communicate to staff the final structure		Headteacher
Assimilation to the new structure and/or selection for redundancy		Headteacher
If redundancy, governors / trustees meet to confirm who has been selected for redundancy		Designated group
Meeting to notify postholder(s) selected for redundancy takes place within 2 working days of decision.		Trustee/Governor/ Headteacher / Senior Leader
Appeal Hearing for individuals notified of dismissal on grounds of redundancy		Governors / Trustees
Implementation of new structure		Headteacher

9. Consultation

Responses to Consultation

Responses should be made in writing and addressed to **the Headteacher**.

The deadline for responses is: [insert]

If you would like an individual meeting with the Headteacher regarding your own situation within the proposed structure please request this by email and a meeting will be set up.

10. Applications for Voluntary Redundancy

The Academy Trust will consider applications for voluntary redundancy (VR). All enquiries into prospective voluntary redundancy payments will be given without prejudice.

If you are interested in obtaining details of the estimated payment you will receive please contact [insert details] who will arrange for your estimate to be calculated. On receipt, the employee should apply for VR using the prescribed process by [insert date] for consideration by the Local Governing Body. This timescale will enable the Academy Trust to consider voluntary options in the first instance. The decision whether to accept a request by an employee to take voluntary redundancy is at the discretion of the Academy trust, which will retain the employees best suited to the remaining posts.

All Voluntary redundancy calculations will be based upon your actual weekly pay OR [OPTIONAL to pay statutory ceiling on a weeks pay]

OPTIONAL [insert or delete sentence below as appropriate] and an additional severance payment (equivalent to half the redundancy payment).

Further information can be found on prospective redundancy payments via the following link:

<https://www.gov.uk/calculate-your-redundancy-pay>

Pension implication enquiries can be e-mailed to: pensions@brent.gov.uk

Amend this section as appropriate

12. Redundancy

It is proposed that jobs are deleted from the current structure, which will result in redundancies. The Academy Trust will endeavour to ensure that where possible, voluntary options are considered in the first instance.

Where it has not been possible to achieve sufficient staff reduction through the voluntary routes, the Academy Trust will undertake a compulsory redundancy exercise.

The criteria for determining redundancy will be based on matching the old job description to the new job description.

Where two or more people are able to claim assimilation rights to the same role, then a decision will be made through competitive interview, as outlined above.

Amend this section as appropriate

If you are made compulsory redundant your redundancy pay will be based upon your actual weekly pay OR

[OPTIONAL: to pay statutory ceiling on a weeks pay]

OPTIONAL [insert or delete sentence below as appropriate]

and an additional severance payment (equivalent to half the redundancy payment).

13. Pay protection

Support Staff	In accordance with current practice in Brent
Teachers	In accordance with the School Teachers Pay and Conditions Document

14. Appeal

Please refer to the Managing Organisational Change Policy and Procedure for Schools.

15. Useful contacts

HUMAN RESOURCES

NAME	TITLE	TELEPHONE

UNIONS

NAME	UNION	CONTACT

Appendix 2: Example restructure timetable

Autumn Term No later than...	Spring Term No later than...	Summer Term No later than...	Action...
May	October	February	Full governors meeting – staffing review and decision to declare redundancies made. Redundancy and Appeals Committee formed. HR advice sought.
June/July	November/December	March/April	Formal consultation with staff and unions.
End July/ early September	End December/ early	End April	Consultation period ends. Redundancy Committee meet to adopt and apply selection criteria.
Mid September	Mid January	Mid May	Representations to Redundancy
30 September*	31 January*/28 February (see below)	31 May (see below)	Notice of dismissal issued by school as appropriate.
Mid December	Mid April	End of July	Appeals.
31 December	30 April	31 August	Contracts terminated.

*Points to consider in setting timeline:

- Date of issue of contractual notice periods for teachers are: 31 May, 31 October and 28 February. However if an employee has more than 8 years continuous service they have a statutory entitlement of one week for each year of service up to a maximum of 12. For this reason it is advisable to plan for the maximum notice during the Autumn and Spring terms.
- Notice periods for non-teaching staff are based on either their contractual (normally one month) or statutory notice periods, whichever is the greater up to a maximum of 12 weeks (see 1. above). It is advisable therefore to plan for the maximum period but to be aware that there may be more flexibility in the timetable, depending on an individual's notice entitlement.
- Timing of stages needs to take into account where holiday periods fall year on year.